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

Proceeding	91245732
Party	Defendant Zara Tours Adventures LLC
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Submission	Stipulated/Consent Motion to Extend
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Date	12/17/2021
Attachments	Inditex v. Zara Tours - Motion to Extend all Remaining Deadlines with Consent (2021.17.12).pdf(20797 bytes)

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

Industria de Diseno Textil, S.A. (Inditex, S.A.),)	
)	
Opposer,)	
)	
v.)	Opposition No. 91245732
)	
Zara Tours Adventures LLC,)	
)	
Applicant.)	

**MOTION FOR A FURTHER NINETY DAY EXTENSION OF ALL REMAINING
DEADLINES IN THIS PROCEEDING FOR SETTLEMENT WITH CONSENT**

Pursuant to the Board’s Order dated September 28, 2021, Applicant states that the parties remain engaged in settlement negotiations, and are nearing a final global settlement in principle. Applicant, with Opposer’s consent, requests that all remaining deadlines be extended for an additional ninety (90) days to allow the parties to continue their settlement efforts. Applicant, therefore, files this consented motion, and pursuant to the Board’s most recent order presents the following progress report establishing good cause for the requested extension.

As advised in the parties’ most recent extension request filed on September 20, 2021, this matter involves complex global issues concerning trademarks in multiple countries, with counsel for the parties also located in multiple countries. Furthermore, the parties have been involved in opposition, cancellation, and other contested proceedings in countries outside the United States, and the proposed resolution of this matter is worldwide in scope, involving rights to the use of various trademarks and domain names, as well as trademark registrations in a number of countries.

As indicated in the September 20, 2021 extension request filing, Applicant’s counsel provided a settlement counterproposal to Opposer’s counsel on April 19 2021, in response to Opposer’s earlier settlement offer. This settlement counterproposal involved issues relating to the

use and registration of certain trademarks, including those at issue in this proceeding. On July 23, 2021, Applicant received Opposer's substantive comments and responses to its global settlement counterproposal, as well as certain inquiries and requests for clarification. The undersigned counsel reported on this matter to Applicant's U.K.-based counsel, and, after receiving certain additional information from Applicant, provided Opposer's counsel with a preliminary response on September 15, 2021, including supplying Opposer's counsel with information relative to domain names at issue. On November 11, 2021, counsel for Applicant provided additional business and trademark-related documents along with relevant information to Opposer's counsel, and on November 17, 2021 Opposer's counsel requested further clarification from Applicant relative to two of the proposed settlement terms. Applicant is currently considering the additional matters, but in light of the approaching holidays and travel schedules, Applicant will not be in a position to respond substantively to Opposer's requests until after the current deadline of December 19, 2021 for pretrial disclosures. Nevertheless, Applicant intends to provide further information and responses to Opposer's counsel shortly.

As indicated above, the parties' settlement efforts are ongoing, and they are cautiously optimistic that they can achieve an amicable resolution to this matter and, more generally, to their global dispute.

As explained above and in the earlier extension request filings dated June 20, 2021 and September 20, 2021, the parties have been engaged in disputes in other countries relative to the trademarks at issue in this proceeding, and the settlement currently being contemplated is worldwide in scope. The parties continue to negotiate in good faith in an attempt to reach an

agreement, and Applicant plans to provide additional information and clarifications to Opposer in the near future.

In order to allow the parties to continue their worldwide settlement negotiations, Applicant, with Opposer's consent, respectfully requests that the Board grant the requested ninety (90) day extension. If any additional information would be helpful, please do not hesitate to contact any of the attorneys of record in this case.

Upon the granting of this motion, the following time periods would apply:

Defendant's Pretrial Disclosures Due	March 19, 2022
Defendant's 30-day Trial Period Ends	May 3, 2022
Plaintiff's Rebuttal Disclosures Due	May 18, 2022
Plaintiff's 15-day Rebuttal Period Ends	June 17, 2022
Plaintiff's Opening Brief Due	August 16, 2022
Defendant's Brief Due	September 15, 2022
Plaintiff's Reply Brief Due	September 30, 2022
Request for Oral Hearing (optional) Due	October 10, 2022

Applicant submits that good cause for the requested extension is shown and respectfully requests that the Board grant this motion. On December 14, 2021, Applicant secured the express consent of Opposer for the extension and resetting of dates requested herein.

Respectfully submitted,

LADAS & PARRY LLP

Dated: December 17, 2021

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing MOTION FOR A FURTHER NINETY DAY EXTENSION OF ALL REMAINING DEADLINES IN THIS PROCEEDING FOR SETTLEMENT WITH CONSENT was served on Opposer by E-mail on December 17, 2021 addressed to:

Ross Q. Panko

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By: /Boris Umansky/
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