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

Proceeding	91215114
Party	Defendant Stillhouse Vineyards, LLC
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Submission	Other Motions/Papers
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Date	07/12/2016
Attachments	Applicants Withdraw Motion to Compel Discovery.pdf(301298 bytes)

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

SHIRLEY PLANTATION, LLC

and

UPPER SHIRLEY VINEYARDS, LLC,
Opposers,

v.

STILLHOUSE VINEYARDS, LLC
(dba PHILIP CARTER WINERY),
Applicant.

Opposition No.: 91215114
91216395

Application Nos.: 85/947562
86/121979

Marks: Shirley Plantation
Shirley

WITHDRAWAL OF APPLICANT'S MOTION TO COMPEL

On June 20, 2016, Applicant's counsel filed a motion seeking an order from the Board to compel Opposers to produce documents and information in response to Applicant's first set of discovery requests, which were due September 10, 2015. The Board suspended proceedings pending a decision on Opposers' petition to disqualify Mr. Philip Carter Strother as counsel of record. Applicant's new counsel mistakenly believed proceedings to have been reinstated upon the Board's decision and Mr. Strother obtaining outside counsel. After Opposers' counsel ignored a message from Applicant's counsel asking for response to Applicant's discover requests on June 9th, but subsequently sent or responded to messages on June 10th and June 14th, Applicant's counsel filed the Motion to Compel.

Seeing now that proceedings are still suspended, Applicant, by and through its counsel, hereby withdraws its June 20, 2016 Applicant's Motion to Compel, without prejudice for refiling once proceedings resume and if Opposers fail to participate in discovery at that time.

Date: July 12, 2016

Respectfully submitted by counsel,



M. Justin Griffin, Esq.

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CERTIFICATE OF ELECTRONIC TRANSMISSION

The undersigned hereby certifies that on this 12th day of July 2016, the foregoing motion was deposited with the United States Patent and Trademark Office, Trademark Trial and Appeal Board via electronic filing through their website at <http://esta.uspto.gov>.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 12th day of July 2016, the foregoing motion was served upon Opposers by delivering a true and correct copy of the same to counsel for Opposers electronically and via first class mail, as follows:

McCarthy, Lebit, Crystal & Liffman, Co., LPA
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Date: July 12, 2016



M. Justin Griffin, Esq.
Attorney for Applicant