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

Proceeding	91171390
Party	Defendant World Market Center Venture, LLC
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Date	08/12/2008
Attachments	Joint Status Report.pdf (3 pages)(12994 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

World Trade Centers Association, Inc. Opposer, v. World Market Center Venture, LLC, Applicant.	Opposition No. 91171390 Mark: WORLD MARKET CENTER Serial No. 78/477,289

JOINT STATUS REPORT OF PENDING SETTLEMENT DISCUSSIONS IN SUPPORT OF MOTION TO RECONSIDER STIPULATION FOR EXTENSION OF DISCOVERY PERIOD

In response to the Trademark Trial and Appeal's Order dated July 17, 2008, Opposer and Applicant, through their attorneys, hereby present a synopsis of their settlement efforts as basis for renewing their request that the Board (i) reconsider its denial of the Stipulation for Extension of Discovery Period and (ii) grant the previously filed motion for a 30 day enlargement of the discovery period – and extend all other testimony and briefing deadlines commensurately - in the Opposition proceeding to allow the parties to pursue settlement negotiations. Moreover, the parties submit this joint status report in support of a new motion (on consent) for a further 60-day extension to accommodate ongoing settlement talks, which new motion is filed concurrently herewith.

Synopsis

Consummation of a recent settlement in parallel litigation proceedings between World Market Center Venture, LLC and Cost Plus Management Services, Inc. (the "Cost Plus Case"), relating to (*inter alia*) the right to use WORLD MARKET CENTER, has allowed the settlement negotiations between Opposer and Applicant here to proceed toward closure, after having been held open subject to resolution of the Cost Plus Case.

In light of such developments, counsel for the parties in this Opposition proceeding have held telephonic conferences and exchanged written communications concerning settlement throughout May, June and July of 2008. For example, telephone conferences were held on April 15, 2008, May 7, 2008 and July 29, 2008. Draft settlement agreements were exchanged in that time period as well. The parties have reduced the points of disagreement to one issue, and are in the process of exploring ways to resolve that remaining issue also, including but not limited to having authorized representatives for both parties to meet to discuss the most appropriate way to resolve the one remaining issue. Having to observe the approaching discovery deadlines will distract from further progress.

Thus, in view of progress made to date, further extension of time is necessary and warranted to enable the parties to complete their settlement negotiations. Opposer and Applicant are engaging in good-faith negotiations and believe that they are relatively close to achieving consensus. This extension is sought to give the parties time to complete settlement and not merely to delay the proceeding.

Pursuant to 37 CFR § 2.120(a); T.B.M.P. § 403.04, the closing date of the discovery period may be extended by stipulation of the parties approved by the Board, or on motion (pursuant to Fed. R. Civ. P. 6(b)) granted by the Board, or by order of the Board. Applicant and Opposer submit that in light of the facts that the parties have consented to the extension of the discovery period while settlement negotiations are ongoing, good cause has been shown for the extension.

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Respectfully Submitted,

Dated: August 12, 2008

/Henry J. Cittone/

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Dated: August 12, 2008

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