

ESTTA Tracking number: **ESTTA616739**

Filing date: **07/21/2014**

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

Proceeding	91200449
Party	Plaintiff Acushnet Company
Correspondence Address	DAVID J ERVIN KELLEY DRYE & WARREN LLP 3050 K STREET NW, SUITE 400 WASHINGTON, DC 20007 UNITED STATES dervin@kelleydrye.com, ytavakoli@kelleydrye.com, brichard-son@kelleydrye.com, ggamab@kelleydrye.com, nlutz@kelleydrye.com
Submission	Motion to Suspend for Settlement Discussions
Filer's Name	Nancy H. Lutz
Filer's e-mail	dervin@kelleydrye.com,nlutz@kelleydrye.com,ggamab@kelleydrye.com
Signature	/Nancy H. Lutz/
Date	07/21/2014
Attachments	Acushnet Company - Joint Motion for Suspension of Settlement and Report of Settlement Status.pdf(17890 bytes)

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

In the Matter of Application Serial No. 77/846,283
Published in the Official Gazette on March 1, 2011

ACUSHNET COMPANY,

Opposer,

v.

FATLACE, LLC,

Applicant.

Opposition No. 91200449

Attorney Docket No.
766202.2939

**JOINT MOTION FOR SUSPENSION OF SETTLEMENT AND REPORT OF
SETTLEMENT STATUS**

1. The parties are engaged in on-going negotiations to settle this matter and very much wish to conclude their written agreement shortly.

2. To allow them to do so, Opposer and Applicant request that this proceeding be suspended for an additional 90 days.

3. Acushnet's in-house counsel sent Applicant's Director of Operations ("DOO") a revised draft agreement on July 16 that raised some new issues, and they have spoken by phone and e-mailed each other. Both parties will strive to finalize and sign the written agreement by October 19.

4. Accordingly, the parties request that the Schedule for the above matter be amended as follows:

- Proceedings Resume 10/20/2014
- Initial Disclosures Due 11/9/2014

- Expert Disclosures Due 2/23/2015
- Discovery Closes 3/25/2015
- Plaintiff's Pretrial Disclosures 5/09/2015
- Plaintiff's 30-day Trial Period Ends 6/23/2015

- Defendant's Pretrial Disclosures 7/8/2015
- Defendant's 30-day Trial Period Ends 8/22/2015
- Plaintiff's Rebuttal Disclosures 9/6/2015
- Plaintiff's 15-day Rebuttal Period Ends 10/6/2015

Respectfully submitted,

July 21, 2014

By: /Nancy H. Lutz/
 David J. Ervin
 Nancy H. Lutz
 Kelley Drye & Warren LLP
 3050 K Street NW, Suite 400
 Washington, D.C. 20007
 (202) 342-8400 (Phone)
 (202) 342-8451 (Facsimile)

Attorney for Opposer
 ACUSHNET COMPANY

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the attached Motion For Suspension For Settlement With Consent was served upon Fatlace, LLC, the owner of said application to the attention of Mark C. Arcenal to felixthecatalyst@fatlace.com, by electronic mail on July 21, 2014.

/Nancy H. Lutz/
David J. Ervin
Nancy H. Lutz
Kelley Drye & Warren LLP
3050 K Street NW, Suite 400
Washington, D.C. 20007
(202) 342-8400 (Phone)
(202) 342-8451 (Facsimile)

Attorneys for Opposer
ACUSHNET COMPANY