

**Fill in this information to identify the case:**

Debtor AgileThought, LLC

United States Bankruptcy Court for the: \_\_\_\_\_ District of Delaware  
(State)

Case number 23-11308

**Official Form 410  
Proof of Claim**

**04/22**

**Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.**

**Filers must leave out or redact** information that is entitled to privacy on this form or on any attached documents. Attach redacted copies or any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. **Do not send original documents;** they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

**Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.**

**Part 1: Identify the Claim**

<b>1. Who is the current creditor?</b>	<u>Erica Denise Lerner dba EDL ABOGADOS</u> <small>Name of the current creditor (the person or entity to be paid for this claim)</small>	
	Other names the creditor used with the debtor _____	
<b>2. Has this claim been acquired from someone else?</b>	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. From whom? _____	
<b>3. Where should notices and payments to the creditor be sent?</b>	<b>Where should notices to the creditor be sent?</b>	<b>Where should payments to the creditor be sent? (if different)</b>
Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	<u>Erica Denise Lerner dba EDL ABOGADOS</u> <u>Rocamora 4343 21TH FLOOR</u> <u>Buenos Aires, CABA C1184ABG, Argentina</u>	
	Contact phone <u>5491166856076</u>	Contact phone _____
	Contact email <u>erica.lerner@edl.com.ar</u>	Contact email _____
	Uniform claim identifier for electronic payments in chapter 13 (if you use one): _____	
<b>4. Does this claim amend one already filed?</b>	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Claim number on court claims registry (if known) _____ Filed on _____ <small>MM / DD / YYYY</small>	
<b>5. Do you know if anyone else has filed a proof of claim for this claim?</b>	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Who made the earlier filing? _____	



**Part 2: Give Information About the Claim as of the Date the Case Was Filed**

6. Do you have any number you use to identify the debtor?  No  
 Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: \_\_\_\_\_

7. How much is the claim? \$ 730,00. Does this amount include interest or other charges?  
 No  
 Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).

8. What is the basis of the claim? Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card.  
Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c).  
Limit disclosing information that is entitled to privacy, such as health care information.  
Legal services

9. Is all or part of the claim secured?  No  
 Yes. The claim is secured by a lien on property.  
**Nature or property:**  
 Real estate: If the claim is secured by the debtor's principle residence, file a *Mortgage Proof of Claim Attachment* (Official Form 410-A) with this *Proof of Claim*.  
 Motor vehicle  
 Other. Describe: \_\_\_\_\_  
**Basis for perfection:** \_\_\_\_\_  
Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)  
**Value of property:** \$ \_\_\_\_\_  
**Amount of the claim that is secured:** \$ \_\_\_\_\_  
**Amount of the claim that is unsecured:** \$ \_\_\_\_\_ (The sum of the secured and unsecured amount should match the amount in line 7.)  
**Amount necessary to cure any default as of the date of the petition:** \$ \_\_\_\_\_  
**Annual Interest Rate** (when case was filed) \_\_\_\_\_ %  
 Fixed  
 Variable

10. Is this claim based on a lease?  No  
 Yes. Amount necessary to cure any default as of the date of the petition. \$ \_\_\_\_\_

11. Is this claim subject to a right of setoff?  No  
 Yes. Identify the property: \_\_\_\_\_



12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?

No

Yes. Check all that apply:

	Amount entitled to priority
<input type="checkbox"/> Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).	\$ _____
<input type="checkbox"/> Up to \$3,350* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).	\$ _____
<input type="checkbox"/> Wages, salaries, or commissions (up to \$15,150*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4).	\$ _____
<input type="checkbox"/> Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).	\$ _____
<input type="checkbox"/> Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5).	\$ _____
<input type="checkbox"/> Other. Specify subsection of 11 U.S.C. § 507(a)(____) that applies.	\$ _____

\* Amounts are subject to adjustment on 4/01/25 and every 3 years after that for cases begun on or after the date of adjustment.

13. Is all or part of the claim pursuant to 11 U.S.C. § 503(b)(9)?

No

Yes. Indicate the amount of your claim arising from the value of any goods received by the debtor within 20 days before the date of commencement of the above case, in which the goods have been sold to the Debtor in the ordinary course of such Debtor's business. Attach documentation supporting such claim.

\$ \_\_\_\_\_

**Part 3: Sign Below**

**The person completing this proof of claim must sign and date it. FRBP 9011(b).**

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

**A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.**

*Check the appropriate box:*

I am the creditor.

I am the creditor's attorney or authorized agent.

I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.

I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgement that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date 10/05/2023  
MM / DD / YYYY

/s/Erica Denise Lerner  
Signature

**Print the name of the person who is completing and signing this claim:**

Name Erica Denise Lerner  
First name Middle name Last name

Title Attorney-at-Law

Company EDL Abogados  
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address \_\_\_\_\_

Contact phone \_\_\_\_\_ Email \_\_\_\_\_



# KCC ePOC Electronic Claim Filing Summary

For phone assistance: Domestic (866) 548-5856 | International (781) 575-2073

<b>Debtor:</b> 23-11308 - AgileThought, LLC		
<b>District:</b> District of Delaware		
<b>Creditor:</b> Erica Denise Lerner dba EDL ABOGADOS Rocamora 4343 21TH FLOOR  Buenos Aires, CABA, C1184ABG Argentina <b>Phone:</b> 5491166856076 <b>Phone 2:</b>  <b>Fax:</b>  <b>Email:</b> erica.lerner@edl.com.ar	<b>Has Supporting Documentation:</b> Yes, supporting documentation successfully uploaded <b>Related Document Statement:</b>	
	<b>Has Related Claim:</b> No <b>Related Claim Filed By:</b>	
	<b>Filing Party:</b> Creditor	
<b>Other Names Used with Debtor:</b>	<b>Amends Claim:</b> No <b>Acquired Claim:</b> No	
<b>Basis of Claim:</b> Legal services	<b>Last 4 Digits:</b> No	<b>Uniform Claim Identifier:</b>
<b>Total Amount of Claim:</b> 730,00	<b>Includes Interest or Charges:</b> No	
<b>Has Priority Claim:</b> No	<b>Priority Under:</b>	
<b>Has Secured Claim:</b> No <b>Amount of 503(b)(9):</b> No <b>Based on Lease:</b> No <b>Subject to Right of Setoff:</b> No	<b>Nature of Secured Amount:</b> <b>Value of Property:</b> <b>Annual Interest Rate:</b> <b>Arrearage Amount:</b> <b>Basis for Perfection:</b> <b>Amount Unsecured:</b>	
<b>Submitted By:</b> Erica Denise Lerner on 05-Oct-2023 12:00:00 p.m. Eastern Time <b>Title:</b> Attorney-at-Law <b>Company:</b> EDL Abogados		

## Erica Lerner

---

**De:** Erica Lerner <erica.lerner@edl.com.ar>  
**Enviado el:** jueves, 25 de mayo de 2023 22:42  
**Para:** 'Thomas, Madelaine M.'  
**CC:** 'Assmus, Richard M.'; 'IP Docket, Chicago'; 'luciano.sanders@edl.com.ar'; 'administracion@edl.com.ar'  
**Asunto:** RE: New trademark application in Argentina for AGILETHOUGHT in class 42 (Serial No. 3832284)  
**Datos adjuntos:** 2276106 Form.pdf; 2276106\_1F Brief of response and evidence.pdf; 2276106 Official Receipt.pdf; Invoice 3204 - EDL Abogados.pdf

Hi Maddy,

We are pleased to inform you that on May 22, 2023 we filed the response and evidence to Sistemas Globales S.A. (dba "Globant")'s brief upholding its opposition. We attach herewith the official form of the presentation, our brief and the official receipt.

As you may appreciate, in our writ we referred to AgileThought's global presence, the existence of other marks in class 42, belonging to third parties, that start with the term "agile", like: AGILE TEAM and AGILEN; and other similar marks like: AGILTEC, AGILIS, SISTEMAS AGILES; the clear and sufficient distinction between the endings "PODS" and "THOUGHT" in the three scopes of comparison: meaning, sound and appearance; and we emphasized the composition of the mark AGILE PODS by two words, while AGILETHOUGHT is just one, which gives the trademarks different overall appearances.

We also highlighted the fact that the registration of the trademark AGILE PODS was denied by USPTO (and the presumable rebranding to AGILE ORGANIZATIONS). In general terms, we highlighted that the Globant's arguments in support of its opposition did not add any reason of weight to leave aside the fact that the conflicting trademarks are clearly distinctive.

In about 6 to 10 months, the process will be opened to evidence and, once this stage concludes, we should submit the final arguments. The whole process may last from 18 to 24 months, in accordance with the TMO's current backlog.

### Invoicing

We attach herewith our invoice for the services rendered at this stage.

We will keep you duly posted on the progress of this matter and remain at your disposal for any clarification or further information that you might need.

Best regards,

Erica Lerner  
Socia | Partner



Rocamora 4343 Piso 21 | C1184ABG | Buenos Aires, Argentina  
T. (54 9 11) 6685 6076 | [www.edl.com.ar](http://www.edl.com.ar)

---

**De:** Thomas, Madelaine M. <MMThomas@mayerbrown.com>  
**Enviado el:** jueves, 4 de mayo de 2023 19:45

**Para:** Erica Lerner <[erica.lerner@edl.com.ar](mailto:erica.lerner@edl.com.ar)>

**CC:** Assmus, Richard M. <[RAssmus@mayerbrown.com](mailto:RAssmus@mayerbrown.com)>; IP Docket, Chicago <[IPDocket@mayerbrown.com](mailto:IPDocket@mayerbrown.com)>;  
luciano.sanders@edl.com.ar

**Asunto:** RE: New trademark application in Argentina for AGILETHOUGHT in class 42 (Serial No. 3832284)

Thank you very much, Erica.

**Madelaine M. Thomas**

*Associate*

*Pronouns: she/her*

Mayer Brown LLP

71 South Wacker Drive

Chicago, Illinois 60606

T +1 (312) 701-8209

[mayerbrown.com](http://mayerbrown.com)

---

**From:** Erica Lerner <[erica.lerner@edl.com.ar](mailto:erica.lerner@edl.com.ar)>

**Sent:** Thursday, May 4, 2023 10:23 AM

**To:** Thomas, Madelaine M. <[MMThomas@mayerbrown.com](mailto:MMThomas@mayerbrown.com)>

**Cc:** Assmus, Richard M. <[RAssmus@mayerbrown.com](mailto:RAssmus@mayerbrown.com)>; IP Docket, Chicago <[IPDocket@mayerbrown.com](mailto:IPDocket@mayerbrown.com)>;  
[luciano.sanders@edl.com.ar](mailto:luciano.sanders@edl.com.ar)

**Subject:** RE: New trademark application in Argentina for AGILETHOUGHT in class 42 (Serial No. 3832284)

**CAUTION: External Email** - Only click on contents you know are safe.

Hi Maddy,

I hope this e-mail finds you very well.

Further to our previous correspondence on this matter, we inform you on May 3, 2023 the TMO served us with official notice of Sistemas Globales S.A.'s brief upholding the opposition against trademark **AGILETHOUGHT in class 42, Serial No. 3832284** (notification enclosed). The copy of Sistemas Globales' brief was attached to our message of March 4, 2022.

The deadline to file the response and offer evidence is **May 24, 2023**.

Pursuant to your instructions of March 16, 2022, we will proceed to file our reply by the afore-mentioned deadline. As for the evidence, we have already collected it from Internet and from the TMO database. Should we require anything further, we will let you know as soon as possible.

We will keep you duly posted and remain at your disposal if you require any further information or clarification.

Best regards,

Erica Lerner  
Socia | Partner



Rocamora 4343 Piso 21 | C1184ABG | Buenos Aires, Argentina  
T. (54 9 11) 6685 6076 | [www.edl.com.ar](http://www.edl.com.ar)

---

**De:** Erica Lerner <[erica.lerner@edl.com.ar](mailto:erica.lerner@edl.com.ar)>

**Enviado el:** viernes, 24 de febrero de 2023 16:39

**Para:** 'Thomas, Madelaine M.' <[MMThomas@mayerbrown.com](mailto:MMThomas@mayerbrown.com)>; 'Luciano.sanders@edl.com.ar' <[luciano.sanders@edl.com.ar](mailto:luciano.sanders@edl.com.ar)>

**CC:** 'Assmus, Richard M.' <[RAssmus@mayerbrown.com](mailto:RAssmus@mayerbrown.com)>; 'IP Docket, Chicago' <[IPDocket@mayerbrown.com](mailto:IPDocket@mayerbrown.com)>

**Asunto:** RE: New trademark application in Argentina for AGILETHOUGHT in class 42 (Serial No. 3832284)

Hi Maddy,

Nice to hear from you.

There has been no news on this matter.

The TMO has not yet served notice of the opponent's brief upholding the opposition. Therefore, there is nothing that we can do but wait.

Regretfully, the backlog has not improved at the TMO. In the last Trademark Bulletin, the official notices served to respond to oppositions were in respect of applications filed in February 2018. Given that the AGILETHOUGHT application is of September 2019 and that the files are dealt with in chronological order, we expect as a minimum six more months until we are called to respond the opposition.

As soon as there is any news, we will inform you accordingly.

In the meantime, we remain at your disposal if you require any further information.

Best,

Erica

Erica Lerner  
Socia | Partner



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---

**De:** Thomas, Madelaine M. <[MMThomas@mayerbrown.com](mailto:MMThomas@mayerbrown.com)>

**Enviado el:** viernes, 24 de febrero de 2023 16:10

**Para:** [luciano.sanders@edl.com.ar](mailto:luciano.sanders@edl.com.ar); 'Erica Lerner' <[erica.lerner@edlerner.com.ar](mailto:erica.lerner@edlerner.com.ar)>; [luciano.sanders@edlerner.com.ar](mailto:luciano.sanders@edlerner.com.ar)

**CC:** Assmus, Richard M. <[RAssmus@mayerbrown.com](mailto:RAssmus@mayerbrown.com)>; IP Docket, Chicago <[IPDocket@mayerbrown.com](mailto:IPDocket@mayerbrown.com)>

**Asunto:** RE: New trademark application in Argentina for AGILETHOUGHT in class 42 (Serial No. 3832284)

Hi Luciano,

Do you have any updates regarding this opposition?

Thank you!

Best,  
Maddy

**Madelaine M. Thomas**

Associate  
Pronouns: she/her

Mayer Brown LLP  
71 South Wacker Drive  
Chicago, Illinois 60606  
T +1 (312) 701-8209

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---

**From:** [luciano.sanders@edl.com.ar](mailto:luciano.sanders@edl.com.ar) <[luciano.sanders@edl.com.ar](mailto:luciano.sanders@edl.com.ar)>  
**Sent:** Wednesday, July 20, 2022 12:22 PM  
**To:** Thomas, Madelaine M. <[MMThomas@mayerbrown.com](mailto:MMThomas@mayerbrown.com)>; 'Erica Lerner' <[erica.lerner@edlerner.com.ar](mailto:erica.lerner@edlerner.com.ar)>;  
[luciano.sanders@edlerner.com.ar](mailto:luciano.sanders@edlerner.com.ar)  
**Cc:** Assmus, Richard M. <[RAssmus@mayerbrown.com](mailto:RAssmus@mayerbrown.com)>; IP Docket, Chicago <[IPDocket@mayerbrown.com](mailto:IPDocket@mayerbrown.com)>  
**Subject:** RE: New trademark application in Argentina for AGILETHOUGHT in class 42 (Serial No. 3832284)

**CAUTION: External Email** - Only click on contents you know are safe.

Dear Maddy,

Following up on our previous correspondence, please note that there has been no news since our previous report of March 4, 2022.

We have not yet been served with official notice of Sistemas Globales S.A.'s upholding of opposition. Once notification takes place (which we estimate won't happen until February 2023), we will be given 15-business-days to file a reply.

As soon as there is any news, we will inform you accordingly.

Best regards,

Luciano Sanders  
Asociado | Associate



Rocamora 4343 Piso 21 | C1184ABG | Buenos Aires, Argentina  
T. (54 11) 7368 4382 | [www.edl.com.ar](http://www.edl.com.ar)

**AVISO IMPORTANTE:** Por favor tomar nota de mi nueva dirección de correo electrónico: [luciano.sanders@edl.com.ar](mailto:luciano.sanders@edl.com.ar). Gracias.  
**IMPORTANT NOTICE:** Please take note of my new e-mail: [luciano.sanders@edl.com.ar](mailto:luciano.sanders@edl.com.ar). Thank you.

