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

Proceeding	91174787
Party	Defendant B.J. Alan Company B.J. Alan Company 555 Martin Luther King, Jr. Blvd. Youngstown, OH 445021102 Waweimer@fireworks.com
Correspondence Address	Ronni S. Jillions Browdy and Neimark 624 Ninth St. N.W.Suite 300 Washington, DC 20001 UNITED STATES mail@browdyneimark.com
Submission	Other Motions/Papers
Filer's Name	Ronni S. Jillions
Filer's e-mail	rsjillions@browdyneimark.com, adonofrio@fireworks.com
Signature	/Ronni S. Jillions/
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

NEW LINE PRODUCTIONS, INC.)	
)	Opposition No. 91174787
)	
Opposer/ Counterclaim Registrant,)	
)	
v.)	
)	
B.J. ALAN COMPANY)	
)	
Applicant/ Counterclaim Petitioner)	
)	

**APPLICANT'S MOTION TO WITHDRAW COUNTERCLAIMS AND CONSENTED
MOTION FOR SUSPENSION AND EXTENSION OF DISCOVERY PERIODS**

Applicant/Counterclaim Petitioner, B.J. Alan Company ("BJAL"), by its undersigned attorneys, hereby moves the Board to withdraw the counterclaims filed on March 12, 2007. BJAL also moves for a six month suspension of the proceedings and extension of the discovery and testimony periods and brief deadlines. Opposer/Counterclaim Registrant New Line Productions, Inc. ("NLP") has consented to the withdrawal, suspension and extension. BJAL states as follows in support of its motion:

1. On March 12, 2007, BJAL filed an Answer and Counterclaims in the above-identified proceeding. The Counterclaims sought cancellation of NLP's pled registrations, 2,547,824, and 2,677,644.
2. Subsequent to this filing, the parties entered negotiations for a settlement of the dispute. These negotiations are ongoing, and the parties are close to resolving their differences.

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3. NLP's answer to the counterclaims was due on May 9, 2007, however, due to the ongoing negotiations, NLP did not file an answer. A notice of default was issued on June 25, 2007.

4. BJAL now wishes to withdraw its counterclaims. NLP has consented to such withdrawal, by email on July 10, 2007.

5. Discovery is set to close on July 10, 2007.

6. To continue the negotiations, BJAL also requests a six month suspension of the proceedings. NLP has consented to such suspension, by email on July 10, 2007.

7. To allow the parties sufficient time to conduct discovery should the negotiations fail to resolve the dispute, BJAL also requests a three-month extension of the discovery and testimony periods and brief deadlines, following resumption of the proceedings after the suspension. NLP has consented to such extension, by email on July 10, 2007.

Based on the above facts, BJAL requests withdrawal of the counterclaims filed on March 12, 2007, a six month suspension of the proceedings, and a three month extension of the discovery and testimony periods and brief deadlines.

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Respectfully submitted,

Date: July 10, 2007

/Ronni S. Jillions/
Ms. Ronni S. Jillions
BROWDY AND NEIMARK, P.L.L.C.
624 Ninth Street, N.W.
Suite 300
Washington, DC 20001-5303
Telephone: (202) 628-5197
Facsimile: (202) 737-3528

Mr. Anthony Donofrio
Deputy General Counsel
B.J. Alan Company
555 Martin Luther King, Jr. Blvd.
Youngstown, Ohio 44502-1102

Attorneys for Applicant

RSJ:me

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CERTIFICATE OF ONLINE FILING

I hereby certify that the foregoing was submitted to the Trademark Trial and Appeal Board, via the on-line filing system on the USPTO website, on this 10th day of July 2007.

/Ronni S. Jillions/
Ronni S. Jillions

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Motion was delivered via Email, addressed to counsel for Opposer, Ms. Erin S. Hennessy, Time Warner, Inc., One Time Warner Center, 14th Floor, New York, New York, 10019, at Erin.Hennessy@timewarner.com, on this 10th day of July 2007.

/Ronni S. Jillions/
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