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Filing date: **04/18/2016**

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

| | |
|------------------------|--|
| Proceeding | 91223118 |
| Party | Plaintiff E. & J. GALLO WINERY |
| Correspondence Address | Steven M. Weinberg Holmes Weinberg, PC 30765 Pacific Coast Hwy Suite 411 Malibu, CA 90265 UNITED STATES hwtrademarks@gmail.com, msalvatore@holmesweinberg.com |
| Submission | Motion to Suspend for Settlement Discussions |
| Filer's Name | Nelda Piper |
| Filer's e-mail | hwtrademarks@gmail.com, msalvatore@holmesweinberg.com, dchristus@mwe.com |
| Signature | /Nelda Piper/ |
| Date | 04/18/2016 |
| Attachments | 2016 04 18_ Consented Motion to Suspend_Opp 91223118.pdf(87650 bytes) |

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

In re Serial No. 86/380,534

E. & J. Gallo Winery,

Opposer,

v.

Randy Stoller,

Applicant.

Opposition No. 91223118

CONSENTED MOTION TO SUSPEND

Opposer E. & J. Gallo Winery (“Gallo”), files this consented motion to suspend proceedings in this opposition proceeding for 60 days beginning on April 10, 2016. The parties agree that all deadlines pending as of April 10, 2016, will be postponed for 60 days, including time to answer, initial disclosure deadlines, expert disclosure deadlines and discovery deadlines. This suspension period is requested to permit the parties to engage in settlement negotiations in an effort to resolve this matter. Accordingly, the parties stipulate that pending dates in this case should be reset as follows:

| Deadline | Current Date | New Date |
|--------------------------------------|---------------------|-----------------|
| Time to Answer | 4/10/2016 | 6/9/2016 |
| Deadline for Discovery Conference | 5/10/2016 | 7/9/2016 |
| Initial Disclosures Due | 6/09/2016 | 8/8/2016 |
| Expert Disclosures Due | 10/07/2016 | 12/6/2016 |
| Discovery Closes | 11/06/2016 | 1/5/2017 |
| Plaintiff’s Pretrial Disclosures | 12/21/2016 | 2/19/2017 |
| Plaintiff’s 30-day Trial Period Ends | 2/04/2017 | 4/5/2017 |

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| Defendant's Pretrial Disclosures | 02/19/2017 | 4/20/2017 |
| Defendant's 30-day Trial Period Ends | 04/05/2017 | 6/4/2017 |
| Plaintiff's Rebuttal Disclosures | 04/20/2017 | 6/19/2017 |
| Plaintiff's 15-day Rebuttal Period Ends | 05/20/2017 | 7/19/2017 |

By email dated April 18, 2016, Applicant's attorney, Daniel Christus, agreed to this motion to suspend. The parties have agreed to service of this consent motion by email.

DATED this 18th day of April, 2016.

Respectfully submitted,

By: /s/ Michael J. Salvatore

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Counsel for Opposer E. & J. Gallo Winery

Certificate of Service

The undersigned hereby certifies that a true copy of the foregoing CONSENTED MOTION TO SUSPEND was served by email to Applicant's counsel at the following address:

Daniel N. Christus
McDermott Will & Emery LLP
227 W. Monroe St.
Chicago, IL 60606

Dated: April 18, 2016

By: /Nelda Piper/
Nelda Piper