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

Proceeding no.	91264402
Party	Defendant ASOS plc
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Submission	Stipulated/Consent Motion to Extend
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Date	01/23/2024
Attachments	Consent Motion to Extend Deadlines_ASOS_Opp. No. 91264402_1-23-24.pdf (182693 bytes)

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

Asustek Computer Incorporation,
Opposer,

v.

ASOS Plc,
Applicant.

Opposition No. 91264402

CONSENT MOTION TO EXTEND 60 DAYS

Applicant ASOS Plc (“Applicant”), with consent of Opposer Asustek Computer Incorporation (“Opposer”) and through undersigned counsel, hereby moves to extend all deadlines in the above-captioned opposition for sixty (60) days on the basis of the parties’ ongoing settlement discussions.

The Board has requested a progress report. Pursuant to the Board’s January 18, 2024 order, the parties report the following settlement communications by date and issues discussed. Pursuant to TBMP §605.02 the details below do not include disclosure of any confidential information or matter:

- On December 5, 2023 Opposer sent an email to Applicant discussing the parties’ respective goods and services, including those at issue in this proceeding, and proposing settlement terms directed to resolving the grounds for opposition in this proceeding as to those respective goods;

- On December 19, 2023 Applicant sent an email to Opposer responding to Opposer's proposed settlement terms, setting forth proposed revisions to certain proposed settlement terms;
- Applicant indicated to Applicant's counsel on January 8, 2024 that it had received a further counterproposal from Opposer regarding Applicant's December 19, 2023 response regarding Applicant's goods;
- On January 8, 2024 Applicant's counsel contacted Opposer's counsel by email to confirm if Opposer would consent to a 60-day extension of the deadlines in this proceeding to facilitate the resolution of the case via settlement given the recent exchanges between the parties;
- On January 9, 2024, Opposer's counsel relayed to Applicant's counsel that Opposer's counsel was checking in with Opposer to confirm and would circle back with Applicant's counsel;
- On January 9, 2024 Applicant indicated to Applicant's counsel that Applicant was reverting to Opposer with revisions to Opposer's proposed settlement terms;
- On January 12, 2024 Opposer's counsel confirmed with Applicant's counsel via email that Opposer consents to a further 60-day extension of the proceeding deadlines;
- On January 16, 2024 Applicant's counsel and Opposer's counsel jointly filed a consent agreement to extend the proceeding deadlines by 60 days including information about the parties' business to business settlement discussions directed to resolving all issues in this proceeding.
- As to issues that have been resolved, the parties have narrowed their discussions as to the scope of the proposed settlement terms including geographic scope and scope of the respective goods that remain of issue.
- As to issues that remain to be resolved, the specific details of the proposed settlement terms are the subject of the parties continuing negotiations.

Given the extent of detail being discussed between the parties as to the proposed settlement terms being exchanged, the parties hope it may be possible to reach a firm settlement that would resolve all issues in this proceeding within the requested 60-day extension. The extension will

allow the parties to avoid expending additional time and resources while they continue the settlement negotiation process.

Accordingly, the parties respectfully request that the Board extend the deadlines in this proceeding for sixty (60) days, with the proceeding deadlines extended as follows:

Proceeding Deadline	Current Deadline	Proposed Extended Deadline
Defendant's 30-day Trial Period Ends	1/28/2024	3/28/2024
Plaintiff's Rebuttal Disclosures Due	2/12/2024	4/12/2024
Plaintiff's 15-day Rebuttal Period Ends	3/13/2024	5/12/2024
Plaintiff's Opening Brief Due	5/12/2024	7/11/2024
Defendant's Brief Due	6/11/2024	8/10/2024
Plaintiff's Reply Brief Due	6/26/2024	8/25/2024
Request for Oral Hearing (optional) Due	7/6/2024	9/4/2024

Respectfully submitted,

EPSTEIN DRANGEL, LLP
Attorney for Applicant

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Dated: January 23, 2024

OFFIT KURMAN, P.A.
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Dated: January 23, 2024

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CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing CONSENT MOTION TO EXTEND 60 DAYS was served by e-mail on Opposer's attorney of record on Tuesday, January 23, 2024 at the following address:

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Dated: January 23, 2024

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