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

Proceeding	91190642
Party	Defendant ASV Wines, Inc.
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Submission	Motion to Suspend for Settlement Discussions
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Date	09/19/2011
Attachments	Consented Motion to Suspend - 091911.pdf (3 pages)(366723 bytes)

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

In The Matter Of Application Serial No. 77/630,676
Mark: PAINTED HORSE & Cave Design
Publication Date: April 14, 2009

CONSTELLATION WINES U.S., INC.,

Opposer,

v.

ASV WINES, INC.,

Applicant.

OPPOSITION NO. 91190642

**CONSENTED MOTION TO
FURTHER SUSPEND
PROCEEDINGS**

CONSENTED MOTION TO FURTHER SUSPEND PROCEEDINGS

Pursuant to 37 C.F.R. Section 2.117(c) and TBMP 510.03(a), Applicant ASV Wines, Inc. ("ASV"), with the consent of Opposer Constellation Wines U.S., Inc. ("Constellation"), moves the Board for an order further suspending this proceeding. The parties request that the Board suspend this proceeding for an additional thirty (30) days from the current September 19, 2011 date of resumption and that upon the lifting of such suspension, the schedule be enlarged and reset by the Board commencing with new due dates for "Plaintiff's Pretrial Disclosures" followed by the remaining trial dates.

The parties respectfully request an additional suspension of the proceeding because the parties need additional time to finalize settlement. At this time, Constellation's and ASV's counsel have finalized the remaining details of the settlement agreement and need additional time to revise same and obtain the clients' signatures. Because the parties stipulated that certain depositions and written discovery will move forward once the proceedings resume, the parties

agree that continued suspension of these proceedings is necessary to avoid incurring additional, and likely unnecessary, expenses while settlement is in its final stages.

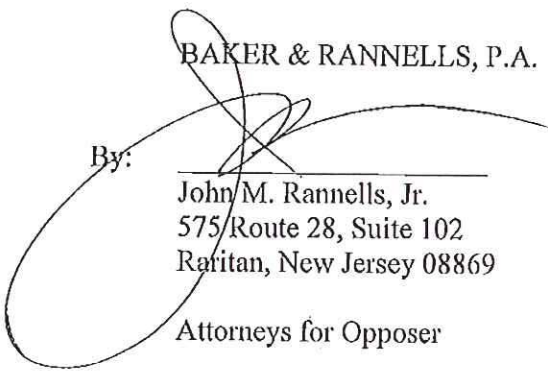
The parties also state that this motion is sought in good faith and not for any reason of delay or other such tactic.

The parties continue to stipulate and agree that 1) ASV's previously noticed depositions of Constellation's Persons Most Knowledgeable and Mr. Minami are suspended; and 2) ASV's time to respond to Constellation's Requests for Production of Documents (Set 3) is also suspended. If the proceedings should resume, the parties further stipulate and agree to the taking of the referenced previously noticed depositions and to ASV providing its discovery responses on a date(s) mutually agreed upon by the parties.

The parties respectfully request that the Board issue an order consistent with this motion on consent.

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By:




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Attorneys for Opposer

Dated: Sept 19, 2011

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By:



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Dated: Sept 19, 2011

CERTIFICATE OF SERVICE BY MAIL

This is to certify that one copy of **CONSENTED MOTION TO FURTHER SUSPEND PROCEEDINGS** was served by mail on September 19, 2011 to Opposer's counsel:

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Signed: 
Kristin Newman de la Vega