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Filing date: **01/17/2020**

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

Proceeding	91229249
Party	Plaintiff Certina A.G. (Certina S.A.) (Certina Ltd.)
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Submission	Motion to Suspend for Settlement Discussions
Filer's Name	Samar Aryani-Sabet
Filer's email	saryani-sabet@blankrome.com
Signature	/Samar Aryani-Sabet/
Date	01/17/2020
Attachments	Motion to Suspend for Settlement - Opposition No. 91229249 - 90 Days Request.pdf(26573 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,	:	Serial No. 79/169,426
	:	
v.	:	
	:	Opposition No.: 91229249
T.R.B. INTERNATIONAL SA,	:	
	:	
Applicant.	:	

MOTION FOR SUSPENSION FOR SETTLEMENT WITH CONSENT

Pursuant to 37 C.F.R. § 2.117, Certina A.G. (Certina S.A.) (Certina Ltd.) ("Opposer"), through its undersigned counsel, requests that this proceeding be suspended for 90 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:	04/21/2020
Discovery Period to Close:	05/21/2020
Plaintiff's Pretrial Disclosures:	07/05/2020
Plaintiff's 30-day Trial Period Ends:	08/19/2020
Defendant's Pretrial Disclosures:	09/03/2020
Defendant's 30-day Trial Period ends:	10/18/2020
Plaintiff's Rebuttal Disclosures:	11/02/2020
Plaintiff's 15-day Rebuttal Period Ends:	12/02/2020
Plaintiff's Opening Brief Due:	01/31/2021
Defendant's Brief Due:	03/02/2021

Plaintiff's Reply Brief Due: 03/17/2021
Request for Oral Hearing (optional) Due: 03/27/2021

Opposer submits there is good cause for granting the requested suspension, as the parties continue to be actively engaged in negotiations for the settlement of this matter. The parties have been actively negotiating the potential for settlement across multiple jurisdictions, primarily through in-house and local counsel for the parties. The parties have continued negotiating settlement terms, and proffer the following timeline of exchanges in support of their good faith request for suspension:

- **November 11, 2019:** Letter communication between parties as to proposed settlement agreement;
- **December 5, 2019:** Email communication between parties as to proposed settlement agreement;
- **December 13, 2019:** Email communication between parties as to proposed settlement agreement;
- **January 8, 2020:** Email communication between parties as to proposed settlement agreement;
- **January 15, 2020:** Parties engage in telephone conversation regarding the proposed settlement agreement;
- **January 16, 2020:** Parties continued telephone conversation regarding the proposed settlement agreement.

At this time, the parties require additional time to continue working toward a potential final resolution of this dispute. This motion is therefore filed in good faith and not for purposes of delay. Accordingly, Opposer submits that good cause has been shown to grant the requested suspension. Opposer has secured the express consent of

all other parties to this proceeding for the suspension and resetting of dates requested herein.

Opposer has provided an email address herewith for itself and for Applicant T.R.B. International SA so that any order on this motion may be issued electronically by the Board.

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

Respectfully submitted,

CERTINA A.G. (CERTINA S.A.)
(CERTINA LTD.)

Date: January 17, 2020

By: /Timothy D. Pecsénye/
Timothy D. Pecsénye
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CERTIFICATE OF ELECTRONIC FILING

I hereby certify that this correspondence is addressed to the Trademark Trial and Appeal Board, Hon. Commissioner for Trademarks, P.O. Box 1451, Alexandria, Virginia 22313-1451, and is being deposited via the Electronic System for Trademark Trials and Appeals (ESTTA) on January 17, 2020.

/Samar Aryani-Sabet/
Samar Aryani-Sabet

CERTIFICATE OF SERVICE

I, Samar Aryani-Sabet, do hereby certify that I have on this 17th day of January 2020 served via electronic mail the foregoing MOTION FOR SUSPENSION FOR SETTLEMENT WITH CONSENT to the following:

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