

ESTTA Tracking number: **ESTTA800774**

Filing date: **02/10/2017**

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

Proceeding	91221878
Party	Defendant Home Box Office, Inc.
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Submission	Motion to Suspend for Settlement Discussions
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Date	02/10/2017
Attachments	Joint_Motion_for_Suspension__2_10_17_.pdf(74254 bytes)

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

Franciscan Vineyards, Inc.,)
)
) Opposer.)
)
) v.)
)
)
 Home Box Office, Inc.)
)
)
) Applicant.)

Opposition No. 91221878

Joint Motion for 90-Day Suspension for Settlement

The parties continue to be actively engaged in negotiations for the settlement of this matter. The parties jointly request that this proceeding be suspended for 90 days to allow the parties to continue and conclude their settlement negotiations and to document the terms of resolution.

In compliance with the Order of April 18, 2016 granting suspension of this proceeding, the parties hereby provide the following progress report on the status of their settlement negotiations. The parties have communicated, through counsel, as recently as February 2, 2017. As a result, the parties have now narrowed the issues and have developed proposed terms for settlement. Such proposed settlement terms were recently submitted to the parties' principals for approval. Following such approval, the parties will finalize a formal settlement agreement, including the details of certain ancillary terms. It is likely that Opposer's counsel will receive instructions from Opposer within the next several days. If approved, counsel anticipate that finalization of the ancillary terms, preparation of the written documentation, and execution by the principals, can be accomplished within the following sixty (60) days.

Opposer has filed a Motion to Strike Affirmative Defenses, and Applicant's current deadline to respond to this Motion is February 11, 2017. The Discovery Opening date is currently set for February 10, 2017 and the due date for Initial Disclosures is March 12, 2017. The parties have held their discovery conference as required under Trademark Rules 2.120(a)(1) and (a)(2). The parties jointly request that such dates be suspended for ninety (90) days, and that all subsequent dates be reset accordingly.

Applicant's Response to Motion to Strike Affirmative Defenses Due:	05/12/2017
Discovery Opens:	05/11/2017
Initial Disclosures Due:	06/10/2017
Expert Disclosures Due:	10/08/2017

Discovery Closes:	11/07/2017
Opposer's Pretrial Disclosures:	12/22/2017
Opposer's 30-day Trial Period Ends:	02/05/2018
Applicant's Pretrial Disclosures:	02/20/2018
Applicant's 30-day Trial Period Ends:	04/06/2018
Opposer's Rebuttal Disclosures:	04/21/2018
Opposer's 15-day Rebuttal Period Ends:	05/21/2018

The parties have provided an e-mail address herewith so that any order on this motion may be issued electronically by the Board.

Respectfully submitted,

Dated: February 10, 2017



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Dated: February 10, 2017



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