

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: October 7, 2015

Opposition No. 91210386

Fertitta Hospitality, LLC

v.

Fertitta Entertainment LLC

Veronica P. White, Paralegal Specialist:

Applicant's consented motion (filed September 24, 2015) to further suspend this proceeding to accommodate the parties' continued settlement discussions is granted for good cause shown.

Because the parties are negotiating for a possible settlement of this case, proceedings are suspended up to, and including December 23, 2015, 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 December 24, 2015 without further notice or order from the Board, upon the schedule set forth below.

Applicant is allowed until January 23, 2016 in which to answer the notice of opposition. Conferencing, disclosure, discovery and trial dates are reset as follows:

Deadline for Discovery Conference	2/22/2016
Discovery Opens	2/22/2016
Initial Disclosures Due	3/23/2016
Expert Disclosures Due	7/21/2016
Discovery Closes	8/20/2016
Plaintiff's Pretrial Disclosures	10/4/2016
Plaintiff's 30-day Trial Period Ends	11/18/2016
Defendant's Pretrial Disclosures	12/3/2016
Defendant's 30-day Trial Period Ends	1/17/2017
Plaintiff's Rebuttal Disclosures	2/1/2017
Plaintiff's 15-day Rebuttal Period Ends	3/3/2017

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

As a final matter, the parties are reminded of their continuing obligation to provide a detailed progress report with all future extension and suspension requests filed with the Board. *See* Board order dated June 17, 2014. **Absent such a report, any future motion to extend or suspend may be denied, even if agreed to by the parties.**¹

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.