---

**De:** Thomas, Madelaine M. <[MMThomas@mayerbrown.com](mailto:MMThomas@mayerbrown.com)>  
**Enviado el:** martes, 19 de julio de 2022 18:02  
**Para:** 'Erica Lerner' <[erica.lerner@edlerner.com.ar](mailto:erica.lerner@edlerner.com.ar)>; 'luciano.sanders@edlerner.com.ar' <[luciano.sanders@edlerner.com.ar](mailto:luciano.sanders@edlerner.com.ar)>  
**CC:** Assmus, Richard M. <[RAssmus@mayerbrown.com](mailto:RAssmus@mayerbrown.com)>; IP Docket, Chicago <[IPDocket@mayerbrown.com](mailto:IPDocket@mayerbrown.com)>  
**Asunto:** RE: New trademark application in Argentina for AGILETHOUGHT in class 42 (Serial No. 3832284)

Hi Erica and Luciano,

Do you have any update regarding this opposition?

Best,  
Maddy



**Madelaine M. Thomas**

Associate

Pronouns: she/her

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---

**From:** Thomas, Madelaine M.

**Sent:** Wednesday, March 16, 2022 4:07 PM

**To:** 'Erica Lerner' <[erica.lerner@edlerner.com.ar](mailto:erica.lerner@edlerner.com.ar)>

**Cc:** Assmus, Richard M. <[RAssmus@mayerbrown.com](mailto:RAssmus@mayerbrown.com)>; [luciano.sanders@edlerner.com.ar](mailto:luciano.sanders@edlerner.com.ar); IP Docket, Chicago <[IPDocket@mayerbrown.com](mailto:IPDocket@mayerbrown.com)>

**Subject:** RE: New trademark application in Argentina for AGILETHOUGHT in class 42 (Serial No. 3832284)

Thank you very much, Erica!

AgileThought has instructed to prepare a response so that we may be ready to file once the trademark office provides official notice.

Best,  
Maddy

**Madelaine M. Thomas**

Associate

Mayer Brown LLP

71 South Wacker Drive

Chicago, Illinois 60606

T +1 (312) 701-8209

[mayerbrown.com](http://mayerbrown.com)

---

**From:** Erica Lerner <[erica.lerner@edlerner.com.ar](mailto:erica.lerner@edlerner.com.ar)>

**Sent:** Friday, March 4, 2022 1:29 PM

**To:** Thomas, Madelaine M. <[MMThomas@mayerbrown.com](mailto:MMThomas@mayerbrown.com)>

**Cc:** Assmus, Richard M. <[RAssmus@mayerbrown.com](mailto:RAssmus@mayerbrown.com)>; [luciano.sanders@edlerner.com.ar](mailto:luciano.sanders@edlerner.com.ar)

**Subject:** RE: New trademark application in Argentina for AGILETHOUGHT in class 42 (Serial No. 3832284)

**\*\*EXTERNAL SENDER\*\***

Hi Maddy,

You wrote to us precisely when we were preparing our report on this matter.

Pursuant to information recently made available at the TMO's website, Sistemas Globales S.A. was summoned to uphold its opposition and pay the corresponding official fees. This they did time on February 23, 2022 as per the attached brief and documents.

We have not yet been served with official notice thereof, so there is no deadline running . Once notification takes place (which may take a minimum of 30 calendar days), we will be given 15-business-days to file a reply.

We kindly remind you that the opposition ground was "likelihood of confusion with the trademark AGILE PODS registered in class 42". Details of this mark, as follows:

Trademark AGILE PODS

Class 42 (All services in the class)  
Serial N° 3308371  
Owner SISTEMAS GLOBALES S.A.  
Country AR-ARGENTINA  
Granted N° 2706379 date 01/08/2015 Expiry date 01/08/2025

As you may recall, AGILE PODS is used to provide a service for teams regarding strategic, creative and productive goals. See: <https://www.globant.com/es/our-services/agile-pods>

We consider that the opposition lacks sufficient grounds because:

- There are other marks in class 42, belonging to third parties, that start with the term “agile”, like: AGILE TEAM and AGILEN. Also, there are other similar marks like: AGILTEC, AGILIS, SISTEMAS AGILES, etc.
- There is sufficient distinction between the endings “PODS” and “THOUGHT” in the three scopes of comparison: meaning, sound and appearance.
- AGILE PODS is formed by two words, while AGILETHOUGHT is just one word, which gives the trademarks different overall appearances.
- The arguments set forth in the brief do not add any reason of weight to leave aside the above criteria. Sistemas Globales basically refer to the history of the company, its current global presence and use of the mark AGILE PODS.

However, if we do not reply to the opposition, the TMO might consider that Agilethought is no longer interested in the mark AGILETHOUGHT and, therefore, might incline to take the opponent’s view.

The costs to reply to Sistemas Globales S.A.’s opposition are:

Professional Fees: USD 650,00  
Disbursements: USD 80,00  
**TOTAL USD 730,00**

Kindly review the above and let us have your comments and instructions in due course.

We will keep you duly posted on further developments.

Best regards,

Erica Lerner  
Socia | Partner



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---

**De:** Thomas, Madelaine M. <[MMThomas@mayerbrown.com](mailto:MMThomas@mayerbrown.com)>

**Enviado el:** jueves, 3 de marzo de 2022 23:45

**Para:** 'Erica Lerner' <[erica.lerner@edlerner.com.ar](mailto:erica.lerner@edlerner.com.ar)>

**CC:** Assmus, Richard M. <[RAssmus@mayerbrown.com](mailto:RAssmus@mayerbrown.com)>; 'Luciano.sanders@edlerner.com.ar' <[luciano.sanders@edlerner.com.ar](mailto:luciano.sanders@edlerner.com.ar)>

**Asunto:** RE: New trademark application in Argentina for AGILETHOUGHT in class 42 (Serial No. 3832284)

Hi Erica,

Has there been any update to this matter?

Thank you very much.

Best,  
Maddy

**Madelaine M. Thomas**

Associate

Mayer Brown LLP  
71 South Wacker Drive  
Chicago, Illinois 60606  
T +1 (312) 701-8209

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---

**From:** Thomas, Madelaine M.

**Sent:** Thursday, December 16, 2021 8:45 PM

**To:** Erica Lerner <[erica.lerner@edlerner.com.ar](mailto:erica.lerner@edlerner.com.ar)>

**Cc:** Assmus, Richard M. <[RAssmus@mayerbrown.com](mailto:RAssmus@mayerbrown.com)>; [luciano.sanders@edlerner.com.ar](mailto:luciano.sanders@edlerner.com.ar)

**Subject:** RE: New trademark application in Argentina for AGILETHOUGHT in class 42 (Serial No. 3832284)

Thank you very much, Erica.

**Madelaine M. Thomas**

Associate

Mayer Brown LLP  
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Chicago, Illinois 60606  
T +1 (312) 701-8209

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---

**From:** Erica Lerner <[erica.lerner@edlerner.com.ar](mailto:erica.lerner@edlerner.com.ar)>

**Sent:** Friday, December 10, 2021 5:41 AM

**To:** Thomas, Madelaine M. <[MMThomas@mayerbrown.com](mailto:MMThomas@mayerbrown.com)>

**Cc:** Assmus, Richard M. <[RAssmus@mayerbrown.com](mailto:RAssmus@mayerbrown.com)>; [luciano.sanders@edlerner.com.ar](mailto:luciano.sanders@edlerner.com.ar)

**Subject:** RE: New trademark application in Argentina for AGILETHOUGHT in class 42 (Serial No. 3832284)

**\*\*EXTERNAL SENDER\*\***

Hi Maddy,

No further news on this matter.

Since the cooling off period is over, the opponent will be summoned to uphold the opposition and pay the official fees. However, please note that there is certain backlog in the TMO's department dealing with oppositions, which will increase with the upcoming Holiday Season. Therefore, we estimate that any progress in this file will occur in approximately 2/3 months.

We will keep you duly posted.

Best regards,

Erica Lerner

Socia | Partner



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---

**De:** Thomas, Madelaine M. [<mailto:MMThomas@mayerbrown.com>]

**Enviado el:** jueves, 9 de diciembre de 2021 16:53

**Para:** Erica Lerner

**CC:** Assmus, Richard M.; [luciano.sanders@edlerner.com.ar](mailto:luciano.sanders@edlerner.com.ar)

**Asunto:** RE: New trademark application in Argentina for AGILETHOUGHT in class 42 (Serial No. 3832284)

Hi Erica,

Is there any update on this matter? Thank you!

Best,  
Maddy

**Madelaine M. Thomas**

*Associate*

Mayer Brown LLP

71 South Wacker Drive

Chicago, Illinois 60606

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[mayerbrown.com](http://mayerbrown.com)

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**From:** Erica Lerner <[erica.lerner@edlerner.com.ar](mailto:erica.lerner@edlerner.com.ar)>

**Sent:** Monday, August 23, 2021 2:46 PM

**To:** Thomas, Madelaine M. <[MMThomas@mayerbrown.com](mailto:MMThomas@mayerbrown.com)>

**Cc:** Assmus, Richard M. <[RAssmus@mayerbrown.com](mailto:RAssmus@mayerbrown.com)>; [luciano.sanders@edlerner.com.ar](mailto:luciano.sanders@edlerner.com.ar)

**Subject:** RE: New trademark application in Argentina for AGILETHOUGHT in class 42 (Serial No. 3832284)

**\*\*EXTERNAL SENDER\*\***

Hi Maddy,

I hope you are doing well.

Further to our previous correspondence on this matter, we inform you that the TMO examined this application and issued its substantive report (see attached copy, jointly with official notice in the Trademark Bulletin of August 4, 2021).

We can now confirm that the only hindrance for registration of this trademark is the opposition timely informed, to wit:

**Opposition from Sistemas Globales S.A.**

**Grounds: Likelihood of confusion with its trademark AGILE PODS in class 42**

In this sense, we revert to our previous reports of July 28, August 3, 2020 and January 29, 2021.

As a result of the above notice, the official 3 month-cooling-off period started to count and will end on December 4, 2021 (there is a grace period of 30 days after official notice, so the real cooling off term lasts 4 months). Upon expiration thereof, if the opposition has not been withdrawn, the opponent will be summoned to maintain the opposition and pay the related official fees.

We keep in mind the client's decision to sit tight and see if Sistemas Globales pursues the opposition.

We will keep you duly posted and remain at your disposal for any clarification or further information that you might need.

Best regards,

**Erica Lerner**  
**Socia | Partner**



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**De:** Erica Lerner [<mailto:erica.lerner@edlerner.com.ar>]

**Enviado el:** lunes, 1 de febrero de 2021 12:57

**Para:** 'Thomas, Madelaine M.'

**CC:** 'Assmus, Richard M.'; 'javier.mozuc@edlerner.com.ar'

**Asunto:** RE: New trademark application in Argentina for AGILETHOUGHT in class 42 (Serial No. 3832284)

Dear Maddy,

Sistemas Globales S.A. will be required to pay the official fee after substantive examination and subsequent cooling off period. Thus, it may take 8 months minimum until Sistemas Globales is summoned to maintain the opposition in force by paying the official fee.

Please let us know if you require any clarification on the above or further information.

Best regards,

Erica Lerner



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**De:** Thomas, Madelaine M. [<mailto:MMThomas@mayerbrown.com>]

**Enviado el:** viernes, 29 de enero de 2021 21:36

**Para:** Erica Lerner

**CC:** Assmus, Richard M.; 'javier.mozuc@edlerner.com.ar'

**Asunto:** RE: New trademark application in Argentina for AGILETHOUGHT in class 42 (Serial No. 3832284)

Hi Erica,

Just to confirm— is Sistemas Globales required to pay the official fee before or after the substantive examination and cooling off period? If it is before, what is the deadline?

Thank you very much.

Best,  
Maddy

**Madelaine M. Thomas**

*Associate*

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**From:** Erica Lerner <[erica.lerner@edlerner.com.ar](mailto:erica.lerner@edlerner.com.ar)>

**Sent:** Friday, January 29, 2021 7:46 AM

**To:** Thomas, Madelaine M. <[MMThomas@mayerbrown.com](mailto:MMThomas@mayerbrown.com)>

**Cc:** Assmus, Richard M. <[RAssmus@mayerbrown.com](mailto:RAssmus@mayerbrown.com)>; [javier.mozuc@edlerner.com.ar](mailto:javier.mozuc@edlerner.com.ar)

**Subject:** RE: New trademark application in Argentina for AGILETHOUGHT in class 42 (Serial No. 3832284)

**\*\*EXTERNAL SENDER\*\***

Hi Maddy,

Further to our previous correspondence on this matter, please be informed as follows.

As you know, legal terms at the TMO resumed on December 14, 2020 and, as a result, the 30-day-opposition term ended on January 13, 2021.

We are now able to confirm that the only opposition encountered is that filed by **Sistemas Globales S.A.** (please revert to our below reports of July 28 and August 3, 2020).

#### Next procedural steps

The next stage will be the substantive examination, which we estimate will be accomplished in about 3 months. With the examination report, the TMO will set the official 3-month-cooling off period. Failure to reach to an agreement within that term will lead the TMO to decide on the merits of the opposition.

To such extent:

- The opponent should follow through and pursue the opposition by way of paying the official fee for the Administrative Opposition Proceeding (\$AR 11.050 equal to USD 150 at today's exchange rate), in which case he will be able to broaden his arguments and submit the relevant evidence.
- If the opponent does not pay the opposition maintenance fee, there will be no Administrative Opposition Proceeding ("AOP") and the opposition will remain as a "Letter of Protest" (not binding for the Examiner).
- If the opponent pays the above mentioned official fee, the AOP will be started and the TMO will serve the applicant with notice of the oppositions that remain in force. He will also be called to file a reply to the oppositions and offer the evidence in support of his position.
- Once all the stages of the AOP are concluded, the TMO will decide on the merits of the oppositions in force.
- The TMO's decision may be appealed, in which case the final judgment will be issued by the Federal Civil and Commercial Court of Appeals.

We take note of your instructions to wait to take action, and that is ok.

We will inform you once the substantive examination is accomplished and will report to you accordingly.

In the meantime, we remain at your disposal if you require any clarification or further information.

Best regards,

Erica Lerner



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**De:** Thomas, Madelaine M. [<mailto:MMThomas@mayerbrown.com>]

**Enviado el:** lunes, 30 de noviembre de 2020 16:58

**Para:** Erica Lerner

**CC:** Assmus, Richard M.; [javier.mozuc@edlerner.com.ar](mailto:javier.mozuc@edlerner.com.ar)

**Asunto:** RE: New trademark application in Argentina for AGILETHOUGHT in class 42 (Serial No. 3832284)

Thank you, Erica.

**Madelaine M. Thomas**

Associate

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---

**From:** Erica Lerner <[erica.lerner@edlerner.com.ar](mailto:erica.lerner@edlerner.com.ar)>

**Sent:** Monday, November 30, 2020 1:38 PM

**To:** Thomas, Madelaine M. <[MMThomas@mayerbrown.com](mailto:MMThomas@mayerbrown.com)>

**Cc:** Assmus, Richard M. <[RAssmus@mayerbrown.com](mailto:RAssmus@mayerbrown.com)>; [javier.mozuc@edlerner.com.ar](mailto:javier.mozuc@edlerner.com.ar)

**Subject:** RE: New trademark application in Argentina for AGILETHOUGHT in class 42 (Serial No. 3832284)

**\*\*EXTERNAL SENDER\*\***

Hi Maddy,

Please be informed that deadlines continue suspended at the TMO, but last week it was officially announced that they will resume on December 14, 2020.

Therefore, the 30-day-opposition term for trademarks published during the deadline suspension will end on January 13, 2021.

Thereafter, it may still take a couple of weeks until this application proceeds to substantive examination and we are served with official notice of Globant's opposition. Up-to date, no this is the only protest encountered.

We will revert to you after the opposition deadline in order to update you on the news.

Should you have any further query, do not hesitate to contact us.

Best,

Erica Lerner



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**De:** Thomas, Madelaine M. [<mailto:MMThomas@mayerbrown.com>]

**Enviado el:** viernes, 27 de noviembre de 2020 18:47

**Para:** Erica Lerner

**CC:** Assmus, Richard M.; [javier.mozuc@edlerner.com.ar](mailto:javier.mozuc@edlerner.com.ar)

**Asunto:** RE: New trademark application in Argentina for AGILETHOUGHT in class 42 (Serial No. 3832284)

Hi Erica,

We just wanted to check on this matter – have deadlines been extended again because of COVID-19 or has Globant filed the necessary fees?

Thank you!

