

ESTTA Tracking number: **ESTTA352746**

Filing date: **06/14/2010**

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

Proceeding	91182347
Party	Defendant Sovereign Brands, LLC
Correspondence Address	Gallit Schuller Law Offices of Gallit Schuller 140 Riverside Drive, Suite 4C New York, NY 10024-2046 UNITED STATES gallit@schullerlegal.net
Submission	Other Motions/Papers
Filer's Name	Gallit Schuller
Filer's e-mail	gallit@schullerlegal.net
Signature	/gs/
Date	06/14/2010
Attachments	PuckJune1410ext.pdf ( 4 pages )(324172 bytes )

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

In the Matter of Application Serial No. 77/012,570  
Published in the Official Gazette on August 14, 2007

WOLFGANG PUCK,

Opposer,

v.

SOVEREIGN BRANDS, LLC,

Applicant.

Opposition No. 91182347

CONSENTED MOTION FOR FURTHER SUSPENSION OF PROCEEDINGS

Pursuant to Rule 2.117(c) of the Trademark Rules of Practice, applicant Sovereign Brands, LLC (“Applicant”) hereby moves the Board, with the consent of opposer Wolfgang Puck (“Opposer”), for a further 90-day suspension of proceedings to permit the parties to execute their settlement agreement. Proceedings are currently suspended through June 12, 2010 pursuant to the Board’s February 16, 2010 order granting the schedule set forth in the parties February 10, 2010 electronically filed consented motion.<sup>1</sup> In that order, the Board advised the parties that any further requests to extend proceedings in this opposition following the expiration of the current suspension would require a showing of good cause that would include a detailed status report regarding the progress of the parties’ last settlement proposal that was sent and when a response was requested, a recitation of issues that have been resolved since the commencement of the proceedings, a list of issues that remain to be resolved, and a timetable for resolution.

---

<sup>1</sup>Opposer and Applicant are also engaged in Opposition No. 91174708, which is currently in suspension through August 10, 2010, pursuant to the Board’s order in that opposition dated May 21, 2010.

In response to the Board's request, Opposer and Applicant reached agreement and are just awaiting mutual execution of the settlement agreement. No issues remain to be resolved. On May 2, 2010, Opposer's counsel forwarded a revised draft settlement agreement to Applicant's counsel for review. The parties fully agreed to the settlement on June 8, and Opposer signed it and forwarded it to Applicant on or about June 11. Applicant intends to counter-execute the agreement as soon as it received. A Stipulation for Withdrawal of Application and Dismissal of Opposition without Prejudice for both above-described opposition proceedings has already been circulated among the parties for signature.


Throughout these settlement discussions, delay has been a problem for both parties since both Opposer and his business associates, and Applicant's principal with primary responsibility for these proceedings, are extremely busy executives with many business commitments, including extensive travel, making it difficult for the parties' counsel to reach the decision-makers during settlement negotiations.

Opposer's counsel, Christopher Larkin, Esq., consented to this motion. A copy of this consented motion has been served by mail and e-mail on Mr. Larkin.

Applicant respectfully requests that this consented motion to further suspend be granted and that proceedings be suspended through September 10, 2010.

Respectfully submitted,  
LAW OFFICE OF GALLIT SCHULLER

Dated: June 14, 2010

By:   
\_\_\_\_\_  
Gallit Schuller

Attorney for Applicant  
SOVEREIGN BRANDS, LLC

CERTIFICATE OF SERVICE

I hereby certify that on June 14, 2010, I served the foregoing Applicant's Consented Motion for Further Suspension of Proceedings on the Opposer by electronic (e-mail) delivery as well as depositing a true copy thereof in a sealed envelope, postage prepaid, in First Class U.S. mail addressed to Opposer's counsel as follows:

Christopher Larkin, Esq  
Seyfarth & Shaw  
2029 Century Park East,  
Suite 3500  
Los Angeles, CA 90067-  
3021

  
Gallit Schuller

### Motion for Suspension for Settlement With Consent

The parties are actively engaged in negotiations for the settlement of this matter. Sovereign Brands, LLC requests that this proceeding be suspended for 90 days to allow the parties to continue their settlement efforts.

Time to Answer:	September 10, 2010
Deadline for Discovery Conference:	October 10, 2010
Discovery Opens:	October 10, 2010
Initial Disclosures Due:	November 9, 2010
Expert Disclosures Due:	March 9, 2011
Discovery Closes:	April 8, 2011
Plaintiff's Pretrial Disclosures:	May 23, 2011
Plaintiff's 30-day Trial Period Ends:	July 7, 2011
Defendant's Pretrial Disclosures:	July 22, 2011
Defendant's 30-day Trial Period Ends:	September 5, 2011
Plaintiff's Rebuttal Disclosures:	September 20, 2011
Plaintiff's 15-day Rebuttal Period Ends:	October 20, 2011

Sovereign Brands, LLC has secured the express consent of all other parties to this proceeding for the suspension and resetting of dates requested herein.

Sovereign Brands, LLC has provided an e-mail address herewith for itself and for the opposing party so that any order on this motion may be issued electronically by the Board.

### Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address of record by Facsimile or email (by agreement only) on this date.

Respectfully submitted,  
/gs/  
Gallit Schuller  
[gallit@schullerlegal.net](mailto:gallit@schullerlegal.net)  
[clarkin@seyfarth.com](mailto:clarkin@seyfarth.com)  
6/14/2010