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

Proceeding	91205982
Party	Defendant Fertitta Business Management LLC
Correspondence Address	LAURA BIELINSKI BROWNSTEIN HYATT FARBER SCHRECK 100 N CITY PARKWAY SUITE 1600 LAS VEGAS, NV 89106-4614 UNITED STATES lvpto@bhfs.com, jobermeyer@bhfs.com, elewis@bhfs.com, lbielinski@bhfs.com, kgoldberg@bhfs.com, llangberg@bhfs.com
Submission	Motion to Suspend for Settlement Discussions
Filer's Name	Laura Bielinski
Filer's e-mail	lvpto@bhfs.com, jobermeyer@bhfs.com, elewis@bhfs.com, llangberg@bhfs.com
Signature	/Laura Bielinski/
Date	10/25/2016
Attachments	Stipulated Motion for Suspension for Settlement - 91205982.pdf(13090 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 BUSINESS MANAGEMENT LLC,</p> <p style="text-align: center;">Applicant.</p>	<p>CONSOLIDATED PROCEEDINGS</p> <p>Opposition No.: 91205982 (parent case) Mark: FERTITTA GAMING Serial. No.: 85/180,560</p> <p>Opposition No.: 91210386 Mark: FERTITTA Serial. No.: 85/657,016</p> <p>Opposition No.: 91205984 Mark: FERTITTA ENTERTAINMENT Serial. No.: 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 ninety (90) 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 90-day suspension.

Suspension is requested to allow FBM, as a new party to these consolidated proceedings, the opportunity to continue its new 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 Business Management 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: October 25, 2016

Erin E. Lewis
Laura Bielinski
Peter Ajemian
Lindsey Williams
BROWNSTEIN HYATT FARBER SCHRECK
100 N. City Parkway, Suite 1600
Las Vegas, NV 89106-4614
Telephone: (702) 382-2101
Facsimile: (702) 382-8135

/Laura Bielinski/

Laura Bielinski
Attorney for 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

As anticipated in the last request for suspension, substituted party Fertitta Business Management LLC (“FBM”), successor-in-interest to former Applicant Fertitta Entertainment LLC, sent a settlement proposal to Opposer on September 21, 2016. Counsel for the parties communicated by email for several days thereafter regarding the proposal and spoke at length telephonically on September 28, 2016, to discuss the proposal in greater detail. FBM expects to hear from Applicant on FBM’s proposal in the coming weeks.

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

FBM is taking a different approach than its predecessor in proposing terms to resolve this dispute, and its settlement offer proposes a global resolution of these consolidated proceedings on terms that were never previously discussed between Opposer and Fertitta Entertainment LLC. Effectively, FBM and Opposer have started settlement discussions anew, and will need time to work through the new proposed framework for settlement. Thus, although no issues have been resolved to date, in the event that the new settlement discussions are fruitful, the parties anticipate that any settlement will be global and will resolve all relevant issues.

3) List of issues that remain to be resolved

Although no issues have been resolved to date, in the event that the new settlement discussions between substituted party FBM and Opposer are fruitful, the parties anticipate that any settlement will be global and will resolve all relevant issues.

4) Timetable for resolution

The parties request a 90-day suspension of the subject proceedings to allow FBM and Opposer enough time to engage in settlement discussions on the new terms proposed by FBM.

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 October 25, 2016 to raman@fleckman.com.

/s/Julie Obermeyer/

Julie Obermeyer
Paralegal
Brownstein Hyatt Farber Schreck, LLP
100 N. City Parkway, Suite 1600
Las Vegas, Nevada 89106

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