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

Proceeding	91244959
Party	Defendant Pirelli Tyre S.p.A.
Correspondence Address	STEVEN B POWELL VENABLE LLP PO BOX 34385 WASHINGTON, DC 20043-9998 UNITED STATES trademarkdocket@venable.com, sbpowell@venable.com, pjwyles@venable.com 202-344-4536
Submission	Motion to Suspend for Settlement Discussions
Filer's Name	Steven B. Powell
Filer's email	trademarkdocket@venable.com, sbpowell@venable.com, pjwyles@venable.com
Signature	/StevenBPowell/
Date	02/04/2020
Attachments	Consented Motion for Suspension - Tire Stickers LLC v Pirelli Tyre S.p.A. - Feb. 4 2020.pdf(79859 bytes)

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

Tire Stickers LLC,)	
)	
Opposer,)	
)	
v.)	Opposition No. 91244959
)	
)	
Pirelli Tyre S.p.A.,)	Appl. Serial Nos.: 87/631,189 and 87/631,197
)	
Applicant.)	
)	

MOTION FOR SUSPENSION FOR SETTLEMENT WITH CONSENT

Applicant, with Opposer’s consent, requests that the Board suspend the proceedings thirty (30) days in the above cancellation so the parties can continue settlement negotiations. Counsel for Opposer consented to this motion by email on February 4, 2020. Good cause exists as the parties continue to make progress to resolve the few remaining issues in settlement of this matter and require additional time to complete the process.

Good Cause

Although this matter has been suspended for quite some time, there is good cause for the needed further suspension of this matter. The parties continue to be involved in substantive settlement negotiations in earnest and are negotiating only a few remaining issues that need to be resolved to finalize the written settlement agreement.

Progress Report

The TTAB order granting the previous suspension request stated that future motions to extend or suspend would need to include a report on the progress of discovery or of ongoing settlement negotiations.

During the time since the Board granted the most recent motion to suspend, the parties' attorneys have engaged in additional substantive settlement communications, including substantive email correspondence and a telephone conference call to discuss potential solutions to the few remaining issues. In light of the substantial progress and the limited scope of issues to be resolved, the parties ask that the Board grant the necessary further suspension for settlement negotiations to facilitate the process.

Progress-report requirements pertaining to discovery are inapplicable to the present situation because discovery has not opened in this proceeding and neither party has served discovery requests.

The scope of the proposed settlement between the parties extends beyond the scope of the Board proceeding, as previously noted. The proposed settlement therefore is complex and requires negotiation and balancing of the parties' rights and future uses of their respective marks and other designs.

The parties have reached tentative agreement on the vast majority of issues necessary to resolve the dispute and have set forth those terms in a written draft settlement agreement. The few remaining issues that are not yet completely resolved involve scope of use and remedies in the event of breach. The parties continue to address those issues in good faith.

With regard to the timetable for resolution, the parties expect the few remaining issues to be resolved within the requested 30-day suspension period.

Proposed Trial Schedule

Since this request is made for good cause and not made simply for purposes of delay, it is respectfully requested that trial dates be reset as indicated below.

Time to Answer	3/6/2020
Deadline for Discovery Conference	4/5/2020

Discovery Opens	4/5/2020
Initial Disclosures Due	5/5/2020
Expert Disclosures Due	9/2/2020
Discovery Closes	10/2/2020
Plaintiff's Pretrial Disclosures Due	11/16/2020
Plaintiff's 30-day Trial Period Ends	12/31/2020
Defendant's Pretrial Disclosures Due	1/15/2021
Defendant's 30-day Trial Period Ends	3/1/2021
Plaintiff's Rebuttal Disclosures Due	3/16/2021
Plaintiff's 15-day Rebuttal Period Ends	4/15/2021
Plaintiff's Opening Brief Due	6/14/2021
Defendant's Brief Due	7/14/2021
Plaintiff's Reply Brief Due	7/29/2021
Request for Oral Hearing (optional) Due	8/8/2021

Respectfully submitted,



Dated: February 4, 2020

Andrew D. Price
Steven B. Powell
Venable LLP
P.O. Box 34385
Washington, DC 20043-9998
Telephone: (202) 344-8156
Facsimile: (202) 344-8300
Attorneys for Applicant

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 counsel for Opposer, this 4th day of February 2020, by sending the same via email to J. Damon Ashcraft, attorney of record for Opposer, at ipdocket@swlaw.com and dashcraft@swlaw.com.



Steven B. Powell