ESTTA Tracking number:

ESTTA722613 01/25/2016

Filing date:

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

Proceeding	91210386
Party	Defendant Fertitta Entertainment LLC
Correspondence Address	KELLEY L NYQUIST BROWNSTEIN HYATT FARBER SCHRECK LLP 100 N CITY PARKWAY, SUITE 1600 LAS VEGAS, NV 89106-4614 UNITED STATES Ivpto@bhfs.com, lbielinski@bhfs.com, elewis@bhfs.com, kgoldberg@bhfs.com, jobermeyer@bhfs.com
Submission	Other Motions/Papers
Filer's Name	Laura Bielinski
Filer's e-mail	lvpto@bhfs.com, jobermeyer@bhfs.com, elewis@bhfs.com, llang-berg@bhfs.com,
Signature	/Laura Bielinski/
Date	01/25/2016
Attachments	Stipulated Motion to Consolidate - 91210386, 91205982, 91205984.pdf(103657 bytes )

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

FERTITTA HOSPITALITY, LLC,

Opposition No.: 91210386

Opposer,

Mark: FERTITTA

v.

Serial. No.: 85/657,016

FERTITTA ENTERTAINMENT LLC,

Applicant.

FERTITTA HOSPITALITY, LLC,

**Opposition No.:** 91205982

Opposer,

Mark: FERTITTA GAMING

٧.

Serial. No.: 85/180,560

FERTITTA ENTERTAINMENT LLC,

Applicant.

FERTITTA HOSPITALITY, LLC,

**Opposition No.:** 91205984

Opposer,

Mark: FERTITTA ENTERTAINMENT

v.

Serial. No.: 85/180,567

FERTITTA ENTERTAINMENT LLC,

Applicant.

## STIPULATED MOTION TO CONSOLIDATE

Pusuant to Federal Rule of Civil Procedure 42(a) and TMBP § 511, Fertitta Entertainment LLC, by and through its attorneys, and with the consent of Fertitta Hospitality, LLC, hereby moves to consolidate Opposition Proceeding Nos. 91210386, 91205982 and 91205984. These three proceedings involve identical parties, represented by the same counsel in each case, and the basis for opposition in all three proceedings is substantially the same. As a result, there are common

questions of law and fact, and the parties believe that consolidation will result in savings in time, effort and expenses without any prejudice or inconvenience to either party.

The parties further stipulate that the current deadlines for Fertitta Entertainment LLC's answers in the three consolidated proceedings should be extended to thirty days from the date the Board rules on this Motion.

DATED:

January 25, 2016

Respecfully submitted,

/Laura Bielinski/
Laura Bielinski
Erin E. Lewis
BROWNSTEIN HYATT FARBER SCHRECK
100 N. City Parkway, Suite 1600
Las Vegas, NV 89106-4614
Telephone: (702) 382-2101

Attorneys for Applicant, Fertitta Entertainment LLC

Facsimile: (702) 382-8135

## **Certificate of Service**

I, Julie Obermeyer, hereby certify that a true and complete copy of the foregoing Stipulated Motion to Consolidate has been served on William D. Raman of the firm Fleckman & McGlynn, PLLC via email (as agreed upon) on January 25, 2016, to raman@fleckman.com

Julie Obermeyer

Brownstein Hyatt Farber Schreck, LLP

100 N. City Parkway, Suite 1600

Las Vegas, Nevada 89106

013877\0008\14410078.1