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

Proceeding	92060353
Party	Plaintiff Bentley Motors Limited
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Date	08/20/2015
Attachments	2015-08-20 Opposition to Motion to Extend.pdf(168200 bytes )

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

BENTLEY MOTORS LIMITED,

Petitioner,

v.

AUCERA SA,

Respondent.

Cancellation No. 92060353

Registration Nos.: 2007286, 2096184,  
2096186

Mark: BENTLEY

Atty. Ref. No.: 58389-9026

**PETITIONER’S PARTIAL OPPOSITION TO RESPONDENT’S MOTION TO RESET**  
**SCHEUDLE AND EXTEND TIME TO RESPOND TO DISCOVERY**

Petitioner Bentley Motors Limited (“Petitioner”) does not oppose respondent Aucera SA’s (“Respondent”) request to extend the case management dates to the dates set forth in Respondent’s Motion. Petitioner notes that it repeatedly offered to consent to an extension of the case management dates in this matter – initially by 60 days, and then later by 82 days so that there would be 150 days between the service of Petitioner’s Initial Disclosures and the close of discovery.<sup>1</sup> Petitioner also notes that Respondent’s request that the Board reset the deadline for serving Initial Disclosures is moot, as both parties have now served their Initial Disclosures.<sup>2</sup> Nonetheless, Petitioner does not oppose Respondent’s proposed schedule.

However, Petitioner opposes Respondent’s request for an extension of its deadline to respond to the discovery requests that Petitioner served on August 12, 2015. Respondent’s request is baseless, and Respondent identifies no good cause for the requested extension. As Petitioner told Respondent, it is willing to extend appropriate professional courtesy in response

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<sup>1</sup> Petitioner served its Initial Disclosures on August 11, 2015, not August 12, 2015 as is stated in Respondent’s Motion.

<sup>2</sup> Respondent served its Initial Disclosures on August 19, 2015.

to reasonable requests for extension of time. But, Respondent's request for a 15-day extension of a deadline that is nearly 30 days away, without providing any explanation of why the extension is necessary or warranted, is not reasonable. In this regard, Respondent's repeated insinuation that settlement negotiations are ongoing is misleading. The parties had engaged in some preliminary discussions about the potential for resolution, and Petitioner may be open to continuing those discussions under certain circumstances, which circumstances have been communicated to Respondent's counsel. Presently, however, negotiations are, at best, stalled.

Petitioner notes that, on August 19, 2015, Respondent served its Initial Disclosures, together with discovery requests. In the event the Board decides to grant Respondent's request for a 15-day extension of the deadline to respond to Petitioner's discovery requests (which it should not), Petitioner requests that the Board also grant Petitioner a 15-day extension of the deadline to respond to the discovery requests Respondent recently served.

Respectfully submitted,

Dated: August 20, 2015

/s/ Rod S. Berman  
Rod S. Berman  
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CERTIFICATE OF SERVICE

I hereby certify that on **August 20, 2015**, a copy of the foregoing Petitioner's Partial Opposition to Respondent's Motion to Reset Schedule and Extend Time to Respond to Discovery is being emailed and deposited with the U.S. Postal Service, first class mail, postage prepaid, addressed to Petitioner's attorney of record and to Petitioner as follows:

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Kerene Palmer