

ESTTA Tracking number: **ESTTA862381**

Filing date: **12/04/2017**

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

Proceeding	91231958
Party	Defendant Amorepacific Corporation
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Signature	/Ann K. Ford/
Date	12/04/2017
Attachments	Motion for 90-Day Extension - TTAB Consolidated Opposition and Cancellation Proceedings.pdf(35171 bytes )

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

In the matter of Trademark  
Application Serial No. 86873750  
Mark: PRIMERA  
Filed: January 13, 2016  
Published for Opposition: July 5, 2016

In the matter of Trademark  
Registration No. 3632484  
Mark: PRIMAVERA  
Filed: February 7, 2008  
Registered: June 2, 2009

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PRIMAVERA LIFE GMBH,	)	
	)	
Opposer/Registrant,	)	
	)	
v.	)	Consolidated Proceedings
	)	Opposition No. 91231958 (Parent)
AMOREPACIFIC CORPORATION,	)	Cancellation No. 92065305
	)	
Applicant/Petitioner.	)	
	)	

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**MOTION TO REOPEN EXPERT DISCLOSURES AND FOR A NINETY-DAY  
EXTENSION OF TIME TO SERVE EXPERT DISCLOSURES AND TO RESET ALL  
SUBSEQUENT DATES**

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451

In response to the Trademark Trial and Appeal Board’s (“Board”) Order of October 26, 2017, and pursuant to 37 C.F.R. § 2.120(a) and TBMP § 509.01(a), Applicant/Petitioner Amorepacific Corporation (hereinafter “Applicant/Petitioner”), by and through its undersigned counsel, submits this Motion to Reopen Expert Disclosures and for a Ninety-Day Extension of Time to Serve Expert Disclosures and For All Subsequent Dates (“Motion”) with the Trademark

Trial and Appeal Board (“Board”), respectfully requesting that the Board reopen Expert Disclosures and grant the extension of time through and including November 4, 2017 to serve Expert Disclosures, and that all subsequent case deadlines be re-set by ninety days.

The specific grounds for this request are as follows: Applicant/Petitioner and Opposer/Registrant Primavera Life GmbH (hereinafter “Opposer/Registrant”) (collectively, the “Parties”) have communicated directly and via counsel by e-mail or telephone continuously during the pendency of Cancellation Proceeding No. 92065305 and Opposition Proceeding No. 91231958 (collectively, the “Consolidated Proceedings”), to discuss their respective claims and defenses, to propound and respond to discovery, and to explore settlement options. Indeed, the Parties exchanged settlement proposals and discussed possible non-contentious options to resolve the Consolidated Proceedings throughout 2017.

At the same time, the Parties held their Discovery Conference on April 10, 2017, and served discovery between April 2017 to present. The Parties are currently still engaged in the exchange of discovery requests and responses. Most recently, on November 29, 2017, the Parties mutually consented to a Thirty-Day Extension of Time of the Parties’ respective deadlines to respond and object to pending discovery requests to further discuss settlement options. Additionally, Applicant/Petitioner has provided multiple settlement proposals, the latest of which was communicated to Opposer/Registrant at least as early as October 19, 2017. Opposer/Registrant did not respond to this proposal until November 17, 2017, at which time Opposer/Registrant indicated its willingness to continue negotiations based on Applicant/Petitioner’s proposal, and the Parties, through their respective counsel, held a further telephonic settlement discussion on November 30, 2017. Further, Applicant/Petitioner sought Opposer/Registrant’s consent to this Motion pending these discussions, but has not yet heard back. Counsel for Applicant/Petitioner is hopeful that the Parties will continue settlement

discussions with the goal of resolving the Consolidated Proceedings. Therefore extending case deadlines at this time would likely be a savings of time and expense for both the Parties and the Board.

As set forth above, the Parties have already and still are engaged in the discovery process and have explored a number of different settlement proposals. In light of the foregoing, Applicant/Petitioner respectfully submits that this Motion is not made for the purpose of unduly delaying proceedings before the Board. Because Applicant/Petitioner anticipates that the Parties can resolve this matter in the coming months, Applicant/Petitioner respectfully requests that the Board grant this Motion to Reopen Expert Disclosures and for a Ninety-Day Extension of Time to Serve Expert Disclosures and to Reset All Subsequent Case Deadlines. The additional time is necessary to try to resolve this matter, and in the event the Parties do not, to conduct and complete discovery.

The deadline to serve Expert Disclosures was November 4, 2017, and Applicant/Petitioner requests that it be reopened. Thus, the new case deadlines would be as follows:

Expert Disclosures Due:	February 2, 2018
Discovery Period to Close:	March 4, 2018
Plaintiff Pretrial Disclosures:	April 18, 2018
Plaintiff's 30-Day Trial Period Ends:	June 2, 2018
Defendant's Pretrial Disclosures:	June 17, 2018
Defendant's 30-Day Trial Period Ends:	August 1, 2018
Plaintiff's Rebuttal Disclosures:	August 16, 2018
Plaintiff's 15-Day Rebuttal Period Ends:	September 15, 2018

WHEREFORE, in light of the foregoing, Applicant/Petitioner has shown good cause as to why the instant Motion should be granted. As such, Applicant/Petitioner requests that further appropriate action be taken in these Consolidated Proceedings, including a reopening of Expert Disclosures and the granting of a ninety-day extension of time for serving Expert Disclosures and for all subsequent dates.

Dated: December 4, 2017

Respectfully submitted,

By: /s/ Ann K. Ford  
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*Attorneys for Applicant/Petitioner  
Amorepacific Corporation*

**CERTIFICATE OF SERVICE**

This is to certify that a copy of the foregoing **MOTION TO REOPEN EXPERT DISCLOSURES AND FOR A NINETY-DAY EXTENSION OF TIME TO SERVE EXPERT DISCLOSURES AND TO RESET ALL SUBSEQUENT DATES** was served via electronic mail to Opposer/Registrant's counsel of record:

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this 4<sup>th</sup> day of December, 2017.

/s/ Ann K. Ford  
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Ann K. Ford  
*Attorney for Petitioner*