

ESTTA Tracking number: **ESTTA446543**

Filing date: **12/15/2011**

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

Proceeding	91190444
Party	Plaintiff Detroit Tigers, Inc.
Correspondence Address	MARYANN E LICCIARDI COWAN LIEBOWITZ LATMAN PC 1133 AVENUE OF THE AMERICAS NEW YORK, NY 10036 UNITED STATES mel@cll.com, trademark@cll.com
Submission	Motion to Suspend for Settlement Discussions
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Signature	/Maryann E. Licciardi/
Date	12/15/2011
Attachments	LIONS TIGERS BEERS - Motion on Consent to Continue Suspension 121511.pdf (3 pages)(12814 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

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

Commissioner for Trademarks
Attn: Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

**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 three (3) months, until **March 29, 2012**.

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. The parties have agreed on a number of terms relating to the resolution of this matter, and are working together to resolve certain outstanding issues related to the parties use and registration of their respective marks. Since the last continuation, Applicant’s counsel provided written comments on the revised draft

agreement provided by Opposer's counsel, and Opposer's counsel has reviewed those comments. The additional time is requested for Opposer's counsel to revise the draft agreement to address Applicant's comments, for Opposer's in-house counsel to review and comment on the revised draft agreement, and for the parties to continue to explore a settlement of this matter. The additional time is also requested to accommodate holiday schedules, including the closing of the offices of Opposer's in-house counsel between December 23, 2011 and January 3, 2012. 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
December 15, 2011

Respectfully submitted,

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

By /Maryann E. Licciardi/

Mary L. Kevlin
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on December 15, 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 with a courtesy copy sent by email to Thomas Donohue, Esq. at donohuepatents@gmail.com.

Dated: New York, New York
December 15, 2011

/Maryann E. Licciardi/
Maryann E. Licciardi