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

Proceeding	91212809
Party	Plaintiff Sofia Sizzi
Correspondence Address	ZEYNEL KARCIOGLU JACOBS & BURLEIGH LLP 1290 AVENUE OF THE AMERICAS 30TH FL NEW YORK, NY 10022 UNITED STATES office@jacobsburleigh.com, zmk@jacobsburleigh.com
Submission	Motion to Extend
Filer's Name	Zeynel Karcioglu
Filer's e-mail	zmk@jacobsburleigh.com
Signature	/zk/
Date	04/01/2016
Attachments	TBF - Motion to extend time - with report of progress made 4-1-16.pdf(176268 bytes )

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

<b>Cancellation No.</b>	91212809
<b>Applicant</b>	Defendant Fiat Group Automobiles S.p.A.
<b>Opposer</b>	Plaintiff Sofia Sizzi

**Motion to Suspend Opposition Proceeding for Settlement**

Opposer, Sofia Sizzi (“Opposer”), by and through her attorneys, hereby requests that the deadlines set by the Board in this proceeding be extended for a period of sixty (60) days. The parties are hopeful that this will be the final extension of time requested, as the parties have addressed (but have not received final approval) the final outstanding issue in this action.

It is respectfully submitted that “good cause” exists for the instant request, as the parties have diligently pursued settlement of this matter, have exchanged terms sheets, and have resolved most of the outstanding issues that will enable them to preserve judicial resources.

The parties appear to have resolved one of the issues between them and it is anticipated that they will be able to use the extension period to resolve what appear to be the sole remaining issue.

Applicant, Fiat Group Automobiles S.p.A. (“Applicant”) joins in the instant request.

The parties have continued to discuss settlement and while, understandably, neither party would want to be held to any individual settlement term, as distinct from a global settlement of all issues between them, the parties hereby present, without prejudice, their report of the progress they have made in connection with resolving this Opposition without further expenditure of judicial resources.

The parties provide the following report of the progress that has been made, in the form of a term sheet that their attorneys have exchanged and discussed, and at this point, it appears that there remain only one (1) issue to be resolved, plus the preparation and signature of a formal memorializing agreement.

- I. Subject to an agreement as to all terms, the discrete issues that appear to have been resolved between the parties involve:
  - i. Modifying the appearance of the marks to prevent any potential confusion with respect to use of the marks in the United States;
  - ii. Defining the channels of trade (in large part) to eliminate potential confusion, while at the same time preserving traditional trade outlets;

- iii. Limiting potentially confusing elements in the parties' advertising;
- iv. Providing a mechanism that the opposed mark might proceed to registration, with modifications; and
- v. The scope/territory of the parties' negotiated agreement

II. The sole issue that appears to be outstanding is:

- i. Plaintiff has proposed a solution that may be agreeable regarding the notice given discuss how any agreement might bind and be imposed upon associated third parties or licensees.

The Applicant is a large foreign company, and given the scope and terms of the agreement, approval of terms requires a number of approvals, many of which have been delayed. Even so, the parties have actively pursued settlement, as demonstrated above, and the parties continue to working diligently on this matter and expect to have made more progress, if not achieved a complete settlement in principle within the next 60 days.

Accordingly, the parties respectfully request the below schedule, reflecting a 60-day suspension:

Discovery Period to Close :	05/31/2016
Plaintiff Pretrial Disclosures :	07/15/2016
Plaintiff's 30-day Trial Period Ends :	08/29/2016
Defendant's Pretrial Disclosures :	09/13/2016
Defendant's 30-day Trial Period ends :	10/28/2016
Plaintiff's Rebuttal Disclosures :	11/12/2016
Plaintiff's 15-day Rebuttal Period Ends :	12/12/2016

Prompt approval is earnestly solicited and it is respectfully submitted that good cause for the instant request exist.

Respectfully submitted,

/ZMK/

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Zeynel M. Karcioglu

Date: April 1, 2016

Joined in by Counsel for Applicant,  
Fiat Group Automobiles S.p.A.  
/John A. Clifford/

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John A. Clifford, for Merchant & Gould P.C.

Dated: April 1, 2016

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 1st day of April 2016, service of the above Motion on Consent was made to the following attorney for Opposer via ESTA filing system's electronic delivery system and email (upon consent):

JOHN A CLIFFORD  
MERCHANT & GOULD PC  
PO BOX 2910  
MINNEAPOLIS, MN 55402-0910  
jclifford@merchantgould.com,  
aavery@merchantgould.com,  
dockmpls@merchantgould.com

By: \_\_\_\_\_/zmk/\_\_\_\_\_  
Zeynel Karcioğlu