

ESTTA Tracking number: **ESTTA480437**

Filing date: **06/27/2012**

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 sis@cll.com, trademark@cll.com, jmn@cll.com, mel@cll.com
Submission	Motion to Suspend for Settlement Discussions
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Signature	/Maryann E. Licciardi/
Date	06/27/2012
Attachments	LIONS TIGERS BEERS - Motion on Consent to Suspend 062712.pdf ( 3 pages ) (12884 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.	:	Opposition No. 91190444
	:	
LTB OPERATIONS LC,	:	
	:	
Applicant.	:	
	:	
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Commissioner for Trademarks  
Attn: Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451

**MOTION ON CONSENT TO SUSPEND PROCEEDINGS  
AND TO EXTEND DISCOVERY PERIOD IF OPPOSITION IS RESUMED**

Opposer, by and through counsel, hereby moves for an order suspending the proceedings in this matter for a period of two (2) months, until **August 27, 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. Since the last suspension, the parties’ counsel discussed Applicant’s most recent comments regarding the agreement, including the remaining, limited outstanding issues relating to use of the parties’ respective marks in certain contexts. Thereafter, Opposer’s outside counsel revised the draft agreement to address Applicant’s comments, and forwarded the revised draft agreement to Opposer’s in-house

counsel for review and consideration. The additional time is requested to allow time for Opposer's in-house counsel to review and provide comments regarding 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 the upcoming travel schedules of Opposer's in-house counsel due to business obligations relating to the Major League Baseball ALL-STAR GAME annual event to be held July 8, 2012, and several other major events to be held in connection with the ALL-STAR GAME. If accepted, any agreement would resolve this matter without the need to proceed with the opposition proceeding.

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 until thirty (30) days after the suspension ends. 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 27, 2012

Respectfully submitted,

COWAN, LIEBOWITZ & LATMAN, P.C.

*Attorneys for Opposer*

By Maryann E. Licciardi/

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that, on June 27, 2012, 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  
June 27, 2012

/Maryann E. Licciardi/  
Maryann E. Licciardi