

ESTTA Tracking number: **ESTTA1045495**

Filing date: **03/27/2020**

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	03/27/2020
Attachments	March 27 2020 Consented Motion to Suspend - Tire Stickers v Pirelli Tyre.pdf(79208 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 March 27, 2020. Good cause exists as the parties have continued to resolve outstanding issues and now require time for final review and execution of a settlement agreement.

Good Cause

Good cause exists for the needed further suspension of this matter, as the parties continue to communicate in earnest and have made substantial further progress even since the granting of the previous extension request.

Progress Report

The Board has required that future motions to extend or suspend in the proceeding include a report on the progress of discovery or of ongoing settlement negotiations, as follows:

The parties, through counsel, have continued to engage in substantive settlement communications. Progress-report requirements pertaining to discovery continue to be

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 and thus has required a more comprehensive analysis of the parties' rights and future uses of their respective marks and other designs. The parties now appear to have resolved all outstanding issues and are in the process of conducting a final review of a settlement agreement for anticipated execution thereof, which would dispose of the current opposition. The extension is needed to allow time for the parties to complete the process.

#### Proposed Trial Schedule

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	5/7/2020
Deadline for Discovery Conference	6/6/2020
Discovery Opens	6/6/2020
Initial Disclosures Due	7/6/2020
Expert Disclosures Due	11/3/2020
Discovery Closes	12/3/2020
Plaintiff's Pretrial Disclosures Due	1/17/2021
Plaintiff's 30-day Trial Period Ends	3/3/2021
Defendant's Pretrial Disclosures Due	3/18/2021
Defendant's 30-day Trial Period Ends	5/2/2021
Plaintiff's Rebuttal Disclosures Due	5/17/2021
Plaintiff's 15-day Rebuttal Period Ends	6/16/2021
Plaintiff's Opening Brief Due	8/15/2021
Defendant's Brief Due	9/14/2021
Plaintiff's Reply Brief Due	9/29/2021
Request for Oral Hearing (optional) Due	10/9/2021

###

Respectfully submitted,



Dated: March 27, 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 27<sup>th</sup> day of March 2020, by sending the same via email to J. Damon Ashcraft, attorney of record for Opposer, at [ipdocket@swlaw.com](mailto:ipdocket@swlaw.com) and [dashcraft@swlaw.com](mailto:dashcraft@swlaw.com).



---

Steven B. Powell