Best,

Maddy

**Madelaine M. Thomas**

*Associate*

Mayer Brown LLP

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---

**From:** Erica Lerner <[erica.lerner@edlerner.com.ar](mailto:erica.lerner@edlerner.com.ar)>

**Sent:** Friday, August 14, 2020 3:44 PM

**To:** Thomas, Madelaine M. <[MMThomas@mayerbrown.com](mailto:MMThomas@mayerbrown.com)>

**Cc:** Assmus, Richard M. <[RAssmus@mayerbrown.com](mailto:RAssmus@mayerbrown.com)>; [javier.mozuc@edlerner.com.ar](mailto:javier.mozuc@edlerner.com.ar)

**Subject:** RE: New trademark application in Argentina for AGILETHOUGHT in class 42 (Serial No. 3832284)

**\*\*EXTERNAL SENDER\*\***

Hi Maddy,

We take duly note of your instructions and will proceed accordingly.

We will keep you duly posted.

Best regards,

Erica Lerner



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---

**De:** Thomas, Madelaine M. [<mailto:MMThomas@mayerbrown.com>]

**Enviado el:** viernes, 14 de agosto de 2020 12:28

**Para:** Erica Lerner

**CC:** Assmus, Richard M.; [javier.mozuc@edlerner.com.ar](mailto:javier.mozuc@edlerner.com.ar)

**Asunto:** RE: New trademark application in Argentina for AGILETHOUGHT in class 42 (Serial No. 3832284)

Hi Erica,

The client would like to sit tight for now. Please let us know if/when Globant files the necessary fees.

Thank you!

Best,  
Maddy

**Madelaine M. Thomas**

*Associate*

Mayer Brown LLP

71 South Wacker Drive

Chicago, Illinois 60606

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---

**From:** Erica Lerner <[erica.lerner@edlerner.com.ar](mailto:erica.lerner@edlerner.com.ar)>

**Sent:** Monday, August 3, 2020 9:06 AM

**To:** Thomas, Madelaine M. <[MMThomas@mayerbrown.com](mailto:MMThomas@mayerbrown.com)>

**Cc:** Assmus, Richard M. <[RAssmus@mayerbrown.com](mailto:RAssmus@mayerbrown.com)>; [javier.mozuc@edlerner.com.ar](mailto:javier.mozuc@edlerner.com.ar)

**Subject:** RE: New trademark application in Argentina for AGILETHOUGHT in class 42 (Serial No. 3832284)

**\*\*EXTERNAL SENDER\*\***

Hi Maddy,

Responsive to your below enquiries, please be informed as follows:

· **Would you recommend that AgileThought proactively reach out regarding withdrawal of the opposition before the cooling off period begins? Is the opponent likely to expect payment in order to withdraw the opposition? I am inclined to recommend that the client leave the case in abeyance – do you agree?**

In respect of the Argentine market, we do not see that the client would may have a substantive settlement proposal for the opponent because the AGILETHOUGHT application was already filed for specific products, to which a narrower limitation would not be convenient. Besides, it is their company name and both parties compete in the same business.

On the other hand, we could verify that the trademark AGILE PODS was filed in the US in 2014 by another company of the GLOBANT group: Globant S.A. The application was abandoned, as per the USPTO's records (see attached printout). Given their interest in the US market, do you think that we could offer them a coexistence agreement which involves an eventual new future application of AGILE PODS in US?

If that is not an option, we would also recommend leaving the case in abeyance, at least until the substantive examination report is issued (it would take at least six months).

Opposition conflicts are not settled by way of payments, so the opponent is not likely to expect such an offer.

· **Do you know whether Globant has filed oppositions against any other applicants?**

Globant did not file oppositions against other applicants of "AGILE" formative marks. Their AGILE PODS application was filed after the marks AGILE TEAMS, AGILENT and AGILTEC. Therefore, we could use the voluntary coexistence fact in support of our position in the AOP (should the opposition not be settled before).

· **What happens if we don't hear from the opponent during the cooling off period – is that grounds for dismissal of the opposition? Can AgileThought decline to negotiate during the cooling off period?**

It is not mandatory for the parties to negotiate. If we do not hear from the opponent during the cooling off period, it will not be ground for dismissal of the opposition. Please bear in mind that failure to reach to an agreement during the cooling off period, will lead the TMO to decide on the merits of the opposition.

To such extent:

· The opponent should pursue the opposition by way of paying the official fee for the Administrative Opposition Proceeding (\$AR 11.050 equal to USD 150 at today's exchange rate), in which case he will be able to broaden his arguments and submit the relevant evidence.

· If the opponent does not pay the opposition maintenance fee, there will be no Administrative Opposition Proceeding ("AOP") and the opposition will remain as a "Letter of Protest" (not binding for the Examiner).

· If the opponent pays the above mentioned official fee, the AOP will be started and the TMO will serve the applicant with notice of the oppositions that remain in force. He will also be called to file a reply to the oppositions and offer the evidence in support of his position.

· Once all the stages of the AOP are concluded, the TMO will decide on the merits of the oppositions in force.

· The TMO's decision may be appealed, in which case the final judgment will be issued by the Federal Civil and Commercial Court of Appeals.

· **How likely do you think the opponent is to follow through and pursue the opposition (i.e., pay all the necessary fees)? If the opponent does not pay the fees is there an opportunity for us to respond to the non-binding Letter of Protest?**

We think the opponent is likely to follow through and pursue the opposition, because of what we said in the first answer above. However, if he does not, there will be an opportunity to respond to the non-binding Letter of Protest, but only in the case the TMO considers it has any merit. Otherwise, the client's application will be granted right away, without the TMO having to issue a reasoned decision.

• **If it does get to the stage where AgileThought needs to file a response to the opposition, could you please provide an estimated likelihood of success?**

We estimate AgileThought's likelihood of success in the eventual AOP in about 70/80%.

• **Could you please provide a cost estimate to (1) prepare and file a response to the opposition and (2) prepare and file an appeal?**

Please find below the estimated costs:

Response to the opposition

Professional Fees: USD 650

Disbursements: USD 80

Court Appeal

Professional Fees: USD 800

Official Fees: USD 100/150 (depending if we file or respond to the appeal)

In the hypothetical and not likely case that the client is defeated in the appeal, he will also have to pay the prevailing party's attorney fees as awarded by the Court (USD 1000, approximately).

• **Just to confirm – unless deadlines are extended – can we expect the opponent to file the fees on September 1?**

No.

The opponent will be called to file the fees (point of start of the AOP) in about 12 months as from today. (For further information on timings, please revert to our report of July 28: Options to go forward/ 2. Leave the case in abeyance).

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We trust the above is responsive to your enquiries and remain at your disposal if you require any clarification or further information.

Best regards,

Erica Lerner



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**De:** Thomas, Madelaine M. [<mailto:MMThomas@mayerbrown.com>]

**Enviado el:** martes, 28 de julio de 2020 22:44








**Para:** Erica Lerner

**CC:** Assmus, Richard M.; [javier.mozuc@edlerner.com.ar](mailto:javier.mozuc@edlerner.com.ar)

**Asunto:** RE: New trademark application in Argentina for AGILETHOUGHT in class 42 (Serial No. 3832284)

Hi Erica,

Thank you very much for this information. We would appreciate your assistance with the following questions:

-  Would you recommend that AgileThought proactively reach out regarding withdrawal of the opposition before the cooling off period begins? Is the opponent likely to expect payment in order to withdraw the opposition? I am inclined to recommend that the client leave the case in abeyance – do you agree?
-  Do you know whether Globant has filed oppositions against any other applicants?
-  What happens if we don't hear from the opponent during the cooling off period – is that grounds for dismissal of the opposition? Can AgileThought decline to negotiate during the cooling off period?
-  How likely do you think the opponent is to follow through and pursue the opposition (i.e., pay all the necessary fees)? If the opponent does not pay the fees is there an opportunity for us to respond to the non-binding Letter of Protest?
-  If it does get to the stage where AgileThought needs to file a response to the opposition, could you please provide an estimated likelihood of success?
-  Could you please provide a cost estimate to (1) prepare and file a response to the opposition and (2) prepare and file an appeal?
-  Just to confirm – unless deadlines are extended – can we expect the opponent to file the fees on September 1?

Thank you!

Best,  
Maddy

**Madelaine M. Thomas**  
Associate  
Mayer Brown LLP  
71 South Wacker Drive  
Chicago, Illinois 60606  
T +1 (312) 701-8209  
[mayerbrown.com](http://mayerbrown.com)

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**From:** Erica Lerner <[erica.lerner@edlerner.com.ar](mailto:erica.lerner@edlerner.com.ar)>  
**Sent:** Tuesday, July 28, 2020 1:31 PM  
**To:** Thomas, Madelaine M. <[MMThomas@mayerbrown.com](mailto:MMThomas@mayerbrown.com)>  
**Cc:** Assmus, Richard M. <[RAssmus@mayerbrown.com](mailto:RAssmus@mayerbrown.com)>; [javier.mozuc@edlerner.com.ar](mailto:javier.mozuc@edlerner.com.ar)  
**Subject:** RE: New trademark application in Argentina for AGILETHOUGHT in class 42 (Serial No. 3832284)

**\*\*EXTERNAL SENDER\*\***

Dear Maddy,

Further to our below message, please find enclosed a copy of Sistemas Globales' opposition.

The opposition grounds is likelihood of confusion with their mark "AGILE PODS" Reg. No.2706379 (Serial No.3308371 ) in the same class 42. Please find below the details of this mark:

<b>AGILE PODS</b>
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Class 42 . Filing Date 02/11/2014  
Serial N° 3308371 Published 07/23/2014 Bulletin 3814  
Owner SISTEMAS GLOBALES S.A.  
Country ARGENTINA  
Granted N° 2706379 Date 01/08/2015 Expiry Date 01/08/2025

Services: All in the class.

As you may recall, the mark AGILE PODS was raised as a possible obstacle in our search report of June 18, 2019 (copy attached).

Sistemas Globales S.A. does business under the name Globant, being their main activity the creation of software products. Their website is: <https://www.globant.com/>. The mark AGILE PODS is used to distinguish Globant's service delivery model for teams, as explained in this link: <https://www.globant.com/our-services/agile-pods>

We consider that the opposition lacks sufficient grounds because:

- There are other marks in class 42, belonging to third parties, that start with "agile", like: AGILE TEAM and AGILEN. Also, there are other similar marks like: AGILTEC, AGILIS, SISTEMAS AGILES, etc.
- There is sufficient distinction between the endings "PODS" and "THOUGHT" in the three scopes of comparison: meaning, sound and appearance.
- AGILE PODS is formed by two words, while AGILETHOUGHT is just one word, which gives the trademarks different overall appearances.

#### **Next procedural steps**

Please note that due to the COVID-19 emergency, all legal terms remain suspended and the opposition period for this application is not over. Unless a new extension is put into force, the deadline to file oppositions will end on September 1, 2020.

Once the legal terms resume, the Examiner will study this application and will set a statutory 3-month-period for the parties to reach to an agreement.

Failure to reach to an agreement within that term will lead the TMO to decide on the merits of the opposition.

To such extent:

- The opponent should ratify the opposition by way of paying the official fee for the Administrative Opposition Proceeding (\$AR 11.050 equal to USD 150 at today's exchange rate), in which case he will be able to broaden his arguments and submit the relevant evidence.
- If the opponent does not pay the opposition maintenance fee, there will be no Administrative Opposition Proceeding ("AOP") and the opposition will remain as a "Letter of Protest" (not binding for the Examiner).
- If the opponent pays the above mentioned official fee, the AOP will be started and the TMO will serve the applicant with notice of the oppositions that remain in force. He will also be called to file a reply to the oppositions and offer the evidence in support of his position.
- Once all the stages of the AOP are concluded, the TMO will decide on the merits of the oppositions in force.
- The TMO's decision may be appealed, in which case the final judgment will be issued by the Federal Civil and Commercial Court of Appeals.

#### **Options to go forward**

Based on the above, the client may follow either of the below courses of action:

1. Start negotiations with the opponent in order to try to obtain the withdrawal of the opposition.

This approach could expedite the registration process if we are able to reach to an agreement.

The cost to prepare a suitable strategy for dealing with the opposition, conducting negotiations and drafting an eventual undertaking or agreement is of USD 360 (covers professional fees, taxes and disbursements). In case of successful outcome, the withdrawal of the opposition in the official file entails an additional cost of USD 120.

As part of the negotiations we may offer execution of a Letter of Undertaking in favor of the opponent and/or, if needed, the exclusion of certain special services that they might require.

## 2. [Leave the case in abeyance.](#)

This means waiting for an eventual approach from the opponent to settle the conflict and keep watch on the trademark file so as to determine if they go forward with the opposition at the end of the cooling-off period.

If they do, the AOP will start and the client will be called to defend registrability of the mark and submit evidence in support. We consider that there would be good chances of success in this proceeding (70/80%). The AOP may take at least 12 months to commence, and 18 months (minimum) until a decision is rendered.

If the opponent does not go forward with the opposition at the end of the cooling-off period, it will take approximately 15 months until the trademark is granted.

For the time being, there are no deadlines running.

As usual, we will keep watch over this file and inform you of any development. In special, we will inform you once the opposition term concludes and provide you with a definitive opposition report

We remain at your disposal for any clarification or further information that you might need.

Best regards,

Erica Lerner



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---

**De:** Erica Lerner [<mailto:erica.lerner@edlerner.com.ar>]

**Enviado el:** lunes, 20 de julio de 2020 18:54

**Para:** 'Thomas, Madelaine M.'

**CC:** 'Assmus, Richard M.'; 'javier.mozuc@edlerner.com.ar'

**Asunto:** RE: New trademark application in Argentina for AGILETHOUGHT in class 42

Hi Maddy,

As you know, the captioned trademark was published in the Trademark Bulletin of May 20, 2020. Since all legal terms were suspended due to the COVID-19 situation, the opposition period is not closed yet despite more than 30 days passed as from the publication date.

Notwithstanding the above, we have just checked the TMO's website and could ascertain that an opposition against this application was filed by Sistemas Globales S.A. on the grounds of its mark AGILE PODS in class 42.

We will collect all the relevant data about this protest and will revert to you shortly.

Best regards,

Erica Lerner



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**De:** Thomas, Madelaine M. [<mailto:MMThomas@mayerbrown.com>]  
**Enviado el:** lunes, 20 de julio de 2020 14:36  
**Para:** Erica Lerner  
**CC:** Assmus, Richard M.; [javier.mozuc@edlerner.com.ar](mailto:javier.mozuc@edlerner.com.ar)  
**Asunto:** RE: New trademark application in Argentina for AGILETHOUGHT in class 42

Hi Erica,

We just wanted to check on the status of AGILETHOUGHT in Class 42. We look forward to hearing from you.

Best,  
Maddy

**Madelaine M. Thomas**

*Associate*

Mayer Brown LLP  
71 South Wacker Drive  
Chicago, Illinois 60606  
T +1 (312) 701-8209

[mayerbrown.com](http://mayerbrown.com)

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**From:** Erica Lerner <[erica.lerner@edlerner.com.ar](mailto:erica.lerner@edlerner.com.ar)>  
**Sent:** Wednesday, May 20, 2020 3:32 PM  
**To:** Thomas, Madelaine M. <[MMThomas@mayerbrown.com](mailto:MMThomas@mayerbrown.com)>  
**Cc:** Assmus, Richard M. <[RAssmus@mayerbrown.com](mailto:RAssmus@mayerbrown.com)>; [javier.mozuc@edlerner.com.ar](mailto:javier.mozuc@edlerner.com.ar)  
**Subject:** RE: New trademark application in Argentina for AGILETHOUGHT in class 42

**\*\*EXTERNAL SENDER\*\***

Thank you, Maddy.  
Fortunately, we are all well.  
Best,

Erica Lerner



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C1184ABG | Buenos Aires | Argentina  
T. (54 11) 4856 9917  
[www.edlerner.com.ar](http://www.edlerner.com.ar)

---

**De:** Thomas, Madelaine M. [<mailto:MMThomas@mayerbrown.com>]  
**Enviado el:** miércoles, 20 de mayo de 2020 16:41  
**Para:** Erica Lerner  
**CC:** Assmus, Richard M.; [javier.mozuc@edlerner.com.ar](mailto:javier.mozuc@edlerner.com.ar)  
**Asunto:** RE: New trademark application in Argentina for AGILETHOUGHT in class 42

Thank you, Erica.

I hope you, and your team, are well.

Best,  
Maddy

**Madelaine M. Thomas**

*Associate*

Mayer Brown LLP  
71 South Wacker Drive  
Chicago, Illinois 60606  
T +1 (312) 701-8209

[mayerbrown.com](http://mayerbrown.com)

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**From:** Erica Lerner <[erica.lerner@edlerner.com.ar](mailto:erica.lerner@edlerner.com.ar)>  
**Sent:** Wednesday, May 20, 2020 2:24 PM  
**To:** Thomas, Madelaine M. <[MMThomas@mayerbrown.com](mailto:MMThomas@mayerbrown.com)>  
**Cc:** Assmus, Richard M. <[RAssmus@mayerbrown.com](mailto:RAssmus@mayerbrown.com)>; [javier.mozuc@edlerner.com.ar](mailto:javier.mozuc@edlerner.com.ar)  
**Subject:** RE: New trademark application in Argentina for AGILETHOUGHT in class 42

**\*\*EXTERNAL SENDER\*\***

Dear Maddy,

I hope this e-mail finds you well.

