

ESTTA Tracking number: **ESTTA399632**

Filing date: **03/24/2011**

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

Proceeding	92053211
Party	Plaintiff Constellation Brands, Inc.
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Submission	Motion to Suspend for Settlement Discussions
Filer's Name	Linda Kurth
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Signature	/Linda Kurth/
Date	03/24/2011
Attachments	Stipulated motion to suspend.pdf ( 2 pages )(19849 bytes )

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

In the Matter of Registration No. 3478479  
Registered: July 29, 2008

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Constellation Brands, Inc.

Cancellation No.: 92053211

Petitioner

Mark: MIXED BLACKS

v.

Reg. No.: 3478479

Rudd Wines, Inc.

Filed: March 19, 2008

Registrant

Issued: July 29, 2008

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**STIPULATED MOTION TO SUSPEND**

The parties hereby request that this matter be suspended for a period of 60 days in order that they may explore settlement. During said 60 day period, either party may request a resumption of proceedings at which time the Board will reset all trial dates starting with the time in which discovery is to open.

Richard Stevens, Esq., Attorney for Registrant consented to the filing of this request without his corresponding signature. The parties have also agreed to service via email.

March 24, 2011

Constellation Brands, Inc.

By:

/s/Linda Kurth

Linda Kurth, Esq.

Baker and Rannells, P.A.

**CERTIFICATE OF SERVICE**

I hereby certify that a true and complete copy of the foregoing STIPULATED MOTION TO SUSPEND was served on the attorneys for the Registrant on this 24<sup>th</sup> day of March, 2011, by email direct to: rcstevens@martinpringle.com pursuant to an agreement between the parties.

/s/Linda Kurth  
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