

ESTTA Tracking number: **ESTTA662843**

Filing date: **03/24/2015**

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

Proceeding	91208483
Party	Plaintiff Chicago Cubs Baseball Club, LLC
Correspondence Address	ARYN M EMERT COWAN LIEBOWITZ & LATMAN PC 1133 AVENUE OF THE AMERICAS NEW YORK, NY 10036 6799 UNITED STATES ame@cll.com, jmn@cll.com, trademark@cll.com
Submission	Other Motions/Papers
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Date	03/24/2015
Attachments	REVERSE THE CURSE _ MOCS.pdf(10974 bytes)

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

In re Application Serial No. 85527846
Filed: January 28, 2011
For Mark: REVERSE THE CURSE
Published in the Official Gazette: June 19, 2012

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CHICAGO CUBS BASEBALL CLUB, LLC,	:	
Opposer,	:	Opposition No. 91208483
	:	
v.	:	
	:	
REVERSE THE CURSE, INC.,	:	
Applicant.	:	
-----X	:	

**MOTION ON CONSENT TO SUSPEND PROCEEDINGS
AND TO EXTEND DISCOVERY PERIOD IF OPPOSITION IS RESUMED**

Opposer, by and through counsel, hereby moves for an order suspending the proceedings in this matter for a period of three (3) months, until **June 24, 2015**. Applicant’s counsel consented to this motion, which is requested to allow the parties to continue engage in settlement discussions.

Since the institution of the proceedings the parties have had verbal and written settlement negotiations, and have drafted, reviewed and proposed term sheets. Specifically, since the parties last sought an extension, Opposer’s in-house counsel reviewed the latest settlement proposal relayed by Applicant, and conferred with Opposer’s outside counsel regarding a counterproposal. Thereafter, Opposer’s outside counsel, Applicant’s counsel and Applicant held a settlement conference regarding Opposer’s counterproposal and the terms for a potential agreement between the parties. Thereafter, Opposer’s outside counsel sent Applicant’s counsel a written

counterproposal based on the terms discussed in the settlement conference. Additionally, the parties conferred regarding the matter on December 23rd, January 7th, January 8th, January 14th, February 17th, February 24th, March 3rd, March 19th and March 24th. The additional time is requested to allow the parties to negotiate the remaining open terms for an agreement, and to work towards settlement of this matter. The parties believe they will timely resolve this matter.

In the event that the Board denies this motion, Opposer consents to an extension of time for Applicant to file an answer or otherwise respond to the Notice of Opposition until sixty (60) days after such denial.

If the Board grants this motion, the Board should also reset Applicant's time to answer or otherwise respond to the Notice of Opposition until thirty (30) days after the suspension ends. Additionally, the parties request that six months of discovery be allowed and that the discovery cutoff be reset to six (6) months after the proceedings resume so that the parties will have the full period of discovery in the event that the matter is not able to be resolved. The trial periods and other periods should be reset accordingly.

Dated: New York, New York
March 24, 2015

COWAN LIEBOWITZ & LATMAN, P.C.
Attorneys for Opposer

By: /Aryn M. Emert/

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on March 24, 2015, I caused a true and correct copy of the foregoing Motion to Suspend to be sent via First Class Mail, postage prepaid, to Applicant's Attorney and Correspondent of Record, Eduardo Drake, Fantastic IP Consulting, 1367 Willow St Apt 318, Minneapolis, Minnesota 55403-2580.

/Aryn M. Emert/
Aryn M. Emert