

ESTTA Tracking number: **ESTTA660755**

Filing date: **03/12/2015**

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

Proceeding	91213393
Party	Defendant BNA Wine Group, LLC
Correspondence Address	ROBERT L BREWER BASS BERRY & SIMS PLC 150 3RD AVE S , SUITE 2800 NASHVILLE, TN 37201-2017 UNITED STATES trademarks@bassberry.com
Submission	Motion to Suspend for Settlement Discussions
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Date	03/12/2015
Attachments	3-12-2015 motion for suspension.pdf(53760 bytes )

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

In re the matter of the Application Serial No: 85951383  
For the Mark: HUMBLE PIE  
Filed on: June 5, 2013  
Published in the Official Gazette on November 5, 2013

One True Vine, LLC,

Opposer,

v.

BNA Wine Group, LLC,

Applicant.

Opposition No.: 91213393

**MOTION FOR SUSPENSION FOR SETTLEMENT WITH CONSENT**

Applicant submits the instant Motion for Suspension for Settlement With Consent.

The parties are actively engaged in negotiations for the settlement of this opposition proceeding. The BNA Wine Group, LLC (“BNA Wine Group”) requests that these proceedings be suspended for an additional thirty (30) days to allow the parties to continue their settlement efforts and time to finalize the details of a Settlement and Coexistence Agreement. The Applicant has secured the express consent of the other party to this proceeding for the suspension and resetting of dates via email.

Issues That Have Been Resolved: The parties have agreed to settle this dispute by way of a Settlement and Coexistence Agreement and have agreed to its main terms. The parties have

exchanged a detailed draft of the agreement, they are reviewing it with counsel, and the majority of the parties' obligations under the draft Coexistence Agreement have been agreed to.

Issues That Remain to Be Resolved: The only remaining issue to be resolved is finalizing the remainder of the Agreement.

Timetable for Resolution: The parties anticipate that the terms of the Settlement and Coexistence Agreement will be finalized within thirty (30) days from this Motion for Suspension for Settlement With Consent.

Accordingly, subject to the approval of the Trademark Trial and Appeal Board, the dates set out in the TTAB Order, dated February 11, 2015, should be reset as follows:

Expert Disclosures Due:	4/11/2015
Discovery Period to Close:	5/11/2015
Plaintiff's Pretrial Disclosures:	6/25/2015
Plaintiff's 30-Day Trial Period Ends:	8/9/2015
Defendant's Pretrial Disclosures:	8/24/2015
Defendant's 30-Day Trial Period Ends:	10/8/2015
Plaintiff's Rebuttal Disclosures:	10/23/2015
Plaintiff's 15-Day Rebuttal Period Ends:	11/22/2015

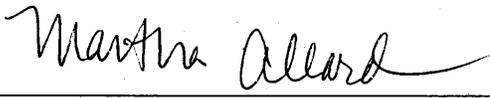
The BNA Wine Group has provided email addresses herein below for itself and for the opposing party so that any order on this motion may be issued electronically by the Board:

For One True Vine, LLC: [trademarks@rutan.com](mailto:trademarks@rutan.com), [lhulley@rutan.com](mailto:lhulley@rutan.com)  
and [roines@rutan.com](mailto:roines@rutan.com).

For BNA Wine Group: [trademarks@bassberry.com](mailto:trademarks@bassberry.com), [rbrewer@bassberry.com](mailto:rbrewer@bassberry.com),  
[pmills@bassberry.com](mailto:pmills@bassberry.com), and [mallard@bassberry.com](mailto:mallard@bassberry.com).

Respectfully submitted,

DATED: March 12, 2015

By: 

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*Attorneys for Applicant,  
BNA Wine Group, LLC*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and complete copy of the foregoing MOTION FOR SUSPENSION FOR SETTLEMENT WITH CONSENT has been served on the Attorneys of Record for Plaintiff, by mailing said copy on March 12, 2015, via First-Class U.S. Mail, with a courtesy copy being sent by email, to the following:

Lindsay Hulley, Esq.  
Ronald P. Oines, Esq.  
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DATED: March 12, 2015



Name: Marian Moore, Paralegal