I wish to inform you that the captioned trademark application was published in the **Trademark Bulletin No. 4991** of even date, **May 20, 2020** (clipping attached). From this date an opposition period of 30 days started to run.

After expiration of said term, we will have to wait a couple weeks until the information related to possible oppositions is correctly entered at the Trademark Office's database. As soon as this data is available, we will revert to you with the relevant information.

We remain at your disposal for any further information that you might need at this instance.

Best regards,

Erica Lerner



Rocamora 4343 Piso 21  
C1184ABG | Buenos Aires | Argentina  
T. (54 11) 4856 9917  
[www.edlerner.com.ar](http://www.edlerner.com.ar)

---

**De:** Thomas, Madelaine M. [<mailto:MMThomas@mayerbrown.com>]  
**Enviado el:** martes, 26 de noviembre de 2019 12:23  
**Para:** Camila Bucai  
**CC:** Assmus, Richard M.; 'Erica Lerner'  
**Asunto:** RE: New trademark application in Argentina for AGILETHOUGHT in class 42

Thank you very much, Camila.

Best,  
Maddy

**Madelaine M. Thomas**

*Associate*

Mayer Brown LLP  
71 South Wacker Drive

Chicago, Illinois 60606  
T +1 (312) 701-8209

[mayerbrown.com](http://mayerbrown.com)

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**From:** Camila Bucai <[camila.bucai@edlerner.com.ar](mailto:camila.bucai@edlerner.com.ar)>  
**Sent:** Tuesday, November 26, 2019 8:52 AM  
**To:** Thomas, Madelaine M. <[MMThomas@mayerbrown.com](mailto:MMThomas@mayerbrown.com)>  
**Cc:** Assmus, Richard M. <[RAssmus@mayerbrown.com](mailto:RAssmus@mayerbrown.com)>; 'Erica Lerner' <[erica.lerner@edlerner.com.ar](mailto:erica.lerner@edlerner.com.ar)>  
**Subject:** RE: New trademark application in Argentina for AGILETHOUGHT in class 42

**\*\*EXTERNAL SENDER\*\***

Dear Maddy,

Please be informed that on November 21, 2019 we filed the priority document for the captioned trademark applications (together with its Sworn translation into Spanish). We attach herewith copies of the documents and writs as filed. The case will now proceed to formal examination and then to publication. As soon as the latter takes place, we shall inform you accordingly.  
Best regards,

Camila Bucai



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**From:** Camila Bucai [<mailto:camila.bucai@edlerner.com.ar>]  
**Sent:** jueves, 21 de noviembre de 2019 08:53  
**To:** 'Thomas, Madelaine M.'  
**Cc:** 'Assmus, Richard M.'; 'Erica Lerner'  
**Subject:** RE: New trademark application in Argentina for AGILETHOUGHT in class 42

Dear Maddy,

We acknowledge safe receipt of the courier with the original POA and priority documents.  
We will keep you duly posted.  
Best regards,

Camila Bucai



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Buenos Aires, Argentina  
T. (54 11) 4856 9917  
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**From:** Erica Lerner [<mailto:erica.lerner@edlerner.com.ar>]  
**Sent:** jueves, 14 de noviembre de 2019 15:41  
**To:** Thomas, Madelaine M.  
**Cc:** Assmus, Richard M.; Camila Bucai  
**Subject:** Re: New trademark application in Argentina for AGILETHOUGHT in class 42

Thank you Maddy.

This is the document that we were expecting. We will have it translated into Spanish by an Argentine sworn translator and then we will submit it in the trademark file.

We will inform you once all the above is completed.

Best regards,

Erica

El El jue, 14 nov. 2019 a la(s) 12:35, Thomas, Madelaine M. <[MMThomas@mayerbrown.com](mailto:MMThomas@mayerbrown.com)> escribió:

Hi Camila,

Please see attached.

Let me know if you need anything else.

Best,

Maddy

**Madelaine M. Thomas**

*Associate*

Mayer Brown LLP

[71 South Wacker Drive](#)

[Chicago, Illinois 60606](#)

T +1 (312) 701-8209

[mayerbrown.com](http://mayerbrown.com)

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**From:** Camila Bucai <[camila.bucai@edlerner.com.ar](mailto:camila.bucai@edlerner.com.ar)>  
**Sent:** Thursday, November 14, 2019 5:58 AM  
**To:** Thomas, Madelaine M. <[MMThomas@mayerbrown.com](mailto:MMThomas@mayerbrown.com)>  
**Cc:** Assmus, Richard M. <[RAssmus@mayerbrown.com](mailto:RAssmus@mayerbrown.com)>; 'Erica Lerner' <[erica.lerner@edlerner.com.ar](mailto:erica.lerner@edlerner.com.ar)>  
**Subject:** RE: New trademark application in Argentina for AGILETHOUGHT in class 42

**\*\*EXTERNAL SENDER\*\***

Hi Maddy,

We apologize for not having understood correctly your e-mail of November 12, as we interpreted you referred to the original certified priority document.

What we need is the certified priority document, as in the attachment that we were provided recently by your firm. A scanned copy thereof will suffice. Will it be possible for you to obtain it in the following days?

We look forward to hearing from you and remain at your disposal if you require further clarification.

Best regards,

Camila Bucai



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Buenos Aires, Argentina

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**From:** Thomas, Madelaine M. [<mailto:MMThomas@mayerbrown.com>]  
**Sent:** martes, 12 de noviembre de 2019 20:50  
**To:** Camila Bucai  
**Cc:** Assmus, Richard M.; 'Erica Lerner'  
**Subject:** RE: New trademark application in Argentina for AGILETHOUGHT in class 42

Hi Camila,

Please see attached.

Don't hesitate to let me know if you need anything else.

Best,

Maddy

**Madelaine M. Thomas**

*Associate*

Mayer Brown LLP

[71 South Wacker Drive](#)

[Chicago, Illinois 60606](#)

T +1 (312) 701-8209

[mayerbrown.com](http://mayerbrown.com)

---

**From:** Camila Bucai <[camila.bucai@edlerner.com.ar](mailto:camila.bucai@edlerner.com.ar)>

**Sent:** Tuesday, November 12, 2019 9:49 AM

**To:** Thomas, Madelaine M. <[MMThomas@mayerbrown.com](mailto:MMThomas@mayerbrown.com)>

**Cc:** Assmus, Richard M. <[RAssmus@mayerbrown.com](mailto:RAssmus@mayerbrown.com)>; 'Erica Lerner' <[erica.lerner@edlerner.com.ar](mailto:erica.lerner@edlerner.com.ar)>

**Subject:** RE: New trademark application in Argentina for AGILETHOUGHT in class 42

**\*\*EXTERNAL SENDER\*\***

Dear Maddy,

Thanks for your message.

We do not need the original document. A full and clear scanned copy will suffice, but please keep the original at hand in case it is requested by the TMO at a later stage.

Best regards,

Camila Bucai



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Buenos Aires, Argentina

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**From:** Thomas, Madelaine M. [<mailto:MMThomas@mayerbrown.com>]  
**Sent:** martes, 12 de noviembre de 2019 12:32  
**To:** Camila Bucai  
**Cc:** Assmus, Richard M.; 'Erica Lerner'  
**Subject:** RE: New trademark application in Argentina for AGILETHOUGHT in class 42

Hi Camila,

Do you require a certified copy of the priority document? We are currently waiting for certified copies to arrive in the mail from the USPTO – if not, I can send you a copy today.

Best,

Maddy

**Madelaine M. Thomas**

*Associate*

Mayer Brown LLP

[71 South Wacker Drive](#)

[Chicago, Illinois 60606](#)

T +1 (312) 701-8209

[mayerbrown.com](http://mayerbrown.com)

---

**From:** Camila Bucai <[camila.bucai@edlerner.com.ar](mailto:camila.bucai@edlerner.com.ar)>  
**Sent:** Tuesday, November 12, 2019 5:22 AM  
**To:** Thomas, Madelaine M. <[MMThomas@mayerbrown.com](mailto:MMThomas@mayerbrown.com)>  
**Cc:** Assmus, Richard M. <[RAssmus@mayerbrown.com](mailto:RAssmus@mayerbrown.com)>; 'Erica Lerner' <[erica.lerner@edlerner.com.ar](mailto:erica.lerner@edlerner.com.ar)>  
**Subject:** RE: New trademark application in Argentina for AGILETHOUGHT in class 42

**\*\*EXTERNAL SENDER\*\***

Hi Maddy,

Thank you, we acknowledge safe receipt.

We look forward to receiving the priority document so as to surmount the **December 3, 2019 deadline**. As mentioned before, we will be in charge of having it translated into Spanish by an Argentine sworn translator. A full and clear scanned copy will suffice, but please keep the original at hand in case it is requested by the TMO at a later stage (you may as well send the original to our premises at the below address; no problem with that). In order to avoid eventual surcharges for urgency in the sworn translation, we suggest that the priority document is received by us no later than **November 20, 2019**.

We remain at your disposal for any assistance or clarification.

Best regards,

Camila Bucai



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Buenos Aires, Argentina

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**From:** Thomas, Madelaine M. [<mailto:MMThomas@mayerbrown.com>]  
**Sent:** lunes, 11 de noviembre de 2019 17:02  
**To:** Camila Bucai  
**Cc:** Assmus, Richard M.; 'Erica Lerner'  
**Subject:** RE: New trademark application in Argentina for AGILETHOUGHT in class 42

Hi Camila,

Please see the attached notarized and apostilled PoA.

Thank you very much,

Maddy

**Madelaine M. Thomas**

Associate

Mayer Brown LLP

[71 South Wacker Drive](#)

[Chicago, Illinois 60606](#)

T +1 (312) 701-8209

[mayerbrown.com](http://mayerbrown.com)

**From:** Camila Bucai <[camila.bucai@edlerner.com.ar](mailto:camila.bucai@edlerner.com.ar)>

**Sent:** Friday, November 1, 2019 12:42 PM

**To:** Thomas, Madelaine M. <[MMThomas@mayerbrown.com](mailto:MMThomas@mayerbrown.com)>

**Cc:** Assmus, Richard M. <[RAssmus@mayerbrown.com](mailto:RAssmus@mayerbrown.com)>; 'Erica Lerner' <[erica.lerner@edlerner.com.ar](mailto:erica.lerner@edlerner.com.ar)>

**Subject:** RE: New trademark application in Argentina for AGILETHOUGHT in class 42

**\*\*EXTERNAL SENDER\*\***

Dear Maddy,

**POA**

Following our previous correspondence, please find enclosed a copies of the briefs by which we submitted the POA in the captioned trademark file.

Please send us a scanned copy of the notarial attestation and legalization by Apostille once available, in case it is required by the TMO.

**PRIORITY DOCUMENT**

We look forward to receiving the priority document so as to surmount the **December 3, 2019 deadline**. As mentioned before, we will be in charge of having it translated into Spanish by an Argentine sworn translator. A full and clear scanned copy will suffice, but please keep the original at hand in case it is requested by the TMO at a later stage (you may as well send the original to our premises at the below address; no problem with that). In order to avoid eventual surcharges for urgency in the sworn translation, we suggest that the priority document is received by us no later than November 20, 2019=痾絳Ē2ůt

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**From:** Thomas, Madelaine M. [<mailto:MMThomas@mayerbrown.com>]  
**Sent:** miércoles, 30 de octubre de 2019 17:00  
**To:** Camila Bucai  
**Cc:** Assmus, Richard M.; 'Erica Lerner'  
**Subject:** RE: New trademark application in Argentina for AGILETHOUGHT in class 42

-

Just to quickly follow up: the PoA that was filed this afternoon was signed by Jorge Pliego Seguin – if the notarized and apostilled PoA is signed by a different individual will that be problematic?

-

Thank you,

Maddy

-

**Madelaine M. Thomas**  
*Associate*  
Mayer Brown LLP  
[71 South Wacker Drive](#)  
[Chicago, Illinois 60606](#)  
[T +1 \(312\) 701-8209](#)

[mayerbrown.com](http://mayerbrown.com)

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**From:** Camila Bucai <[camila.bucai@edlerner.com.ar](mailto:camila.bucai@edlerner.com.ar)>  
**Sent:** Wednesday, October 30, 2019 2:33 PM  
**To:** Thomas, Madelaine M. <[MMThomas@mayerbrown.com](mailto:MMThomas@mayerbrown.com)>  
**Cc:** Assmus, Richard M. <[RAssmus@mayerbrown.com](mailto:RAssmus@mayerbrown.com)>; 'Camila Bucai' <[camila.bucai@edlerner.com.ar](mailto:camila.bucai@edlerner.com.ar)>; 'Erica Lerner' <[erica.lerner@edlerner.com.ar](mailto:erica.lerner@edlerner.com.ar)>  
**Subject:** RE: New trademark application in Argentina for AGILETHOUGHT in class 42

-

**\*\*EXTERNAL SENDER\*\***

-

Dear Maddy,

-

This is to confirm that the POA was duly filed today.

We will soon be sending you copies of our submission for your records.



Best regards,

-

Camila Bucai



Rocamora 4343 Piso 21 C1184ABG

Buenos Aires, Argentina

T. (54 11) 4856 9917

[www.edlerner.com.ar](http://www.edlerner.com.ar)

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**From:** Erica Lerner [<mailto:erica.lerner@edlerner.com.ar>]

**Sent:** miércoles, 30 de octubre de 2019 13:06

**To:** 'Thomas, Madelaine M.'

**Cc:** 'Assmus, Richard M.'; 'Camila Bucai'

**Subject:** RE: DEADLINE TODAY FOR FILING POA - New trademark application in Argentina for AGILETHOUGHT in class 42

-

Dear Maddy,

-

Thanks for your below message. We acknowledge safe receipt of the signed POA and will proceed to submit it in the trademark file.

Later on you will be receiving a newsletter from our firm informing of amendments to the trademark proceedings in Argentina, including POA's formalities. Since these amendments will enter into force in November 15, 2019, we suggest that this POA is duly notarized and legalized as requested, to be on the safe side.

As from the above mentioned date, no notarization nor legalization will be required by the TMO.

We will confirm once this POA is filed.

Best regards,

-

Erica Lerner



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Buenos Aires, Argentina

T. (54 11) 4856 9917

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**From:** Thomas, Madelaine M. [<mailto:MMThomas@mayerbrown.com>]

**Sent:** miércoles, 30 de octubre de 2019 11:55

**To:** Camila Bucai

**Cc:** Assmus, Richard M.; 'Erica Lerner'

**Subject:** RE: DEADLINE TODAY FOR FILING POA - New trademark application in Argentina for AGILETHOUGHT in class 42

-

Dear Camila,

-

Please proceed with filing the attached signed PoA. We will provide a notarized and apostilled copy for filing in the near future.

-

Best,

Maddy

-

-

**Madelaine M. Thomas**

*Associate*

Mayer Brown LLP

[71 South Wacker Drive](#)

[Chicago, Illinois 60606](#)

T +1 (312) 701-8209

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**From:** Camila Bucai <[camila.bucai@edlerner.com.ar](mailto:camila.bucai@edlerner.com.ar)>

**Sent:** Wednesday, October 30, 2019 9:25 AM

**To:** Thomas, Madelaine M. <[MMThomas@mayerbrown.com](mailto:MMThomas@mayerbrown.com)>  
**Cc:** Assmus, Richard M. <[RAssmus@mayerbrown.com](mailto:RAssmus@mayerbrown.com)>; 'Erica Lerner' <[erica.lerner@edlerner.com.ar](mailto:erica.lerner@edlerner.com.ar)>  
**Subject:** DEADLINE TODAY FOR FILING POA - New trademark application in Argentina for AGILETHOUGHT in class 42  
**Importance:** High

-

**\*\*EXTERNAL SENDER\*\***

-

Dear Maddy,

-

Do you have any news from the client regarding the POA?

**If we do not file it today October 30, 2019, the application will be declared as null and void.**

We look forward to receiving the POA as soon as possible.

Best regards,

-

Camila Bucai



Rocamora 4343 Piso 21 C1184ABG

Buenos Aires, Argentina

T. (54 11) 4856 9917

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**From:** Camila Bucai [<mailto:camila.bucai@edlerner.com.ar>]

**Sent:** martes, 29 de octubre de 2019 15:07

**To:** 'Thomas, Madelaine M.'

**Cc:** 'Assmus, Richard M.'; 'Erica Lerner'

**Subject:** RE: New trademark application in Argentina for AGILETHOUGHT in class 42

-

Dear Maddy,

-

Thanks for your message.

