

ESTTA Tracking number: **ESTTA416785**

Filing date: **06/28/2011**

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

|                        |                                                                                                                                                               |
|------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Proceeding             | 91190444                                                                                                                                                      |
| Party                  | Plaintiff<br>Detroit Tigers, Inc.                                                                                                                             |
| Correspondence Address | MARYANN E LICCIARDI<br>COWAN LIEBOWITZ & LATMAN, P.C.<br>1133 AVENUE OF THE AMERICAS<br>NEW YORK, NY 10036<br>UNITED STATES<br>mel@cll.com, trademark@cll.com |
| Submission             | Motion to Suspend for Settlement Discussions                                                                                                                  |
| Filer's Name           | Maryann E. Licciardi                                                                                                                                          |
| Filer's e-mail         | mel@cll.com, trademark@cll.com, jmn@cll.com                                                                                                                   |
| Signature              | /Maryann E. Licciardi/                                                                                                                                        |
| Date                   | 06/28/2011                                                                                                                                                    |
| Attachments            | LIONS TIGERS BEERS - Motion on Consent to Continue Suspension<br>062811.pdf ( 3 pages )(12357 bytes )                                                         |

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

In re Application Serial Nos. 77/510,960 and 77/510,979

Filed: June 30, 2008

For Marks: LIONS & TIGERS & BEERS LTB SPORTS CLUB OH MY! and Design and  
LIONS & TIGERS & BEERS OH MY!

Published in the Official Gazette: December 2, 2008

|                       |   |                         |
|-----------------------|---|-------------------------|
| -----                 | X |                         |
|                       | : |                         |
| DETROIT TIGERS, INC., | : |                         |
|                       | : |                         |
| Opposer,              | : |                         |
| v.                    | : | Opposition No. 91190444 |
|                       | : |                         |
| LTB OPERATIONS LC,    | : |                         |
|                       | : |                         |
| Applicant.            | : |                         |
|                       | : |                         |
| -----                 | X |                         |

**MOTION ON CONSENT TO CONTINUE SUSPENSION OF PROCEEDINGS  
AND TO EXTEND DISCOVERY PERIOD IF OPPOSITION IS RESUMED**

Opposer, by and through counsel, hereby moves for an order continuing the suspension of the proceedings in this matter for a period of six (6) months, until **December 29, 2011**. Applicant’s counsel consented to this motion, which is requested to allow the parties to continue to engage in settlement discussions.

Progress has been made toward the settlement of this matter, which addresses important issues relating to the use and registration of the parties’ respective marks. Since the last continuation, Applicant retained secondary, intellectual property counsel, who has reviewed the revised draft agreement provided by Opposer’s counsel and provided preliminary comments in connection therewith addressing general issues relating to the use of Applicant’s marks. The

additional time is requested for Applicant's new counsel to provide additional comments on the proposed agreement, and for the parties to continue to explore a settlement of this matter. If accepted, any settlement agreement will resolve this matter without the need to proceed with the opposition.

In the event that the Board denies this motion, Opposer consents to an extension of time for Applicant to file an answer or otherwise respond to the Notice of Opposition until sixty (60) days after such denial.

If the Board grants this motion, the Board should also reset Applicant's time to answer or otherwise respond to the Notice of Opposition. Additionally, the parties request that six months of discovery be allowed and that the discovery cutoff be reset to six (6) months after the proceedings resume so that the parties will have the full period of discovery in the event that the matter is not able to be resolved. The trial periods and other periods should be reset accordingly.

Dated: New York, New York  
June 28, 2011

COWAN, LIEBOWITZ & LATMAN, P.C.  
*Attorneys for Opposer*

By Maryann E. Licciardi/  
Mary L. Kevlin  
Richard S. Mandel  
Maryann E. Licciardi

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that, on June 28, 2011, I caused a true and complete copy of the foregoing *Motion on Consent to Continue Suspension of Proceedings and to Extend Discovery Period if Opposition is Resumed* to be sent via First Class Mail, postage prepaid, to Applicant's Attorney of Record, Peter F. Ewasek, Ewasek Law Offices PLC, 571 Randolph Street, Northville, MI 48167-1453.

Dated: New York, New York  
June 28, 2011

/Maryann E. Licciardi/  
Maryann E. Licciardi