

ESTTA Tracking number: **ESTTA505136**

Filing date: **11/13/2012**

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

Proceeding	91190444
Party	Defendant LTB Operations LC
Correspondence Address	PETER F EWASEK EWASEK LAW OFFICES PLC 571 RANDOLPH ST NORTHVILLE, MI 48167-1453 UNITED STATES donohuepatents@gmail.com
Submission	Stipulated/Consent Motion to Reopen
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Date	11/13/2012
Attachments	Motion to show cause.pdf (2 pages)(188546 bytes)

Docket No. 21307.029

TRADEMARK

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 TO SHOW CAUSE FOR FAILURE TO ANSWER

Applicant, by and through counsel, hereby moves to show cause why a default judgment should not be entered. Applicant's counsel was overseas during the period in which the previous suspension expired.

Applicant was operating on the understanding that due to ongoing settlement progress, that opposer would file a consent to suspend as has been previously done.

Upon consultation with opposing counsel, meaningful progress is being made towards an effective settlement and further suspension is warranted in order to finalize settlement. As such a contemporaneous motion to suspend accompanies the present motion.

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: Haverford, PA

November 13, 2012

Respectfully submitted,

Thomas E. Donohue

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