We look forward to receiving the signed POA later today or early tomorrow **October 30**, which is the fatal deadline.

In connection with the submission of the priority document (deadline **December 3, 2019**), we confirm that we will be in charge of having it translated into Spanish by an Argentine sworn translator. A full and clear scanned copy will suffice, but please keep the original at hand in case it is requested by the TMO at a later stage (you may as well send the original to our premises at the below address; no problem with that). In order to avoid eventual surcharges for urgency in the sworn translation, we suggest that the priority document is received by us no later than November 20, 2019.

We remain at your disposal if you require further clarification.

Best regards,

-

Camila Bucai



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Buenos Aires, Argentina

T. (54 11) 4856 9917

[www.edlerner.com.ar](http://www.edlerner.com.ar)

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**From:** Thomas, Madelaine M. [<mailto:MMThomas@mayerbrown.com>]

**Sent:** martes, 29 de octubre de 2019 14:44

**To:** Camila Bucai

**Cc:** 'Erica Lerner'; Assmus, Richard M.

**Subject:** RE: New trademark application in Argentina for AGILETHOUGHT in class 42

-

Thank you, Camila.

-

We expect the client will submit a signed (rather than certified and apostilled) copy of the PoA – we will provide instructions later today or tomorrow.

-

With regards to the priority document, could you please confirm whether your team will be able to have the document translated into Spanish by an Argentine sworn translator? If yes, by what date should we send the document to you?

Best,

Maddy

-

**Madelaine M. Thomas**

Associate

Mayer Brown LLP

71 South Wacker Drive

Chicago, Illinois 60606

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**From:** Camila Bucai <[camila.bucai@edlerner.com.ar](mailto:camila.bucai@edlerner.com.ar)>

**Sent:** Thursday, October 24, 2019 3:29 PM

**To:** Thomas, Madelaine M. <[MMThomas@mayerbrown.com](mailto:MMThomas@mayerbrown.com)>

**Cc:** 'Erica Lerner' <[erica.lerner@edlerner.com.ar](mailto:erica.lerner@edlerner.com.ar)>; Assmus, Richard M. <[RAssmus@mayerbrown.com](mailto:RAssmus@mayerbrown.com)>

**Subject:** RE: New trademark application in Argentina for AGILETHOUGHT in class 42

-

**\*\*EXTERNAL SENDER\*\***

-

Dear Madelaine,

-

The POA should be notarized pursuant to your usual practice, and then legalized by Apostille.

Absent notarization and/or legalization by the October 30 deadline, we may submit a simple signed copy to meet the deadline and later submit the document duly legalized.

Do let us know if you require any further clarification.

Best regards,

-

Camila Bucai



Rocamora 4343 Piso 21 C1184ABG

Buenos Aires, Argentina

T. (54 11) 4856 9917

[www.edlerner.com.ar](http://www.edlerner.com.ar)

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**From:** Thomas, Madelaine M. [<mailto:MMThomas@mayerbrown.com>]  
**Sent:** jueves, 24 de octubre de 2019 13:11  
**To:** Camila Bucai  
**Cc:** 'Erica Lerner'; Assmus, Richard M.  
**Subject:** RE: New trademark application in Argentina for AGILETHOUGHT in class 42

-

Dear Camila,

-

Further to my email below, could you please confirm whether the PoA needs a notarial certification pursuant to the Inter-American Convention On The Legal Regime Of Powers Of Attorney To Be Used Abroad?

-

Many thanks,

-

Maddy

-

-

**Madelaine M. Thomas**  
*Associate*  
Mayer Brown LLP  
[71 South Wacker Drive](#)  
[Chicago, Illinois 60606](#)  
T +1 (312) 701-8209

[mayerbrown.com](http://mayerbrown.com)

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**From:** Thomas, Madelaine M.  
**Sent:** Thursday, October 24, 2019 9:13 AM  
**To:** 'Camila Bucai' <[camila.bucai@edlerner.com.ar](mailto:camila.bucai@edlerner.com.ar)>  
**Cc:** 'Erica Lerner' <[erica.lerner@edlerner.com.ar](mailto:erica.lerner@edlerner.com.ar)>; Assmus, Richard M. <[RAssmus@mayerbrown.com](mailto:RAssmus@mayerbrown.com)>  
**Subject:** RE: New trademark application in Argentina for AGILETHOUGHT in class 42

-

Thank you, Camila.

-

Is there any way that the October 30<sup>th</sup> deadline can be extended?

-

Best,

Madelaine

-

**Madelaine M. Thomas**

Associate

Mayer Brown LLP

71 South Wacker Drive

Chicago, Illinois 60606

T +1 (312) 701-8209

[mayerbrown.com](http://mayerbrown.com)

-

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**From:** Camila Bucai <[camila.bucai@edlerner.com.ar](mailto:camila.bucai@edlerner.com.ar)>

**Sent:** Thursday, October 24, 2019 6:33 AM

**To:** Thomas, Madelaine M. <[MMThomas@mayerbrown.com](mailto:MMThomas@mayerbrown.com)>

**Cc:** 'Erica Lerner' <[erica.lerner@edlerner.com.ar](mailto:erica.lerner@edlerner.com.ar)>; Assmus, Richard M. <[RAssmus@mayerbrown.com](mailto:RAssmus@mayerbrown.com)>

**Subject:** RE: New trademark application in Argentina for AGILETHOUGHT in class 42

-

**\*\*EXTERNAL SENDER\*\***

-

Dear Madelaine,

-

The POA must be notarized and legalized by Apostille. A good scanned copy thereof will suffice, but please keep the original at hand in case it is required any time by the TMO.

The deadline for submission is **October 30, 2019.**

Best regards,

-

Camila Bucai



Rocamora 4343 Piso 21 C1184ABG

Buenos Aires, Argentina

T. (54 11) 4856 9917

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**From:** Thomas, Madelaine M. [<mailto:MMThomas@mayerbrown.com>]  
**Sent:** miércoles, 23 de octubre de 2019 23:18  
**To:** Camila Bucai  
**Cc:** 'Erica Lerner'; Assmus, Richard M.  
**Subject:** RE: New trademark application in Argentina for AGILETHOUGHT in class 42

-

Hi Camila,

-

Could you please remind me whether the power of attorney needs to be notarized?

-

Thank you,

Madelaine

-

**Madelaine M. Thomas**

*Associate*

Mayer Brown LLP

[71 South Wacker Drive](#)

[Chicago, Illinois 60606](#)

[T +1 \(312\) 701-8209](#)

[mayerbrown.com](http://mayerbrown.com)

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[Enviado con mi iPhone](#)

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TORRE MORA: Rocamora 4343 Piso 21 (C1184ABG)  
Buenos Aires | Argentina  
TEL. (54 11) 6685 6076 | [info@edl.com.ar](mailto:info@edl.com.ar) | [www.edl.com.ar](http://www.edl.com.ar)

## INVOICE

INVOICE NO. 003204  
DATE: May 24, 2023  
SENT BY: E-Mail Only

MESSRS.: Mayer Brown LLP

At.: Mrs. Madelaine Thomas

ADDRESS: 71 South Wacker Drive, Chicago, IL 60606, U.S.A.

RE: **AgileThought LLC**  
**New trademark application for AGILETHOUGHT in Argentina**  
**Appln. No. 3832284 in class 42**  
**Your Ref: (Please quote) - Our Ref: US/MB/I3204**

### Fees & Disbursements in USD

#### Professional Fees

Preparing and filing response to the Sistemas Globales S.A.'s upholding of opposition	650,00
Disbursements	80,00

**TOTAL USD 730,00**

### CONDITIONS AND PAYMENT INSTRUCTIONS

Payment due upon receipt of the invoice. We retain the right to levy chargeable interest on invoices over 45 days outstanding. Payments should be made through Banking Transfer (Wire Transfer) to our New York account, according to the information given below:

**JPM Chase Bank NA**  
**270 Park Avenue, New York, NY 10036, USA**  
**ABA#: 021000021**  
**For credit to: Erica D. Lerner**  
**Account N° ██████████6083**  
**For wires coming in from overseas, the Swift Code is CHASUS33.**  
**W9 Information: Non US Resident/Alien**

Intermediary bank fees should be borne by the sender. Otherwise, it will be charged to the client's account.

In order to correctly credit your payment, please send an e-mail to [administracion@edl.com.ar](mailto:administracion@edl.com.ar) once the wire transfer has been made.

Thank you for attending to these instructions.

EDL Abogados

Argentina

**SOLICITUD DE MARCA “AGILETHOUGHT” EN CLASE 42, ACTA N° 3832284.  
CONTESTA OPOSICIÓN N° 674353**

Señora Directora Nacional de Marcas:

**Erica Denise Lerner**, abogada matriculada en C.P.A.C.F. al T° 61 F° 859 y agente de la propiedad industrial con matrícula N° 1517, con domicilio legal en Rocamora 4343 21° “2” (C1184ABG) Ciudad de Buenos Aires (EDL Abogados), en mi carácter de apoderada de **Agilethought, LLC**, a la Señora Directora me presento y digo:

- I -

**OBJETO**

Que en el carácter invocado y siguiendo expresas instrucciones recibidas de mi mandante, vengo a contestar en legal tiempo y forma la vista del 29/03/2023 (notificada en Boletín de resolución de Oposiciones del 03/05/2023) dando traslado de la oposición N° 674353 a nombre de Sistemas Globales S.A. (en adelante denominada “Globant”). También vengo a ofrecer la prueba que respalda nuestra posición; todo ello de conformidad con el artículo 17 de la Ley 22.362 y Reglamento para la instancia administrativa de oposiciones establecido por el Anexo I de la Resolución P-183.

Desde ya, solicito el oportuno y total rechazo de la oposición incoada y la concesión de la marca de referencia. Todo ello, en base a las consideraciones de hecho y derecho que a continuación se expondrán:

- II -

**PRONUNCIAMIENTO SOBRE LOS HECHOS Y LA DOCUMENTACION ACOMPAÑADA**

En forma preliminar, niego todos los hechos invocados en el escrito de ratificación de la oposición, en tanto no sean especial y expresamente reconocidos en el curso de este responde.

**NIEGO** en particular:

1. Que la oponente utilice actualmente la marca “AGILE PODS” para identificar su modelo de prestación de servicios para equipos.
2. Niego que la documentación acompañada en las páginas 39 y 40 del Anexo 1 tenga vigencia actual; de hecho el link allí indicado (<https://www.globant.com/es/our-services/agile-pods>) remite a otro dentro del mismo website de Globant

<https://www.globant.com/es/studio/agile-organizations>.

3. Que las marcas enfrentadas se confundan, cualquiera sea el ámbito del cotejo marcario.
4. Que la única letra coparticipada –“O”- entre las desinencias “THOUGHT” y “PODS” se ubique en ambas en el mismo lugar y genere algún tipo de confusión entre los conjuntos.
5. Que AGILE PODS y AGILETHOUGHT presenten similitud o confundibilidad sonora.
6. Que desde el punto de vista conceptual el cotejo no sea posible.
7. Que las circunstancias adjetivas del caso sean las que refiere la oponente, y que generen algún riesgo de confusión.
8. Que la marca “AGILE PODS” se utilice actualmente para identificar un modelo de prestación de servicios.
9. Que la coexistencia de las marcas AGILETHOUGHT y AGILE PODS vaya a generar confusión en el público consumidor o en el mercado; particularmente cuando éstos son tan sofisticados como lo relata la oponente en el capítulo II 2 “Acerca de Globant”.
10. Que la oposición a AGILETHOUGHT sea fundada y que ésta deba denegarse.
11. Que los eventuales dos registros de AGILE PODS en otros países justifiquen o respalden la presente oposición.
12. Que la documentación acompañada respalde en modo alguno la protesta y/o sus argumentos.

- III -

### **INTERES LEGITIMO DE LA SOLICITANTE**

#### **1.- Perfil de Agilethought LLC**

AgileThought es una empresa norteamericana de consultoría y transformación digital. Bajo la marca AGILETHOUGHT, ofrece y mejora continuamente soluciones digitales a escala. Durante más de 20 años, las empresas Fortune 1000 han confiado en Agilethought para resolver sus desafíos digitales y optimizar los sistemas de misión crítica para impulsar el valor empresarial. Cuenta con sedes en Estados Unidos y varios países latinoamericanos, entre ellos Argentina. Como prueba de lo anterior me remito a la documentación de los Anexos 1 y 2.

## 2.- Marca AGILETHOUGHT

La marca AGILETHOUGHT se encuentra registrada en Canadá, Estados Unidos Costa Rica y México conforme al siguiente detalle:

1.	<b>AGILETHOUGHT</b>	National Trademark Application Pending (September 3, 2019) Number 1983263	Nice class 42 Owner AGILETHOUGHT, LLC (USA) Designation country Canada
2.	<b>AGILETHOUGHT</b>	National Trademark Registration Registered (March 24, 2020) Number 6016534	Nice class 42 Owner AGILETHOUGHT, LLC (USA) Designation country USA
3.	<b>AGILETHOUGHT</b>	National Trademark Registration Registered (January 16, 2020) Number 2074159	Nice class 42 Owner AGILETHOUGHT, LLC (USA) Designation country Mexico
4.	<b>AGILETHOUGHT</b>	National Trademark Registration Registered (July 21, 2020) Number 6106141	Nice class 35, 42 Owner AgileThought, LLC (USA) Designation country USA
5.	<b>AGILETHOUGHT</b>	National Trademark Registration Registered (July 21, 2020) Number 6106142	Nice class 35, 42 Owner AgileThought, LLC (USA) Designation country USA
6.	<b>AGILETHOUGHT</b>	National Trademark Registration Registered (March 24, 2020) Number 6016610	Nice class 42 Owner AGILETHOUGHT, LLC (USA) Designation country USA
7.	<b>AgileThought</b>	National Trademark Registration Registered (June 9, 2020) Number 289083	Nice class 42 Owner AGILETHOUGHT, LLC (USA) Designation country Costa Rica
8.	<b>AGILETHOUGHT INSIGHTFUL SOLUTIONS :: INNOVATIVE TECHNOLOGIES</b>	National Trademark Registration Registered (March 24, 2020) Number 6016611	Nice class 42 Owner AGILETHOUGHT, LLC (USA) Designation country USA

Fuente: Global Brand Database, WIPO (ver Anexo 3).

En Argentina, solicitó dicha marca el 03/09/2019 bajo Acta N° 3832284 para distinguir concreta y específicamente “SERVICIOS DE CONSULTORÍA EN SOFTWARE PERSONALIZADO”, reivindicando prioridad de la solicitud N° 88324002 de Estados Unidos, del 04/03/2019.

En base a los antecedentes relatados y documentación acompañada, queda acreditado el interés legítimo de mi representada para registrar marcas en general y, en particular, obtener el registro de la marca AGILETHOUGHT.

**IMPROCEDENCIA DE LA OPOSICIÓN**

**1.- COTEJO MARCARIO**

Cualquiera sea la forma en que se practique la comparación, se aprecia que los signos en disputa son claramente distintivos entre sí e insusceptibles de confusión. Conforme reiterada jurisprudencia, corresponde realizar la comparación desde la óptica del público consumidor o usuario, sin efectuar desmembraciones artificiosas y atendiendo especialmente al resultado de una apreciación fresca, espontánea e integral de los signos.

La marca pedida por mi representada es:

**AGILETHOUGHT**

Y la marca opuesta es

**AGILE PODS**

Hago notar al examinador que, seguramente por un error involuntario, en varias partes del escrito de ratificación la oponente refiere a su marca como AGILE POD (sin S final), cuando en realidad es AGILE PODS.

La apreciación fresca y espontánea de las marcas no provoca una sensación de similitud o, mucho menos de confundibilidad, lo que se confirma al hacer un análisis pormenorizado. Francamente, cuesta entender esta oposición ya que sobran los elementos distintivos.

*a) Cotejo Visual*

La única coincidencia entre las marcas es que comienzan con “agile”; sólo eso. Pero, como veremos seguidamente, ello no constituye un obstáculo para la coexistencia por dos circunstancias fundamentales: a) las desinencias son absolutamente diferentes, sin punto de similitud o acercamiento alguno; b) el vocablo “AGILE” es de uso común en la clase 42, tal como veremos al analizar las circunstancias adjetivas. Esta última circunstancia echa por tierra el argumento de la oponente de la mayor fuerza diferenciadora que tienen las raíces, ya que ello aplica a marcas que no tienen raíces de uso común en la clase, como en el presente caso (la jurisprudencia que cita referida a la importancia de las raíces tampoco aplica porque no se refiere a marcas con raíces de uso generalizado).

