

ESTTA Tracking number: **ESTTA795524**

Filing date: **01/17/2017**

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

Proceeding	91228002
Party	Defendant McWilliam's Wines Group Limited
Correspondence Address	RAFFI V ZEROUNIAN HANSON BRIDGETT LLP 425 MARKET ST 26TH FLOOR SAN FRANCISCO, CA 94105 UNITED STATES ttabfilings@hansonbridgett.com, rzerounian@hansonbridgett.com
Submission	Motion to Suspend for Civil Action
Filer's Name	Raffi Zerounian
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Signature	/rvz/
Date	01/17/2017
Attachments	Mtn to Suspend Opposition Proceeding-91228002.pdf(4133767 bytes )

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

IN RE: APPLICATION SERIAL NO. 79/169,144

BUTTERBALL, LLC,

Opposer,

v.

McWILLIAM'S WINES GROUP LIMITED,

Applicant.

Opposition No. 91228002

**MOTION TO SUSPEND OPPOSITION  
PROCEEDING DUE TO PENDING CIVIL  
ACTION**

Applicant McWilliam's Wines Group Limited ("Applicant") hereby moves the Board for an order suspending the opposition proceeding filed by Opposer Butterball, LLC ("Opposer") against Applicant's U.S. Ser. No. 79/169,144 pending the outcome of *Butterball, LLC v. McWilliam's Wine Group Limited*, Case No. 5:16-cv-00941, a civil action pending between Opposer and Applicant in the U.S. District Court for the Eastern District of North Carolina ("Civil Action"). Exhibit A hereto is a copy of the Complaint in the Civil Action.

Because the Civil Action involves the same parties, the same mark, and has issues in common with this opposition proceeding, Applicant respectfully requests that this proceeding be suspended, pursuant to 37 C.F.R. §2.117(a), pending the final disposition of the Civil Action. See TBMP §510.02(a).

Respectfully submitted,

By /s/ Raffi Zerounian  
Raffi Zerounian, Esq.

Attorneys for Applicant  
McWilliam's Wines Group Limited

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Date: January 17, 2017

**CERTIFICATE OF SERVICE**

I, Laura Prongos, hereby certify that a true and complete copy of the MOTION TO SUSPEND OPPOSITION PROCEEDING DUE TO PENDING CIVIL ACTION was served on the parties listed below by mailing said copies on January 17, 2017 via U.S. First Class Mail, postage pre-paid to:

Opposer's Attorney/Correspondent of Record:

Jeanine M. Mitchell  
Sarah A. Keefe  
WOMBLE CARLYLE SANDRIDGE & RICE  
2530 Meridian Parkway, Suite 400  
Durham, NC 27713

Dated: January 17, 2017

\_\_\_\_\_  
*/s/ Laura Prongos*

Laura Prongos

## EXHIBIT A



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