

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451
General Contact Number: 571-272-8500

Mailed: September 23, 2014

Opposition No. 91210386

Fertitta Hospitality, LLC

v.

Fertitta Entertainment LLC

Veronica P. White, Paralegal Specialist:

Applicant's consented motion (filed August 27, 2014) for suspension of the proceedings to accommodate the parties' continued settlement discussions is noted.

The Board finds that the parties have complied with the Board's previous requirement and has shown good cause. Accordingly, applicant's motion is **GRANTED** and the proceedings herein are suspended until November 26, 2014 subject to the right of either party to request resumption at any time. See Trademark Rules 2.117(c), and 2.127(a); and TBMP § 605.02.

In the event that there is no word from either party concerning the progress of their negotiations, upon conclusion of the suspension period, proceedings shall resume November 27, 2014 without further notice or order from the Board, upon the schedule set forth below.

Applicant is allowed until December 27, 2014 in which to answer the notice of opposition. Conferencing, disclosure, discovery and trial dates are reset as follows:

Deadline for Discovery Conference	1/26/2015
Discovery Opens	1/26/2015
Initial Disclosures Due	2/25/2015
Expert Disclosures Due	6/25/2015
Discovery Closes	7/25/2015
Plaintiff's Pretrial Disclosures	9/8/2015
Plaintiff's 30-day Trial Period Ends	10/23/2015
Defendant's Pretrial Disclosures	11/7/2015
Defendant's 30-day Trial Period Ends	12/22/2015
Plaintiff's Rebuttal Disclosures	1/6/2016
Plaintiff's 15-day Rebuttal Period Ends	2/5/2016

In each instance, a copy of the transcript of testimony together with copies of documentary exhibits, must be served on the adverse party within thirty days after completion of the taking of testimony. Trademark Rule 2.125.

Briefs shall be filed in accordance with Trademark Rules 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.

As a final matter, the parties are reminded that in the event that either party files a motion to extend or suspend any of these dates, they remain under obligation to support any such motion with a detailed report of the reasons therefor, including details of settlement efforts, if any. For further explanation of this requirement, the parties are referred to the Board order issued June 17, 2014. **Absent such a report, any future motion to extend or suspend may be denied, even if agreed to by the parties.**

If, during the suspension period, either of the parties or their attorneys should have a change of address, the Board should be so informed.¹

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¹ If the parties are (or during the pendency of this proceeding become) parties to another proceeding involving the subject application, the parties must notify the Board so the Board can consider whether consolidation or suspension of proceedings is appropriate.