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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
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Submission	Motion to Suspend for Settlement Discussions
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Date	03/22/2019
Attachments	Stipulated Motion for Suspension for Settlement 91205982.pdf(11775 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 Business Management 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.

Applicant asserts that the parties are engaged in settlement discussions that, if successful, will result in the termination of these proceedings. The proposed settlement agreement is now under final review by Applicant and its advisers. Suspension is requested in order to allow the parties to maintain the status quo as the parties near execution of a final agreement.

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 Fertitta Hospitality, LLC ("Opposer"), William D. Raman of the firm Fleckman & McGlynn, PLLC has consented to this motion on its merits.

DATED: March 22, 2019

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Exhibit A

Status of Negotiations ***Fertitta Hospitality, LLC v. Fertitta Business Management LLC***

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

After exchanging several versions of a settlement term sheet, the parties' in-house counsel agreed to final settlement terms on December 6, 2018. Accordingly, the parties believe they have finally resolved all the outstanding issues in this matter. The parties have a final draft in circulation, and the agreement is currently under review with Applicant and its advisors. The parties hope to have the agreement fully executed in the coming weeks.

As previously noted, the issues in these proceedings are complex, and the parties—both of which require multiple levels of review within their organizations in order to approve any settlement terms—are working to resolve their serious disagreements about their respective rights to register various FERTITTA-formative marks. Should the Interlocutory Attorney have questions or want additional information regarding the complexity of the issues presented here and/or the need for additional time, counsel for the parties are available to discuss the matter telephonically in greater detail.

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

The final outstanding issue that Applicant and Opposer have been negotiating regarding the parties' rights to register their FERTITTA-formative marks is now resolved.

3) List of issues that remain to be resolved

The parties believe they have resolved all outstanding issues. They have an agreement in what they believe to be final form and they hope to execute the agreement in the coming weeks.

4) Timetable for resolution

The parties request a 60-day suspension of the subject proceedings to allow Applicant and Opposer enough time for their in-house counsel to finalize the formal settlement agreement.

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 March 22, 2019 to raman@fleckman.com.

/Julie Obermeyer/

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