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Filing date: **07/25/2011**

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

Proceeding	91191449
Party	Plaintiff Angels Baseball LP, Atlanta National League Baseball Club, Inc., Athletics Investment Group LLC dba The Oakland Athletics Baseball Company, AZPB Limited Partnership and Houston McLane Company, Inc.
Correspondence Address	MARY L KEVLIN COWAN LIEBOWITZ & LATMAN PC 1133 AVENUE OF THE AMERICAS NEW YORK, NY 10036-6799 UNITED STATES mel@cll.com, trademark@cll.com
Submission	Motion to Suspend for Settlement Discussions
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Signature	/Maryann E. Licciardi/
Date	07/25/2011
Attachments	A'CLUB - Motion on Consent to Suspend 072511.pdf ( 3 pages )(15292 bytes )

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

In re Application Serial No. 77/353,941  
Filed: December 17, 2007  
For Mark: A'CLUB  
Published in the Official Gazette: January 13, 2009

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ANGELS BASEBALL LP, ATLANTA  
NATIONAL LEAGUE BASEBALL CLUB, INC., :  
ATHLETICS INVESTMENT GROUP LLC D/B/A  
THE OAKLAND ATHLETICS BASEBALL :  
COMPANY, AZPB LIMITED PARTNERSHIP,  
and HOUSTON MCLANE COMPANY, INC., :

Opposition No.91191449

Opposers, :

v. :

ACCOR, :

Applicant. :

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

Opposers, by and through counsel, hereby move for an order suspending the proceedings in this matter for a period of three (3) months, until October 25, 2011. Applicant's counsel consented to this motion, which is requested to allow the parties to continue to discuss settlement.

Progress has been made toward a settlement of this matter. Since the last suspension, Opposers' counsel provided Applicant's counsel with a revised draft agreement addressing Applicant's prior comments. Applicant has since reviewed the revised agreement and, on Friday, Applicant's counsel provided Opposers' counsel with its written comments in the form

of a redline of the revised draft agreement. Upon Opposers' counsel's initial review of Applicant's most recent comments, the parties appear to be close to finalizing settlement, with only very limited issues outstanding relating to the parties' use, and registration of variations of, their respective marks outstanding. The additional time is requested for Opposers' counsel to complete her review of Applicant's most recent comments, to discuss the same with Opposers, and for the parties to continue to explore a settlement of this matter. If accepted, any agreement will resolve this matter without the need to proceed with the opposition.

In the event that the Board denies this motion, Opposers consent 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  
July 25, 2011

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

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 July 25, 2011, I caused a true and complete copy of the foregoing *Motion on Consent to Suspend Proceeding and to Extend Discovery period if Opposition is Resumed* to be sent via First Class Mail, postage pre-paid, to applicant's attorneys, Cory M. Amron, Esq. and Richard S. Donnell, Vorys Sater Seymour and Pease LLP, P.O. Box 2255 iplaw@vorys, Columbus, Ohio 43216-2255.

Dated: New York, New York  
July 25, 2011

/Maryann E. Licciardi/  
Maryann E. Licciardi