

ESTTA Tracking number: **ESTTA1307622**Filing date: **09/01/2023**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding no.	91273524
Party	Defendant Columbia Care LLC
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Submission	Motion to Suspend for Settlement Discussions
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Date	09/01/2023
Attachments	CONSENTED MOTION TO SUSPEND.pdf(15671 bytes )

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

In the matter of Application Serial No. 88/460,162  
By Columbia Care LLC for the Mark: COLUMBIA CARE  
Published in the Official Gazette on June 22, 2021

THE TRUSTEES OF COLUMBIA  
UNIVERSITY IN THE CITY OF NEW  
YORK,

Opposer,

v.

COLUMBIA CARE LLC,

Applicant.

Opposition No. 91273524

APPLICANT’S CONSENTED MOTION TO SUSPEND FOR SETTLEMENT DISCUSSIONS

Pursuant to 37 C.F.R. §2.117(c), Applicant Columbia Care LLC (“Applicant”), by and through its undersigned counsel, hereby moves the Trademark Trial and Appeal Board (“Board”) to further suspend this proceeding for 60 days on grounds that the parties continue to engage in settlement discussions. For the reasons set forth below, good cause exists to grant this 60-day suspension.

Since as early as February 8, 2022, Applicant and Opposer, The Trustees of Columbia University in the City of New York (“Opposer”), have discussed the material terms of a proposed agreement to settle this dispute. In the spring of 2022, it was announced that Cresco Labs Inc. would purchase all outstanding and issued shares in Applicant’s parent company, Columbia Care Inc. (the “Cresco Labs Acquisition”). Because the Cresco Labs Acquisition would have affected Applicant’s use of the COLUMBIA CARE mark and the subject application Ser. No. 88/460,162 herein opposed, on July 11, 2022, Applicant, with Opposer’s consent, filed a

motion to suspend the proceedings for six months, pending closing of the Cresco Labs Acquisition.

On March 27, 2023, Applicant filed another consented motion to suspend for 90 days, pending the Cresco Labs Acquisition. The Board granted that motion. Although the Cresco Labs Acquisition terminated on July 30, 2023 by mutual agreement of the parties involved, Applicant and Opposer believe that settlement in this proceeding is still possible and therefore seek a 60-day suspension to continue settlement discussions. Accordingly, the parties respectfully request that the Board further suspend this proceeding for 60 days. Counsel of record for Opposer consented to this motion by email on September 1, 2023.

Dated: September 1, 2023

Respectfully submitted,

/Eric J. Shimanoff/

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**CERTIFICATE OF SERVICE**

I hereby certify that on September 1, 2023, a true and complete copy of the foregoing *APPLICANT'S CONSENTED MOTION TO SUSPEND FOR SETTLEMENT DISCUSSIONS* was served via email on Opposer's counsel of record listed below:

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*/Francisco Cabrera López/*\_\_\_\_\_

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