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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91205982
Party	Defendant Fertitta Entertainment LLC
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Submission	Motion to Suspend for Settlement Discussions
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Date	07/30/2016
Attachments	Stipulated Motion for Suspension for Settlement - 91205982 Parent Case.pdf(145877 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

<p>FERTITTA HOSPITALITY, LLC,</p> <p style="text-align: center;">Opposer,</p> <p style="text-align: center;">v.</p> <p>FERTITTA ENTERTAINMENT LLC,</p> <p style="text-align: center;">Applicant.</p>	<p><b>CONSOLIDATED PROCEEDINGS</b></p> <p><b>Opposition No.:</b> 91205982 (parent case) <b>Mark:</b> FERTITTA GAMING <b>Serial. No.:</b> 85/180,560</p> <p><b>Opposition No.:</b> 91210386 <b>Mark:</b> FERTITTA <b>Serial. No.:</b> 85/657,016</p> <p><b>Opposition No.:</b> 91205984 <b>Mark:</b> FERTITTA ENTERTAINMENT <b>Serial. No.:</b> 85/180,567</p>
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**STIPULATED MOTION FOR SUSPENSION FOR SETTLEMENT**

Pursuant to Trademark Rule 2.117(c), Fertitta Entertainment LLC (“Applicant”) requests suspension of these proceedings for sixty (60) days, subject to the right of either party to request resumption of the proceedings at any time prior thereto. Applicant further requests that all dates be reset in accordance with this 60-day suspension.

Concurrently with this Stipulated Motion for Suspension for Settlement, Applicant has filed a Motion to Substitute with Consent, requesting substitution of Fertitta Business Management LLC (“FBM”) for Applicant in the above-captioned consolidated proceedings. Suspension is requested to allow FBM, as a new party to these consolidated proceedings, the opportunity to engage in settlement negotiations with Fertitta Hospitality, LLC (“Opposer”) that, if successful, will result in the termination of these proceedings.

As grounds in support of this motion and to show good cause, Applicant submits the attached report entitled *Status of Negotiations – Fertitta Hospitality, LLC v. Fertitta Entertainment, LLC*. (See **Exhibit A**).

Counsel for Opposer, William D. Raman of the firm Fleckman & McGlynn, PLLC has consented to this motion on its merits.

DATED: July 28, 2016

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/Erin E. Lewis/

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Erin E. Lewis  
Attorney for Fertitta Entertainment LLC and  
Fertitta Business Management LLC

## **Exhibit A**

### **Status of Negotiations – *Fertitta Hospitality, LLC v. Fertitta Entertainment LLC***

#### **1) When last settlement proposal was sent, by whom, and when a response is expected**

Settlement negotiations between the parties were temporarily suspended to allow Applicant's affiliated entity to conclude its initial public offering. Thereafter, on June 3, 2016, Applicant assigned its entire right, title, interest and goodwill in the opposed applications to Fertitta Business Management LLC ("FBM"). It is anticipated that FBM will replace Applicant as a party in the subject consolidated proceedings, at which time, FBM will send a new settlement proposal to Opposer.

#### **2) Recitation of issues that have been resolved since the commencement of this proceeding**

Due to the recent assignment of the opposed applications to FBM, FBM and Opposer have not yet engaged in settlement negotiations.

#### **3) List of issues that remain to be resolved**

FBM is presenting a new settlement proposal to Opposer. At this time, there are no known issues that will prevent settlement.

#### **4) Timetable for resolution**

The parties request a 60-day suspension of the subject proceedings to allow FBM and Opposer enough time to engage in productive settlement discussions.

**Certificate of Service**

I, Julie Obermeyer, hereby certify that a true and complete copy of the foregoing Stipulated Motion for Suspension for Settlement has been served on William D. Raman of the firm Fleckman & McGlynn, PLLC via email (as agreed upon) on July 30, 2016 to raman@fleckman.com.

/s/Julie Obermeyer/

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