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

Proceeding	91226828
Party	Defendant Jules Taylor Holdings Limited
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Submission	Motion to Suspend for Settlement Discussions
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Domaine du Grand Cros,
Opposer,

v.

Jules Taylor Holdings Limited,
Applicant.

Opposition No.: 91226828
Regarding Application No. 86670573
Mark: JULES

MOTION FOR FURTHER SUSPENSION FOR SETTLEMENT WITH CONSENT

On September 26, 2019, the Board issued an order suspending this matter through March 14, 2020, subject to the right of either party to request resumption at any time, because the parties were negotiating possible settlement. 32 TTABVUE. In the September 26, 2019 order, the Board also imposed a condition on the approval of all future motions to suspend or extend for settlement. Specifically, to establish good cause for all future motions to suspend or extend, the parties must include in such motion a status report setting forth what specific efforts the parties have made towards settlement during the previous period of suspension. *Id.*

The parties now respectfully request a further 180-days suspension, subject to the right of either party to request resumption at any time prior to the expiration of the suspension period, because they remain actively engaged in negotiations for the settlement of this matter. To further establish good cause, Applicant provides the following status report that summarizes the progress of the parties' negotiations.

Status Report

1. The Parties' Communications

Applicant Jules Taylor Holdings Limited is in New Zealand. Applicant's outside counsel in New Zealand at the firm Henry Hughes IP is leading the settlement negotiations on behalf of Applicant.

Opposer Domaine du Grand Cros is in France. Opposer's assignee Rotkäppchen-Mumm Sektkellerei GMBH is in Germany. Opposer's assignee's in-house counsel in Germany is leading the settlement negotiations on behalf of Opposer.

Given the physical distance (around 11,500 miles from Germany to New Zealand) and time difference (11 to 13 hours, depending on the time of year) between the negotiation leaders, in-person meetings have been impossible for practical reasons and telephone conferences are inconvenient and difficult to arrange. Accordingly, the parties have been negotiating using e-mail. A list of the parties' communications and the general nature of the communications are provided in the table below:

Date(s) of Communication(s)	From	General Nature of Communication(s)
July 31, 2019	Opposer	Inquired if Applicant interested in amicable settlement
Aug. 5, 2019	Applicant	Confirmed Applicant interested in amicable settlement
Sept. 24, 2019	Applicant	Further confirmation that Applicant interested in amicable settlement
Sept. 26, 2019	Opposer	Sent settlement proposal
Sept. 29, 2019	Applicant	Inquired about level of costs expected for settlement
Oct. 9, 2019	Opposer	Provided estimate of costs
Oct. 10, 2019	Opposer	Confirmation of total costs
Oct. 22, 2019 to Dec. 4, 2019	Applicant	(Discussing settlement proposal directly with client)
Dec. 4, 2019	Applicant	Sent settlement counter-proposal
Dec. 4, 2019	Opposer	Response to settlement counter-proposal
Dec. 13, 2019	Applicant	Sent further settlement counter-proposal

Date(s) of Communication(s)	From	General Nature of Communication(s)
Jan. 20, 2020	Opposer	Agreement to further settlement counter-proposal and sent amended agreement
Feb. 24, 2020	Applicant	Counter-proposal because Applicant does not believe the proposed amended agreement fully reflects Dec. 13, 2019 counter-proposal

2. Issues Resolved and To Be Resolved

The parties have resolved the allocation of responsibility for each party's costs. The January 20, 2020 communication from Opposer indicated that it agreed with Applicants' counter-proposal of December 13, 2019, but the parties are still resolving the actual terms of agreement other than the allocation of responsibility for each party's costs. A significant issue to be resolved is ownership of the JULES mark in the United States.

3. Proposed Timetable for Resolution of Remaining Issues

The parties remain interested in an amicable settlement that resolves all issues between them involving the JULES mark and, especially, ownership of the JULES mark in the United States. The parties are also committed to moving the settlement negotiations along by further timely communications. Given the progress made so far and the circumstances of the negotiators, the parties respectfully request suspension for a further 180 days, subject to the right of each party to request resumption at any time during the suspension period, with the hope and belief that this timetable will allow the parties to finally resolve this opposition proceeding by settlement.

If the suspension remains for the 180 days now requested, the proceedings will resume on September 11, 2020, with the following schedule to take effect upon resumption:

	Current Schedule	Proposed Schedule
Proceedings Resume	03/15/2020	09/11/2020
Expert Disclosures Due	04/14/2020	10/12/2020
Discovery Closes	05/14/2020	11/11/2020
Plaintiff's Pretrial Disclosures Due	06/28/2020	12/26/2020
Plaintiff's 30-day Trial Period Ends	08/12/2020	02/09/2021
Defendant's Pretrial Disclosures Due	08/27/2020	02/24/2021
Defendant's 30-day Trial Period Ends	10/11/2020	04/10/2021
Plaintiff's Rebuttal Disclosures Due	10/26/2020	04/25/2021
Plaintiff's 15-day Rebuttal Period Ends	11/25/2020	05/25/2021
Plaintiff's Opening Brief Due	01/24/2021	07/74/2021
Defendant's Brief Due	02/23/2021	08/23/2021
Plaintiff's Reply Brief Due	03/10/2021	09/07/2021
Request for Oral Hearing (optional) Due	03/20/2021	09/17/2021

Opposer Domaine du Grand Cros consents to the relief requested in this motion.

Dated: March 16, 2020

Respectfully submitted,

By: /James Cekola/

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CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing MOTION FOR FURTHER SUSPENSION FOR SETTLEMENT WITH CONSENT in Opposition No. 91226828 was served on Martin J. Beran and Sean P. McMahon, attorneys of record for Opposer Domaine du Grand Cros via email to mberan@ostrolenk.com, smcmahon@ostrolenk.com, and tm@ostrolenk.com on the date below.

Date: March 16, 2020

By: *Tina Santiago*
Tina Santiago, Legal Assistant
Higgs Fletcher & Mack LLP