La marca AGILETHOUGHT está constituida por un vocablo único de 12 letras en total, mientras que AGILE PODS se compone de dos palabras, la primera AGILE y la segunda

PODS; con un total de 9 letras. Aquí tenemos el primer factor distintivo del cotejo: la presentación como uno o dos bloques de palabras genera una clara sensación de desemejanza, que se confirma al efectuar el análisis de los elementos no coparticipados.

Recordemos que no es la mera similitud de algunas letras o elementos coparticipados lo que debe vedar la existencia de un nuevo signo, sino la similitud susceptible de generar confusión en el público respecto de las marcas en sí o su origen (cfr. CNCCFed., Sala I, 15/4/97, LL 1997-E, pág. 1027, entre muchos otros).

Resulta entonces que las desinencias de las marcas son THOUGHT en la solicitada y PODS en la opuesta (siempre teniendo en cuenta que la primera forma un único bloque con AGILE, mientras la segunda es un término separado de aquélla).

Ya sea que efectuemos un análisis fresco y desprevenido de las desinencias, o bien pormenorizado, el resultado arroja siempre sensación de diferencia e inconfundibilidad. Veamos:

THOUGHT

vs

PODS

No existe punto de similitud alguna entre estas terminaciones, ya sea en cuanto a las letras en sí o su cantidad (ello fue reconocido por la propia oponente, al decir "(...) si bien las terminaciones "THOUGHT" y "POD" presentan diferentes extensiones y consonantes (...); ver pág. 10 de la ratificación de oposición). La mera apreciación de tales vocablos hace caer por sí solo el argumento de la oponente en cuanto a que la coparticipación de una sola vocal (la "O") ocasione similitud o confundibilidad entre las desinencias. La palabra THOUGHT se compone de 7 letras (T H O U G H T), de las cuales dos son vocales (O U). En tanto, PODS se compone de 4 letras (P O D S), de las cuales hay una sola vocal. Contrariamente a lo manifestado por la oponente, la vocal no se encuentra en la misma posición dentro de las desinencias, sino que se encuentra como tercera letra en THOUGHT y segunda en PODS.

Las diferencias apuntadas son tantas que es impensado que se pueda generar confusión alguna, ya sea en cuanto a las marcas en sí mismas o a su origen.

#### *b) Cotejo Fonético*

Las diferencias desde el punto de vista gráfico se traducen de igual manera al campo fonético.

Por más que nos esforcemos en encontrar algún acercamiento, no puede sostenerse seriamente que las desinencias *THOUGHT* y *PODS* suenen similares o confundibles.

El público especializado y formado al que están dirigidas las marcas sabe que, en inglés, la “*TH*” inicial de *THOUGHT* es pronunciada con el fonema de la letra “*z*” (o similar, con la lengua entre los dientes, como en “*thanks*”). Es un sonido fuerte y característico del inglés, que no lo tenemos en el español (ver Anexo 4).

En tanto que *PODS* es pronunciado como suena, tanto en inglés como en español.

La pronunciación sucesiva y simultánea de ambas desinencias me exime de hacer mayores comentarios en cuanto a su clara diferenciación y distintividad; lo cual se replica al pronunciar ambas marcas en su totalidad.

### *c) Conceptual.*

No es cierto, como sostiene la oponente, que no se pueda realizar el análisis conceptual de las marcas por carecer éstas de contenido ideológico. Dicho análisis es claramente posible y necesario de realizar, ya que arroja aún más luz en cuanto a la inconfundibilidad de las marcas.

Recordemos que Globant es una empresa líder en informática y desarrollo de software, donde el idioma inglés es el más utilizado. Particularmente porque, como señala la propia oponente, tiene como clientes a reconocidos jugadores internacionales cuyo idioma de origen es el inglés, como Google, Electronics Arts, National Geographic, LinkedIn, Coca-Cola, etc; al mismo tiempo que inversores como FS Partners, Riverwood Capitals, etc. Recordaremos también en este punto que Globant cotiza en la Bolsa de New York, donde no es necesario aclarar qué idioma aplica .... Por todo esto, no puede afirmarse seriamente que el cotejo conceptual no sea posible por carecer las marcas de contenido conceptual para el mercado relevante.

El término coparticipado *AGILE* (de uso común en la clase 42) significa *AGIL* en español, y su significado es asequible a cualquiera, sea conocedor del inglés o no.

La desinencia de la marca solicitada, *THOUGHT*, significa “pensamiento” en inglés (ver Anexo 5) y también es claramente accesible a cualquier persona con conocimientos del inglés. **La marca *AGILETHOUGHT* significa “pensamiento ágil”.**

El significado de *AGILE PODS* es muy diferente, y así lo explicó la propia oponente:

*“Como empresa de servicios, Globant implementa los PODs para brindar servicios a fin de cumplir con los objetivos estratégicos, creativos y de producción de sus clientes.*

*Un POD es un equipo con diversas capacidades que trabaja en colaboración para lograr las necesidades del cliente. Es un equipo autoorganizado, colaborativo y autónomo, enfocado en cumplir objetivos estratégicos, creativos y de producción.”* (pág. 7 del escrito de ratificación).

El conjunto AGILE POD es vastamente utilizado en el campo de los negocios y tecnología para definir un grupo o equipo de trabajo especializado como el que describe la oponente en su escrito (ver Anexo 5). Y tal carácter genérico fue lo que ocasionó que la marca fuera rechazada por la USPTO (Oficina de Marcas y Patentes de Estados Unidos; ver Anexo 6).

El rechazo del registro marcario de AGILE PODS en Estados Unidos por su carácter genérico fue lo que seguramente habrá derivado en el rebranding del servicio a AGILE ORGANIZATIONS, como veremos al analizar las circunstancias adjetivas.

De lo anterior resulta que el significado de AGILE PODS sería “equipos ágiles de trabajo” (en plural, por la “s” final de PODS).

Entre los conceptos de “pensamiento ágil” y “equipos ágiles de trabajo” existe una clara distintividad que hace imposible cualquier tipo de confusión en el recuerdo de una y otra.

No hay punto de similitud alguna en el campo ideológico, lo que confirma la inconfundibilidad de los otros campos del cotejo. Las evocaciones de las marcas son diferentes, por lo que es imposible que la marca solicitada evoque o recuerde a las opuesta, o viceversa.

Del análisis efectuado en los párrafos precedentes se desprende que, cualquiera sea el plano de comparación, las marcas enfrentadas son claramente distinguibles, por lo que no existen razones valederas para impedir el registro de AGILETHOUGHT.

## **2.- CIRCUNSTANCIAS ADJETIVAS DEL CASO**

Aunque lo expresado en los puntos anteriores es suficiente para declarar infundada la oposición, me detendré en algunas de las circunstancias de este caso que, a nuestro entender, concurren a la conclusión de habilitación registral que propiciamos.

En las causas donde se debate la procedencia o no de oposiciones al registro



de una marca, se debe brindar la respuesta justa atendiendo a los fines esenciales de la ley marcaria, esto es, la real protección de los consumidores y el amparo de las leales prácticas comerciales.

Para que esos fines no sean una mera invocación carente de contenido, es necesario no ceñirse a una confrontación abstracta de los conjuntos en pugna, sino apreciar todas las particularidades del conflicto a fin de brindar una resolución que contemple todos los intereses en pugna.

Al respecto es criterio pacífico de la jurisprudencia que:

“Es menester precisar las circunstancias que caracterizan este proceso, para establecer las pautas de acuerdo a las cuales corresponderá dirimir la solicitud origen de esta litis, toda vez que en esta materia cabe atenerse a la realidad de los hechos para asegurar los propósitos perseguidos por la ley marcaria.”(CNFed. Civ. y Com., Sala I, causa 1903 del 24/06/83, entre otras)

En tal sentido, analizaremos seguidamente algunas de las circunstancias de este caso que concurren a la posición de mi representada en este conflicto.

**a) Uso común del término AGILE en clase 42**

Tal como hemos adelantado, la palabra AGILE es de uso común en la clase 42 ya que hay varias marcas que la contienen, a saber:

Clase	Marca	Acta	Resolución	Titular
42/Y.M	AGILE MINDS CONSULTING	4231295		CARDADE FAVRE LUCIA SOLEDAD
42/I.D	AGILE PODS	3308371	C 2706379 08/01/2015	SISTEMAS GLOBALES S.A.
42/Y.D	AGILE REPORTER	4046155	C 3376052 23/03/2023	VERMEG MANAGEMENT LIMITED
42/I.D	AGILE TEAM	3191717	C 2616201 11/12/2013	INSTALNET S.R.L.
42/I.M	BIZUIT AGILE BUSINESS SUITE	3674795	C 2978640 15/03/2019	TYCON S.A.
42/Y.M	TALLER TECHNOLOGIES GLOBAL AGILE SOLUTIONS	3202238	C 2623634 20/01/2014	TALLER TECHNOLOGIES S.A.
42/Y.D	AGILENT	4041146	C 3250424 06/01/2022	AGILENT TECHNOLOGIES, INC.
42/I.M	SISTEMAS AGILES	3864073	C 3171378 21/05/2021	REINGART MARIANO ALEJANDRO
42/Y.D	AGILETHOUGHT	3832284		AGILETHOUGHT, LLC

Como se puede apreciar, todas ellas se encuentran registradas, a excepción de AGILETHOUGHT y AGILE MINDS CONSULTING, que fue solicitada recién en marzo de 2023 y – vencido el período de oposición- no recibió protesta de Globant.

Notamos una posición contradictoria de la oponente, ya que al solicitar AGILE PODS no tuvo inconveniente en coexistir con otras marcas conformadas con la palabra AGILE (como AGILE TEAMS, que tiene idéntico significado a AGILE PODS); mientras que en el caso de

AGILETHOUGHT se ha mostrado intransigente pese a la inconfundibilidad de los elementos no coparticipados y la estricta limitación con que fue solicitada.

Es de aplicación entonces la doctrina que dimana del brocardo latino *“venire contra factum proprium non valet”*.

La postura de la oponente no es coherente con sus propios actos previos. Tal contradicción debilita su postura en orden a la regla de la buena fe que impone el deber de coherencia en el comportamiento y limita el ejercicio de los derechos subjetivos.

En este sentido, la Corte Suprema ha dicho que *“nadie puede ponerse en contradicción con sus propios actos ejerciendo una conducta incompatible con otra anterior, cuando ese comportamiento ha sido deliberado, jurídicamente relevante y plenamente eficaz (”Cadipsa c/ Pcia. de Santa Cruz”, 21-X-1997, causa 424.XXXII).*

Tal como ha quedado establecido, el único vocablo coparticipado entre las marcas en pugna es *“AGILE”*. Aunque no cabe prescindir de este ingrediente en el cotejo, la inconfundibilidad no se puede basar en él ya que ello conduciría, en la práctica, a reconocerle eficacia monopólica a favor de la oponente.

Cuando las marcas tienen un elemento coparticipado, para que los conjuntos adquieran el rasgo de ser de fácil distinción (confr. art. 3º incs. a) y b) de la ley 22.362; causas 2434 del 3/2/84, consid. IV y sus citas; 4823 del 8/5/87, entre muchas otras) es preciso que las porciones disímiles se hallen dotadas de potencia suficiente para otorgar a los conjuntos rasgos que absorban la proximidad originada en los elementos comunes (confr. causas 8205 del 28/9/79; 1898 del 26/4/83; 2040 del 23/8/83, etc.). Conforme ha quedado demostrado, este requisito se cumple acabadamente en el presente caso.

Resulta aplicable entonces la doctrina pacífica y no controvertida que ha construido la Alzada respecto de las marcas conformadas por elementos de uso común y generalizado:

*“Se enfrentan signos integrados por un elemento de uso común y libre empleo. Y es sabido que **las marcas que contienen un elemento de tal naturaleza deben tolerar la convivencia con otras que también lo incorporen, correspondiendo realizar el cotejo con un criterio razonablemente benévolo, ya que de lo contrario se estaría otorgando excesivo privilegio sobre un elemento insusceptible de monopolio. Ello sería así siempre que a dicho elemento se le agregara otro diverso que confiera al conjunto la relativa novedad o especialidad que exige el derecho marcario, singularizándolo, ya que en la comparación no corresponde***

*prescindir de ese elemento, habida cuenta de que aquella debilidad no implica que la marca "débil" esté privada de protección, ni que deba tolerar la irrupción de marcas claramente confundibles, con lesión de las finalidades de la ley de la materia (conf. esta sala, causas 8197 del 18/6/1991; 9249 del 24/11/1992 y sus citas; 7949/92 del 30/3/1993; 5563/93 del 8/4/1994; 6425/93 del 12/4/1994; 13436/95 del 25/2/1999 y otras; sala 1ª, causa 5068 del 29/10/1976; sala 3ª, causas 34 del 31/7/1980; "Beviglia, J.C. v. Lemos C. y Chedas, E. y otros" del 13/12/1991, DJ 1992-2-666; etc.) (C. Nac. Civ. y Com. Fed., Sala 2ª, 12/05/2005- OPOLENTES LENTES DE CONTACTO LTDA. v. OPTO S.A. s/CESE DE OPOSICIÓN AL REGISTRO DE MARCA"). (El resaltado es de mi parte).*

La marca AGILE PODS debe tolerar necesariamente el registro de nuevos signos que, estando también integrados por la palabra "AGILE", contengan además otros elementos que los hagan "claramente distinguibles" de los anteriores registros (arg. CNFed. Civ. y Com., Sala I, causa 305 del 30/3/71, 9687 del 14/8/81; Sala II causa 851 del 6/12/71, 7387 del 29/2/80, entre muchas otras).

#### **b) Consideración del público usuario o mercado al que apuntan las marcas**

Teniendo en cuenta que uno de los propósitos primordiales de la legislación marcaria es la tutela del público consumidor o usuario, al practicar la comparación entre signos, el examinador deberá colocarse en la situación de un posible adquirente. Como consecuencia, no es lo mismo el enfoque de una empresa usuaria de los servicios tecnológicos de Globant o de consultoría de Agilethought, que el de aquel que busca productos ordinarios, de consumo masivo.

"Para resolver conflictos entre marcas resulta de fundamental importancia establecer qué clase de público es el comprador de los productos o bien usuario de los servicios, pues **cuanto mayor sea la atención que preste el consumidor, más benevolente deberá ser el cotejo, y viceversa**"

CNFed. Civ. y Com., Sala II, 21/5/96 "Idea Inst. para el Des. de Empresarios en la Argentina c/ Ideas y Tecnologías S.A." (El resaltado es mío).

En este sentido también se ha dicho:

"Para efectuar el cotejo de la marca solicitada 'Taurus' y del signo oponente 'Tauro' desde el ángulo indicado, resulta prioritario discernir entonces qué clase de público resultará comprador de los artículos protegidos por las marcas en conflicto y así determinar cuál

será su reacción frente a ellas. Es necesario tener en cuenta asimismo los lugares en que se comercializan, ya que ilustran sobre las vías en las que los productos son ofrecidos al público y, por consiguiente, las maneras en que los consumidores los identifican y eligen.

En el caso, la propia naturaleza de los artículos que ambas marcas tienden a proteger (herramientas manuales) denota que están dirigidas a un público calificado ... la demandada ... admite también que son comercializados por empresas especializadas y no por comercios de venta masiva como ferreterías, en razón de que el escaso volumen de compra no resulta atractivo ...

Esta particular especificidad determina que los productos en cuestión sólo puedan ser evaluados por técnicos y/o especialistas de tales industrias y no por el público en general, por lo que no se advierte la posibilidad de que potenciales consumidores no calificados puedan integrar un público masivo o mayoritario ...

Pero, además, careciendo este del grado de conocimiento de aquellos, es obvio que a la hora de comprarlos deberá contar necesariamente con asesoramiento o información, lo cual diluye la posibilidad de que se susciten confusiones sobre la realidad de las cosas” CNFed. Civ. y Com., Sala III, 28/04/2011, “Forjas Taurus S.A. c/ Sacabocados Tauro S.R.L.”

#### **c) AGILE PODS ya no se encuentra en uso**

Al realizar la verificación de la documentación acompañada por la oponente, notamos que en el website de Globant ya no se utiliza la marca AGILE PODS, sino que fue reemplazada por la marca AGILE ORGANIZATIONS. En tal sentido, la impresión del siguiente link acompañado por la oponente: <https://www.globant.com/es/our-services/agile-pods> nos redirige automáticamente a la página <https://www.globant.com/es/studio/agile-organizations> (ver Anexo 7).

