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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	11/21/2019
Attachments	Stipulated Motion for Suspension for Settlement 91205982 Parent Case.pdf(12246 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.

The parties are engaged in settlement discussions, have a final draft agreement in circulation and believe matter will be fully resolved in the coming weeks. An additional draft of the proposed settlement agreement is now under final review by Fertitta Hospitality, LLC ("Opposer") 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, William D. Raman of the firm Fleckman & McGlynn, PLLC has consented to this motion on its merits.

DATED: November 21, 2019

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Laura Langberg
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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

The settlement agreement has undergone several revisions as the parties continue to negotiate the additional issues that have arisen beyond what the parties' in-house counsel agreed upon when they came to terms by telephone. The latest revised draft of the settlement agreement was circulated on October 25, 2019, and is currently under review by Opposer and its advisors. The parties are working diligently to resolve all of the outstanding issues in this matter and hope to have the agreement fully finalized and 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 parties believe that many of the major issues that Applicant and Opposer have been negotiating regarding the parties' rights to register their FERTITTA-formative marks are now resolved, and the parties are continuing to negotiate on other terms that have arisen during negotiations.

3) List of issues that remain to be resolved

The parties are negotiating additional issues that have arisen during negotiations. They have an agreement in what they believe is close to 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 and execute 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 November 21, 2019 to raman@fleckman.com.

/Julie Obermeyer/

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