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Filing date: **01/16/2012**

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

Proceeding	91184803
Party	Plaintiff Converse Inc.
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Submission	Motion to Suspend for Settlement Discussions
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Signature	/B. Anna McCoy/
Date	01/16/2012
Attachments	Consent Motion to Suspend Proceedings (Executed) (1-16-2012).pdf (5 pages) (92451 bytes)

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

Converse Inc.,	:	Opposition No. 91184803
	:	
Opposer	:	Mark: 
	:	
v.	:	Application Serial No. 79/038,026
	:	
Unit Enterprises Pty. Ltd.,	:	
	:	
Applicant	:	

CONSENT MOTION TO SUSPEND PROCEEDINGS

Pursuant to the Order dated November 28, 2011, the proceedings herein are to resume on January 17, 2012. Opposer, Converse Inc., and Applicant, Unit Enterprises Pty. Ltd., hereby jointly move for an additional 90-day suspension of the opposition proceedings. As requested by the Board in its Order dated November 28, 2011, the parties jointly submit the following detailed progress report in support of this request to suspend.

At the outset, it is important to note that this proceeding concerns two global companies and their trademarks that are used in a number of countries around the world. The parties' efforts to resolve this US proceeding also involve the parties' efforts to resolve alleged issues and the parties' rights in other countries.

After discussions with outside counsel in the United States and abroad, and in-house counsel and management in both the United States and abroad, the parties tentatively reached a global settlement in principle involving the issues in the instant opposition proceeding.

The parties have had numerous settlement discussions and communications regarding the overall settlement terms and scope of the proposed settlement agreement. Specifically, further revisions to the proposed settlement terms were exchanged in January 2011, February 2011, April 2011, September 2011, October 2011, November 2011, and January 2012. (During the summer of 2011, Applicant lost its foreign counsel to another firm, which resulted in new foreign counsel coming on board and up to speed with the complex global issues.) As the Board can appreciate, the substance of the global terms and discussions cannot be revealed because they are protected under Rule 408 of the Federal Rules of Evidence. These settlement discussions and the proposed settlement terms have primarily concerned the scope of the agreement, the parties' ongoing and future obligations under the agreement, and various business considerations in the United States and in various countries. Despite the complex matters at issue, some changes in counsel, and delays due to the significant time-zone differences between the parties (the U.S and Australia), a draft settlement agreement was recently exchanged by the parties on January 11, 2012. However, this draft requires further consideration and work by the parties, their business managers in various countries, and their US and foreign outside and in-house counsel.

The discussions between in-house counsel, outside counsel, and management, both here and abroad, have been meaningful, and the parties anticipate that a final global written settlement agreement setting forth the respective parties' positions will be reached and executed within six months.

Accordingly, Opposer, Converse Inc., and with the consent of Applicant, Unit Enterprises Pty. Ltd., respectfully requests that the Board allow the proceedings to remain

suspended for an additional ninety (90) days and to extend the date for the parties' disclosure of their Expert Witnesses for thirty (30) days beyond the resumption of the proceedings.

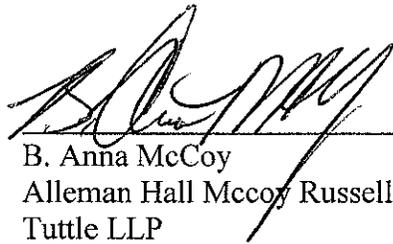
The parties are not requesting an additional suspension to improperly delay the proceedings. Instead, the suspension request is being made so that the parties can continue their complex settlement discussions, which both parties acknowledge have been progressing in a favorable and detailed fashion. If settlement is finalized, it will avoid the need for the US opposition proceeding, which will save the Board time and effort.

In view of the foregoing, the parties respectfully request that the Board grant this request to suspend the proceedings for an additional ninety (90) days so that the parties may finalize the written agreement which will resolve the issues both in the United States and abroad.

Counsel for Opposer, Converse Inc., secured the express consent of Applicant, Unit Enterprises Pty Ltd., for the suspension requested herein on January 11, 2012. Unit Enterprises Pty Ltd. has agreed to service of the Consent Motion by electronic mail.

Dated: January 16, 2012

Respectfully submitted,



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Respectfully submitted,

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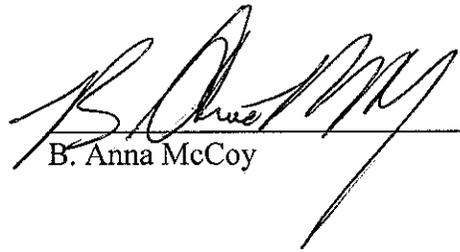
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CERTIFICATE OF SERVICE

I, B. Anna McCoy, hereby certify that on January 16, 2012, a true and correct copy of the foregoing Consent Motion to Suspend Proceedings was served via email (by agreement of counsel) upon the following:

Duane M. Byers at:
nixonptomail@nixonvan.com
dmb@nixonvan.com


B. Anna McCoy