No lo sabemos con certeza, pero podríamos asumir que dado la importancia del mercado norteamericano para GLOBANT, la denegatoria de la marca AGILE PODS ocasionó un rebranding a AGILE ORGANIZATIONS. De allí que la supuesta confundibilidad alegada (que para mi parte es nula) queda así también descartada desde esta perspectiva.

#### **d) Ausencia de confusión para el examinador**

Otra circunstancia que sostiene la registrabilidad de AGILETHOUGHT es que el propio examinador del expediente tampoco consideró confundibles a las marcas

opuestas. Ello se desprende del hecho de que no las citó como antecedentes que obstaculicen el registro de aquélla. En su carácter de órgano de aplicación de la ley 22.362, de haber encontrado algún impedimento basado en dichas marcas habría corrido la vista pertinente.

- V -

### **OFRECIMIENTO DE PRUEBAS**

De acuerdo a lo establecido en el art. 2 del Reglamento para la instancia administrativa de resolución de oposiciones (P-183/2018) vengo a ofrecer las pruebas de las que se valdrá mi parte en el proceso:

#### **1) Documental**

Anexo 1: Impresiones de página web de Agilethought LLC (<https://agilethought.com/company/>)

Anexo 2: Impresiones de la página de Agilethought LLC en Instagram  
<https://www.instagram.com/agilethought/>

Anexo 3: Resultado de búsqueda de marca AGILETHOUGHT en Global Brand Database, WIPO  
<https://branddb.wipo.int/>

Anexo 4: Impresión del sitio web “Aprender inglés americano”  
<https://www.aprenderinglesamericano.com/portfolio-items/como-pronunciar-el-sonido-th-en-ingles/> , donde se explica la forma de pronunciación fuerte del fonema “th” en inglés.

Anexo 5: Impresión de diversos sitios web relacionados con tecnología donde se refieren al trabajo en AGILE PODS, como término genérico:  
<https://inclusioncloud.com/insights/blog/agile-pod-teams/>  
<https://www.fdmgroup.com/blog/advantages-of-working-with-agile-pod-teams/>  
<https://acsicorp.com/blogs/empowering-digital-product-teams-with-agile-pods/>

Anexo 6: Vista y resolución denegatoria de la USPTO en relación con la solicitud de marca AGILE PODS Acta 86252362 de la clase 42

Anexo 7: Impresión del link que ostentan las páginas 39 y 40 del Anexo 1 de la ratificación de oposición (<https://www.globant.com/es/our-services/agile-pods>); el cual redirige a otro dentro del mismo website de Globant: <https://www.globant.com/es/studio/agile-organizations>.

Solicito también se tenga presente el expediente administrativo de la presente solicitud de marca, AGILETHOUGHT” en clase 42, Acta N° 3832284.

Para el caso en que lo considere oportuno, solicito constate la existencia y contenido de los sitios web indicados en los enlaces transcritos en los Anexos 1 a 7.

Respecto de la validez, disponibilidad e idioma de los documentos de los Anexos 1 a 7, me remito *brevitatis causae* a lo manifestado por la oponente en su escrito respecto de los documentos extraídos de Internet (inclusive los de idioma extranjero; ver págs. 15 a 17 de la ratificación), dejando desde ya planteada subsidiariamente la alternativa de acompañar traducción pública legalizada por el Colegio de Traductores; o bien prueba pericial informática y/o de traducción.

## **2) Informe a proveer por la Dirección Nacional de Marcas**

Solicito que se emita y agregue un listado con todas las marcas solicitadas y/o registradas en la clase 42 que contengan la palabra AGILE.

- VI-

### **DERECHO**

Fundo el derecho que asiste a mi parte en lo dispuesto por los arts. 1, 4, 17 y concordantes de la ley 22.362; Reglamento para la instancia administrativa de oposiciones establecido por el Anexo I de la Resolución P-183, doctrina y jurisprudencia citada a lo largo de este escrito.

- VII-

### **CONCLUSION**

A lo largo de este escrito se ha invocado y demostrado el interés legítimo de mi mandante en obtener el registro de la marca AGILETHOUGHT, así como la ausencia de confusión respecto de la marca AGILE PODS, de Globant.

En tal sentido, se realizó el cotejo gráfico, fonético e ideológico de los signos y se analizaron las circunstancias adjetivas del caso, como ser el carácter común de la palabra AGILE en marcas de la clase 42, la sofisticación y profesionalidad del mercado al que apuntan las marcas, el rebranding de AGILE PODS por AGILE ORGANIZATIONS, la ausencia de confundibilidad para el Examinador, etc.

En virtud de todo lo expuesto corresponde declarar infundada a la oposición y conceder el registro solicitado.

- VIII-

**PETITORIO**

Solicito a la Sra. Directora:

- 1) Tenga por contestada la vista de traslado de ratificación de oposición y por ofrecidas las pruebas pertinentes.
- 2) En su oportunidad, dicte resolución administrativa rechazando la oposición presentada y concediendo el registro de la marca "AGILETHOUGHT" en clase 42, Acta N° 3832284 para distinguir solamente "servicios de consultoría en software personalizado"

Sin otro particular, saludo a Ud. atentamente.



Erica Denise Lerner  
Abogada CPACF T° 61 F° 859  
Agente N° 1517

# **ANEXO 1**



# About AgileThought

More Market Breakthroughs, Less Digital Friction

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5  
COUNTRIES

2,500+  
TEAM MEMBERS

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## WHAT WE DO

AgileThought, a full-service digital transformation and consulting firm, delivers and continually improves digital solutions at scale. For over 20 years, Fortune 1000 companies have trusted us to solve their digital challenges and optimize mission-critical systems to drive business value. Our solution architects, developers, data scientists, engineers, transformation consultants, automation specialists, and other experts located across the United States and Latin America deliver next-generation solutions that accelerate your digital business.

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**Diana Abril**  
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**Alejandro Manzocchi**  
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**Clare DeBoef**  
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**Eric Purdum**  
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**REGIONAL & KEY LEADERSHIP**





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Chief Operations Finance Officer



**Diego Zavala**  
Mergers & Acquisitions



**Mauricio Garduño**  
VP Business Development



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Latin America Market Unit



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Inc 5000 List

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Best Workplace for Millennials

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https://agilethought.com/company/



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# **ANEXO 2**



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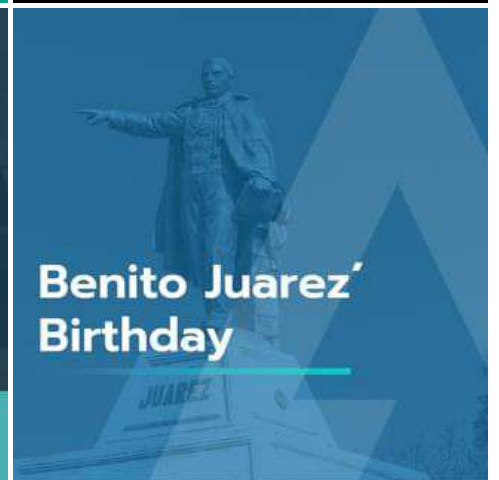
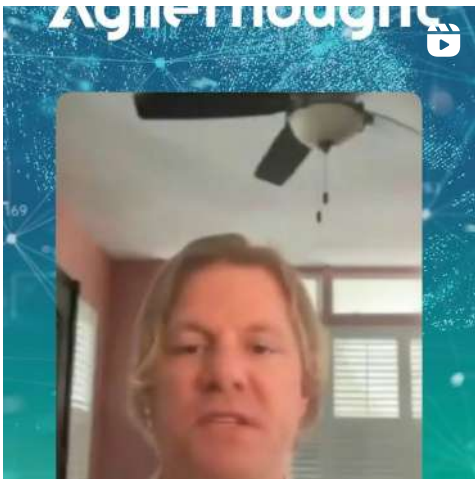
[agilethought.com](http://agilethought.com)



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*"We need more female role models who are good at technology, who are entrepreneurial. Today, not many women like that appear in the media, and if girls are not represented on TV as smart, good at math and science, they have no role models growing up."*

Randi Zuckerberg

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**Friday Feb 24th**  
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# **ANEXO 3**

## GLOBAL BRAND DATABASE - QUICK SEARCH REPORT

Generated on May 21, 2023

Brand name : orthographically resembles 'AGILETHOUGHT'

Displaying 1-8 of 8 results (Most relevant first)

1.	<b>AGILETHOUGHT</b>	National Trademark Application Pending (September 3, 2019) Number 1983263	Nice class 42 Owner AGILETHOUGHT, LLC (USA) Designation country Canada
2.	<b>AGILETHOUGHT</b>	National Trademark Registration Registered (March 24, 2020) Number 6016534	Nice class 42 Owner AGILETHOUGHT, LLC (USA) Designation country USA
3.	<b>AGILETHOUGHT</b>	National Trademark Registration Registered (January 16, 2020) Number 2074159	Nice class 42 Owner AGILETHOUGHT, LLC (USA) Designation country Mexico
4.	<b>AGILETHOUGHT</b>	National Trademark Registration Registered (July 21, 2020) Number 6106141	Nice class 35, 42 Owner AgileThought, LLC (USA) Designation country USA
5.	<b>AGILETHOUGHT</b>	National Trademark Registration Registered (July 21, 2020) Number 6106142	Nice class 35, 42 Owner AgileThought, LLC (USA) Designation country USA
6.	<b>AGILETHOUGHT</b>	National Trademark Registration Registered (March 24, 2020) Number 6016610	Nice class 42 Owner AGILETHOUGHT, LLC (USA) Designation country USA
7.	<b>AgileThought</b>	National Trademark Registration Registered (June 9, 2020) Number 289083	Nice class 42 Owner AGILETHOUGHT, LLC (USA) Designation country Costa Rica
8.	<b>AGILETHOUGHT INSIGHTFUL SOLUTIONS :: INNOVATIVE TECHNOLOGIES</b>	National Trademark Registration Registered (March 24, 2020) Number 6016611	Nice class 42 Owner AGILETHOUGHT, LLC (USA) Designation country USA

# **ANEXO 4**



¡Bienvenido a otra lección de la pronunciación! Aprender a pronunciar el sonido Th en inglés puede ser difícil para los hispanohablantes y toma algo de práctica.

En esta lección, vas a:

- Aprender como hacer el sonido th (en sus dos formas)
- Entrenar tu oído a distinguir entre sonidos parecidos
- Aprender cómo evitar los errores comunes
- Unas frases útiles que puedes usar para practicar los sonidos

¿Puedes oír la diferencia entre estas dos palabras?

Their | Dare

Thought | Taught



Es importante mencionar que hay dos sonidos diferentes del Th en inglés: el sonido Th en "the" (lo/los/la/las) y el sonido en Th "thank" (gracias). Vamos a usar estos dos símbolos para representar estos sonidos: /ð/ y /θ/. Estos símbolos son parte del Alfabeto fonético internacional y aprenderlos puede ser muy útil para aprender inglés.

Estos simbolos representa los dos sonidos "th" en inglés. Por ejemplo:

- Thin (Delgado)  : /θɪn/
- Thank (Gracias)  : /θæŋk/
- That (Ese)  : /ðæt/
- This (Esta)  : /ðɪs/

## ¿Por qué necesitamos aprender /ð/ y /θ/ ?

Las palabras mal pronunciadas pueden generar mucha confusión entre los oradores (y algunas situaciones graciosas).

Por ejemplo, en vez de decir "They arrived" (Han llegado) , si haces el error que muchos hacen vas a pronunciarlo como "Day arrived" (El día lleo). O si quieres decir "I want three" (Quiero tres)  puede sonar como "I want tree" (Quiero un arbol) a hablantes nativos.

¿Estás listo para aprender a pronunciarlas?

## Cómo Pronunciar / θ / Y / ð /

### a. Similitudes en la pronunciación de / θ / y / ð /

Mire la posición de la boca en las siguientes imágenes de dos sonidos / θ / y / ð /. ¿Qué te parece? La posición de la lengua y los dientes parecen iguales o diferentes?






Como puedes ver en las imágenes, /θ/ y /ð/ tienen la misma posición de la boca. Entonces, un par de los pasos para hacer los sonidos /θ/ y /ð/ son:

- Pon la punta de tu lengua un poco más allá de tus dientes
- Morderse la lengua suavemente

\* El siguiente paso variará dependiendo del sonido que estés haciendo.

## b. Diferencias en la pronunciación de /θ/ y /ð/

Bueno, la diferencia entre los dos sonidos /θ/ y /ð/ es que el sonido /ð/ se realiza mediante el uso de **cuerdas vocales** (sonido sonoro), mientras que el sonido /θ/ no es (sonido sin voz).

Si pones la mano sobre la garganta y dices "the" , deberías sentir una vibración. Cuando las cuerdas vocales vibran al emitir un sonido, decimos que el sonido es sonoro (o "con voz").

Mantenga su mano allí y diga la palabra "think" . No debe haber vibración, por lo que decimos que es un sonido sordo (o "sin voz").



### Cómo pronunciar /θ/ en inglés

- Paso 1: Saca la lengua más allá de tus dientes
- Paso 2: Morder ligeramente
- Paso 3: Exhalar

En España, /z/ se pronuncia como la "th" en la palabra inglesa "think" /θɪŋk/. Entonces, si eres de España, puedes pronunciar el /θ/ en inglés como lo harías en /z/ en español. ¡Si no eres de España, tenemos ayuda para ti a continuación!






Practica escuchar y hacer el sonido /θ/ en Inglés

Escucha y practica estas palabras: /θ/ al comienzo de las palabras

thank  /θæŋk/	gracias
think  /θɪŋk/	pensar

thing  /θɪŋ/	cosa
thumb  /θʌm/	pulgar
third  /θɜːd/	tercero

**/θ/ en medio de las palabras**

bath <del>h</del> tub  /'bæθtʌb/	bañera
birth <del>h</del> day  /'bɜːθdeɪ/	cumpleaños
health <del>h</del> y  /'helθiː/	saludable
some <del>h</del> thing  /'sʌmθɪŋ/	alguna cosa
tooth <del>h</del> pick  /'tuːθpɪk/	palillo

**/θ/ al final de las palabras**

fif <del>h</del> th  /'fɪfθ/	quinto
tooth <del>h</del>  /'tuːθ/	diente
teeth <del>h</del>  /'tiːθ/	dientes
earth <del>h</del>  /'ɜːθ/	tierra
mouth <del>h</del>  /'mauθ/	boca




**Errores comunes con el sonido TH: /θ/ y /t/**




Muchos estudiantes de inglés pronuncian la /θ/ como una /t/. Así que, en vez de decir, "teeth", dicen, "teet", que suena como Tit que en inglés (que es una teta o un seno). Así que ten cuidado ahí. En vez de decir, "thank you" dicen, "tank you." ¿Y cómo puedes arreglar ese error?



Tiene que ver con la posición de tu lengua al hacer los sonidos. Mire la tabla de abajo para comparar cómo se pronuncia los /θ/ y /t/


/θ/	/t/
Sonido sin voz (no vibre tus cuerdas vocales al hacer sonido)	
<ul style="list-style-type: none"> <li>• Tu lengua esta un poco más afuera de tus dientes</li> <li>• Sopla aire entre su lengua y sus dientes superiores</li> <li>• Trata de no mover la lengua mientras haces / θ / sonido</li> </ul>	<ul style="list-style-type: none"> <li>• Tu lengua está detrás de tus encías superiores parando el flujo del aire</li> <li>• Baja la lengua rápidamente</li> <li>• Después de soltar la lengua, empuja el aire hacia adelante</li> </ul>
/θ/ sound	/t/ sound

Escucha y practica estas palabras.

<b>boat</b>  /boʊt/	bote This is my new <b>boat</b> . Este es mi barco nuevo.
<b>both</b>  /boʊθ/	ambos John and Susy are <b>both</b> my friends. John y Susy son mis amigos.
<b>They're both on the big boat</b>  (Ambos están en el barco grande.)	

<b>tank</b>  /tæŋk/	tanque This is a big <b>tank</b> . Este es un tanque grande.
<b>thank</b>  /θæŋk/	gracias <b>Thank</b> you! ¡Gracias!
<b>Thank you to all people on this tank.</b>  Gracias a todas las personas en este tanque.	

<b>fate</b>  /feɪt/	destino He needs to change his <b>fate</b> . Él tiene que cambiar su destino.
<b>faith</b>  /feɪθ/	fe We have a lot of <b>faith</b> in her. Tenemos mucha fe en ella.

I have faith in our fate 

Tengo fe en nuestro destino.

## Cómo pronunciar el TH /ð/ en Inglés

- Paso 1: Sacar la lengua un poco más afuera de tus dientes
- Paso 2: Morder ligeramente
- Paso 3: Hacer la vibración

Cuando digo "Hacer la vibración" quiero decir que tienes que vibrar tu lengua en vez de dejar que el aire salga como hicimos con la th sorda. Si muerdes demasiado, no podrás hacer la vibración.

