

ESTTA Tracking number: **ESTTA1016816**

Filing date: **11/19/2019**

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

Proceeding	91229249
Party	Defendant T.R.B. International SA
Correspondence Address	CHRISTOPHER M WEIMER NORTON ROSE FULBRIGHT US LLP 98 SAN JACINTO BLVD STE 1100 AUSTIN, TX 78701-4078 UNITED STATES chris.weimer@nortonrosefulbright.com, aoipdocket@nortonrosefulbright.com, nyipdocket@nortonrosefulbright.com, martin.rosenfeld@nortonrosefulbright.com, Linda.merrit@nortonrosefulbright.com, martin.rosenfeld@nortonrosefulbright.com, chandler.stephens@nortonrosefulbright.com 512-474-5201
Submission	Motion to Suspend for Settlement Discussions
Filer's Name	Christopher Weimer
Filer's email	chris.weimer@nortonrosefulbright.com, martin.rosenfeld@nortonrosefulbright.com
Signature	/Christopher Weimer/
Date	11/19/2019
Attachments	2019.11.19 - Motion to Suspend.pdf(109733 bytes )

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

Certina A.G. (Certina S.A.)	§	
(Certina Ltd.)	§	
	§	
Opposer,	§	
	§	
v.	§	Opposition No. 91229249
	§	
T.R.B. International SA,	§	
	§	
Applicant.	§	

**MOTION FOR SUSPENSION FOR SETTLEMENT WITH CONSENT**

T.R.B. International SA (“Applicant”) hereby requests, with consent, that this opposition proceeding be suspended for 60 days to allow the parties to continue their settlement efforts and that all discovery and trial periods be reset accordingly, as follows:

Time to Answer:	CLOSED
Deadline for Discovery Conference:	CLOSED
Discovery Opens:	CLOSED
Initial Disclosures Due:	CLOSED
Expert Disclosures Due	January 21, 2020
Discovery Period to Close:	February 20, 2020
Plaintiff Pretrial Disclosures:	April 5, 2020
Plaintiff's 30-day Trial Period Ends:	May 20, 2020
Defendant's Pretrial Disclosures:	June 4, 2020
Defendant's 30-day Trial Period ends:	July 19, 2020
Plaintiff's Rebuttal Disclosures:	August 3, 2020
Plaintiff's 15-day Rebuttal Period Ends :	September 2, 2020
Plaintiff's Opening Brief Due:	November 1, 2020
Defendant's Brief Due:	December 1, 2020
Plaintiff's Reply Brief Due:	December 16, 2020
Request for Oral Hearing (optional) Due:	December 26, 2020

As good cause supporting this Motion, the parties state that they are actively engaged in settlement discussions. The parties have been negotiating potential settlement across multiple jurisdictions, primarily through in-house counsel for the parties. Recently, however, the parties have also been negotiating through outside counsel in the E.U. with regard to a potential settlement that would resolve this proceeding. As of the date of this filing, Applicant's counsel in the E.U. has been in contact with Opposer's in-house counsel regarding settlement. Given the complexities of this multijurisdictional dispute, and the multiple stakeholders involved, the parties require additional time to continue working toward a potential resolution of this dispute.

This motion is therefore filed in good faith and not for purposes of delay. Accordingly, Applicant submits that good cause has been shown to grant the requested suspension. Applicant has secured the express consent of all other parties to this proceeding for the suspension and resetting of dates requested herein.

WHEREFORE, Applicant respectfully requests that the Board grant this Motion, suspend the proceeding, and reset the discovery and trial periods as set forth herein to allow the parties to continue their settlement efforts.

Dated: November 19, 2019

Respectfully submitted,

T.R.B. International SA

By: /Christopher Weimer/

Christopher Weimer

Chandler Stephens

Norton Rose Fulbright US LLP

98 San Jacinto Blvd, Suite 1100

Austin, Texas 78701-4078

T: (512) 536 4553

F: (512) 536 4598

Email: [chris.weimer@nortonrosefulbright.com](mailto:chris.weimer@nortonrosefulbright.com),

[linda.merritt@nortonrosefulbright.com](mailto:linda.merritt@nortonrosefulbright.com),

martin.rosenfeld@nortonrosefulbright.com,  
aoipdocket@nortonrosefulbright.com,  
chandler.stephens@nortonrosefulbright.com  
nyipdocket@nortonrosefulbright.com,

**Attorneys for T.R.B. International SA**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and complete copy of the foregoing Motion for Suspension for Settlement with Consent was served on the Attorney of record for Opposer, via email to the addresses below, on November 19, 2019:

Timothy D Pecsénye  
Bradford C. Craig  
Samar Aryani-Sabet  
BLANK ROME LLP  
130 N 18<sup>TH</sup> Street, One Logan Square  
Philadelphia, PA 19103-6998

Email: pecsenye@blankrome.com,  
bcraig@blankrome.com, saryani-sabet@blankrome.com

*/Christopher Weimer /*

---

Christopher Weimer