Si no puedes hacer la vibración, lo entiendo al 100% y puede ser un poco más fácil comenzar con la "Z" haciendo una vibración con la "Z" Z... z... z... con tu lengua detrás de los dientes.

Cuando podemos hacer la vibración de esa manera, saca la lengua un poco más afuera de los dientes y trata de hacer la vibración de nuevo para hacer sonido TH.

Es una cuestión de práctica, nada más!

En España, /d/ entre vocales (por ejemplo: nada) se pronuncia como "th" en la palabra inglesa "they", que significa /ð/ sonido. Entonces, para pronunciar /ð/, puedes basarte en /d/ sound entre vocales en español.

### /ð/ al comienzo de las palabras






they  /ðeɪ/	ellos
those  /ðoʊz/	aquellos
this  /ðɪs/	esta
them  /ðem/	ellos
the  /ðə/	la

### /ð/ en el medio de las palabras

father  /'fɑðər/	padre
clothing  /'klouðɪŋ/	ropa

other  /ˈʌðər/	otro
weather  /ˈweðər/	clima
feather  /ˈfeðər/	pluma

**/ð/ al final de las palabras**

breathe  /bri:ð/	respirar
smooth  /smu:ð/	suave
bathe  /beɪð/	bañarse
clothe  /klaʊð/	vestir
teethe  /ti:ð/	echar los dientes

Otro error común con el sonido TH: /ð/ as /d/

Un error muy común es confundir a la /ð/ con la /d/. En vez de decir /ð/ dicen /d/. Así que en vez de decir, "they" (ellos) , dicen "day" (día). En vez de decir, "breathe" (respira), dicen, "breed" (reproducción sexual de animales). Y para salvar a ustedes de hacer los mismos errores que los demás vamos a hacer un contraste con la /d/ y la /ð/




Mire la tabla de abajo para comparar cómo se pronuncia /ð/ y /d/



/ð/	/d/
Sonido sonoro (vibra tu cuerda vocal para hacer sonido)	
<ul style="list-style-type: none"> <li>Tu lengua está un poco más afuera de tus dientes.</li> <li>Sople aire entre su lengua y sus dientes superiores</li> <li>No muevas la lengua mientras haces /ð/</li> </ul>	<ul style="list-style-type: none"> <li>Tu lengua está detrás de tus dientes superiores tocando las encías superiores.</li> <li>Empuja el aire hacia adelante dentro de tu boca</li> <li>Aleje rápidamente la punta de la lengua de los dientes para liberar el aire de repente.</li> </ul>




sonido	
/ð/ sound	/d/ sound

Práctica de pares mínimos: /ð/ y /d/

Escucha y practica estas palabras.

<b>day</b>  /deɪ/	día He bought this car five <b>days</b> ago. Compró este coche hace dos días.
<b>they</b>  /ðeɪ/	ellos <b>They</b> love me. Ellos me aman.
<b>They will stay here for one day.</b>  Se van a quedar aquí por un día	







<b>dare</b>  /deɪ/	atrevimiento Don't you <b>dare</b> ? No te atrevas.
<b>there</b> /ðeə/	ahí <b>There</b> you are. Ahí tienes.
<b>There were three people who dared me to steal that car.</b>  (Hubo tres personas que me desafiaron a robar ese auto.)	

<b>doze</b>  /doʊz/	dormitar She is <b>dozing</b> now. Ella está dormitando ahora.
<b>those</b>  /ðoʊz/	aquellos <b>Those</b> shirts are beautiful. Esas camisas son hermosas.
<b>Those boys were dozing during their math class.</b>  Esos chicos están dormitando durante su clase de matemáticas.	

## ¿Cómo sabes si usar /θ/ o /ð/?

No existen reglas pero si hay algunos patrones generales para ayudarlo a reconocer qué palabras tienen /θ/ sonido y qué palabras tienen /ð/ sonido. Mira la tabla abajo:

/θ/	/ð/
-----	-----

<p>/θ/ sound generalmente se encuentra en palabras de contenido. ¿Qué son palabras de contenido? (por ejemplo: verbos (run), sustantivos (boy), adjetivos (pretty), etc.)</p> <ul style="list-style-type: none"> <li>• <b>Think</b>  /θɪŋk/</li> <li>• <b>Author</b> /'ɔ:θər/</li> <li>• <b>Path</b> /pæθ/</li> </ul>	<p>/ð/ el sonido generalmente se encuentra en palabras funcionales. ¿Qué son palabras de funcionales? Son las que hacen que la oración sirva gramáticamente (por ejemplo: conjunciones, preposiciones, artículos, etc.)</p> <ul style="list-style-type: none"> <li>• <b>That</b>  /ðæt/</li> <li>• <b>Those</b>  /ðoʊz/</li> <li>• <b>These</b> /ði:z/</li> </ul>
<p>Un sustantivo en algunos pares de "verbo – sustantivo" se pronuncia con /θ/ sonido</p> <ul style="list-style-type: none"> <li>• <b>Bath</b> /bæθ/</li> <li>• <b>Cloth</b> /klo:θ/</li> </ul>	<p>Un verbo en algunos pares de "verbo – sustantivo" se pronuncia con /ð/ sonido</p> <ul style="list-style-type: none"> <li>• <b>Bathe</b>  /beɪð/</li> <li>• <b>Clothe</b>  /kloʊð/</li> </ul>
<ul style="list-style-type: none"> <li>• El sonido /θ/ rara vez se utiliza en "th" antes de "er", que no está estresado como vemos a la derecha.</li> </ul>	<p>El sonido /ð/ se usa a menudo en "th" antes de "er", cuando la sílaba no lleva el éstress.</p> <ul style="list-style-type: none"> <li>• <b>Mother</b> /'mʌðər/</li> <li>• <b>Father</b>  /'fɑ:ðər/</li> <li>• <b>Another</b> /ə'nʌðər/</li> </ul>

## Pronunciar "TH" con otros sonidos

### TH con /z/ y /s/ sonido

Si /z/ sound está antes de /ð/ en la oración o las palabras, tendemos a omitir el sonido /ð/.

- Is this blue?

/ɪz ðɪs blu:/ → /ɪzɪs blu:/


Si "th" está antes de que suene /z/ o /s/ en palabras, tendemos a omitir el sonido /ð/ o /θ/ en estas palabras.

- **Fifths**  /fɪfz/

- **Clothes**  /kloʊz/


### TH con /t/, /d/, /l/ y /n/ sound

Los estudiantes de inglés a veces les cuestan pronunciar el sonido Th después de la /t/, /d/, /l/, /n/. Pasa porque para pronunciar esos cuatro sonidos, tienes que tocar tus encías superiores ATRAS de tus dientes. De allí, puede tomar practicar tomar tu lengua de atrás hacia afuera de tus dientes. Trata de practicar con estas palabras prestando mucha atención a cada sonido.

• Hundredth   
/ˈhʌndrɪdθ/

• Health   
/helθ/

• Eleventh   
/ɪˈlevənθ/

• Cuthroat   
/kʌtθraʊt/



## Práctica Pronunciar “th” Palabras: Sonidos /θ/ Y /ð/

Práctica 1: Escuchar y elegir las palabras que tienen el sonido th / ð /

1	A. south	B. southern	C. method	D. worth
2	A. clothing	B. cloth	C. clothes	D. third
3	A. teethe	B. tooth	C. thigh	D. with
4	A. theater	B. thirty	C. other	D. something

Práctica 2: Escucha el diálogo una vez y elegir las palabras que tienen /ð/ sonido (como en la palabra ‘the’). Luego escucharlo un par de veces más enfocando en la comprensión.

A: Hi Jack. Here are the three books you wanted to borrow.

B: Thanks, Judy. I’m thirsty. Do you have anything to drink?

A: Would you like a smoothie or a beer?

B: I’ll take a smoothie. Ah Judy, are you free tonight? Do you want to go to the movies this Thursday?

A: I’d love to , but I need to go with my mother to pick up her new dress at three thirty.



# **ANEXO 5**



# POD Teams: What They Are and How

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### Table of Contents

1. What is a POD?
2. Planning a POD
3. Implementing a POD
4. Sustaining a POD
5. Benefits of the POD Model
6. Bottom Line

Among the different ways of organizing work, there are some methodologies that are favorites for their proposal, dynamism, and results.

Surely you have heard of or applied the [SCRUM](#) work methodology, but perhaps POD teams are not as familiar. **Agile POD is a work methodology** that is derived from SCRUM but with distinguishing aspects.

In this article, you'll find tips to build teams that work with Agile POD. You'll also learn how to plan, execute, and sustain a POD over time.

## What is a POD?

First, we need to define what POD stands for.

POD is an abbreviation for “**product-oriented delivery**.” This refers to a cross-functional team of business and technology professionals who works as a single unit to handle all aspects of development and maintenance.

In a POD team, isolation between group members is broken down, and the team works in a “we build it, we own it” mindset. There is no time-consuming handoff between individual teams, allowing organizations **to be more agile than ever**.

In summary, an Agile POD is a group of people with **diverse skills** who complement one another.

As mentioned, POD **follows the bases of the SCRUM methodology**. However, it runs multiple sprints simultaneously, unlike SCRUM, which has four consecutive sprints. An Agile POD refers to a set of guiding principles for project or software development that employs an iterative approach. SCRUM, on the other hand, is a set of rules that must be followed when developing software.

The Agile POD team is self-sufficient and cross-functional, working collaboratively to meet product requirements. An Agile POD team can have four to 10 members with a variety of skills, such as UI/UX designer, QA engineer, Full Stack developer, business analyst, etc.

Having such diverse skills, Agile POD teams build diverse solutions that seek **the best, most innovative results**. The focus is always on autonomy, adaptability, and flexibility to solve problems.

## Planning a POD

An Agile POD Team requires people who manage **a variety of IT roles**. A POD consists of SCRUM Masters, Product Leads, Technical/Business Analysts, UX Designer, UI developers, Full Stack Developers, DevOps Engineers, Test Engineers, QA Engineers, Cloud Engineers, and so on.

Although specialists with different skills coexist in a POD team, it **does not mean that they all have the same hierarchy**. Members are grouped by their functionality in team members, which consists of:

**A core team:** These team members are fully committed to working for their POD. They are present at all meetings, discussions, and decisions.

**Part-time specialists:** These team members are available as part-time resources to help different PODs with their specialized project needs. They could be working for several PODs at the same time. Examples include a UI designer, a white box tester, or an automation engineer.

**A POD leader:** A POD leader prioritizes work with the business management team, clarifies requirements, and periodically replenishes the backlog for upcoming projects.

To capitalize on an Agile POD team, it is important to **define clear requirements** and have an onboarding time for the team members. When putting team members together in a POD, keep their skills and specialization in mind. The onboarding time should be spent helping them understand the process and developing a level of understanding among themselves.

## Implementing a POD

Once the team members' roles are defined, you can start working with the Agile methodology. Be sure to define the responsibilities of each part of the team as clearly as possible. Flexibility must also be prioritized. In fact, this phase is all about flexibility.

As your teams form and begin to work, actively collect feedback so you can identify pain points and work with internal leaders to resolve them. There should be no overlap in the Agile PODs.

The execution model for a POD focuses on:

**Features:** Implementation features are organized in the form of autonomous and self-sustaining PODs.

**Team capabilities:** POD team composition and size are based on the product, application, technology complexities, and future product backlog and roadmaps.

**Team distribution:** The methodology facilitates collaboration between teams, especially with the popularization of remote work.

It is advantageous in [nearshore](#) models, where teams consist of developers from different regions but share the same time zone.

*Below, you can download the infographic for information about the POD model and how to build more dynamic, efficient teams to take your projects to the next level:*

Your e-mail address\*

## Sustaining a POD

Multiple PODs are created as products evolve. It is critical to **define specific metrics** in order to sustain these PODs. Here are some to consider.

### KPIs

You can check the impact of your POD implementation by tracking team activity and results across several Key Performance Indicators (KPIs), such as:

- **POD velocity:** Measure POD against a number of story points delivered sprint by sprint.
- **Sprint completion rate:** Measure POD's commitments versus completed work.
- **Sprint burndown:** Measure how smooth the sprint was.

### Retrospectives

Each POD should consider what went well and what could be improved. The PODs conduct their retrospective analyses independently and share findings with other PODs.

### Share the lessons

Once a POD identifies areas for improvement, it should share its findings with other PODs to enable scalable continuous improvement.



## Benefits of the POD Model

The primary benefits of POD-based delivery are **scalability, collaboration, and efficiency.**

## 1. Scalability

The POD model **eliminates traditional roadblocks** in the software development process. By combining all required disciplines into one integrated unit, handoffs and lag time are reduced in comparison to teams where skills are segmented.

As needed, POD teams can be added and removed from projects to ensure that the right amount of resources is available for each sprint. Members from different PODs can also collaborate on different projects without disrupting the overall structure.

## 2. Collaboration

Because POD teams are small, communication is simplified, making it easier to foster productive relationships among team members.

Additionally, by collaborating closely with others in related disciplines, employees gain an understanding of the larger process for producing the deliverable as well as the unique needs of each discipline to achieve the goal. This improves collaboration with other team members and allows employees to consider how they can support these requirements in their work.

**POD teams' work delivers quality and value to the customer by continuously adapting to meet business objectives.**

## 3. Efficiency

POD teams are highly productive because the process for reviewing and testing deliverables is streamlined when all necessary skill sets are housed under one roof. Because team members collaborate closely with all stakeholders, they have **easy access to feedback about their contributions**. This **reduces the chance of bugs** making it into production and allows team members to correct potential issues earlier in the process.

## Bottom Line

More companies have **adopted** the Agile POD method due to its dynamic logic of **combining business teams with IT**. Companies in **different industries** need **fast solutions** to bring **quality products** to market to stay ahead of the competition. The achievements with POD teams are visualized **quickly**, and it becomes **more agile** than the implementation of a SCRUM work scheme.

With the growing trend of **digital services**, companies are looking to **adapt** to these **new consumer habits** by **digitally transforming** their processes and business model. And we know that digitization and software development can be a bit **costly**.

That's why **outsourcing** is a highly recommended alternative during **economic uncertainty**. **Outsourcing providers** give you access to the best **technology talent**, while **optimizing your technology budget**.



If you have questions about how to build an Agile POD team or are looking for top developers at reasonable rates, [contact us](#) today!

---

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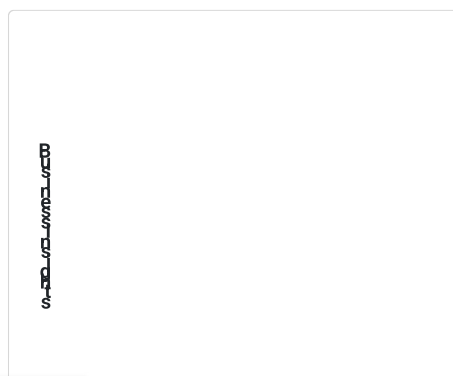


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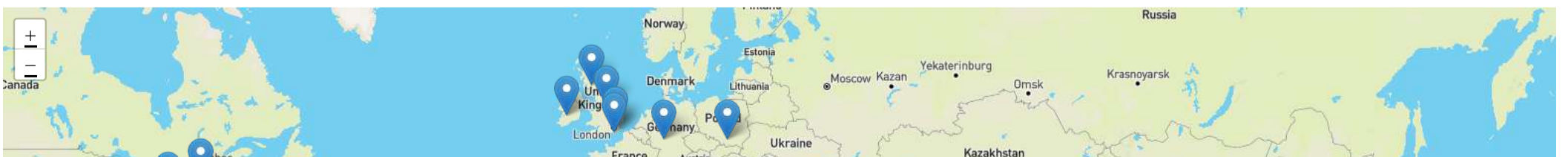
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# Empowering Digital Product Teams With Agile PODs

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July 9, 2021 by ACS Solutions

In today's environment, the lines between IT and business are blurring. Technology teams are expected to forge deeper relationships with customers, launch new business models & features faster, make processes more efficient, and provide better business insights. This requires software product development teams to be more agile, deliver better customer experiences, improve quality and transparency, and most importantly, add value quickly

In traditional (waterfall), as well as Scrum-based methodologies, business and IT are siloed, and IT teams are divided between application-development and application-maintenance teams. This leads to limited agility and slower value creation. To address these limitations, faster, focused, and business-oriented delivery is the need of the hour. i.e., logical unit of work that has business agility, technology agility, and scaling agility built into it.

## CURRENT IT PRODUCT DEVELOPMENT APPROACH

Siloed approach between business & technology teams

Prioritization of product features at the start of the project

One team develops, and another team runs the Product leading to sub-optimal automation and code efficiency

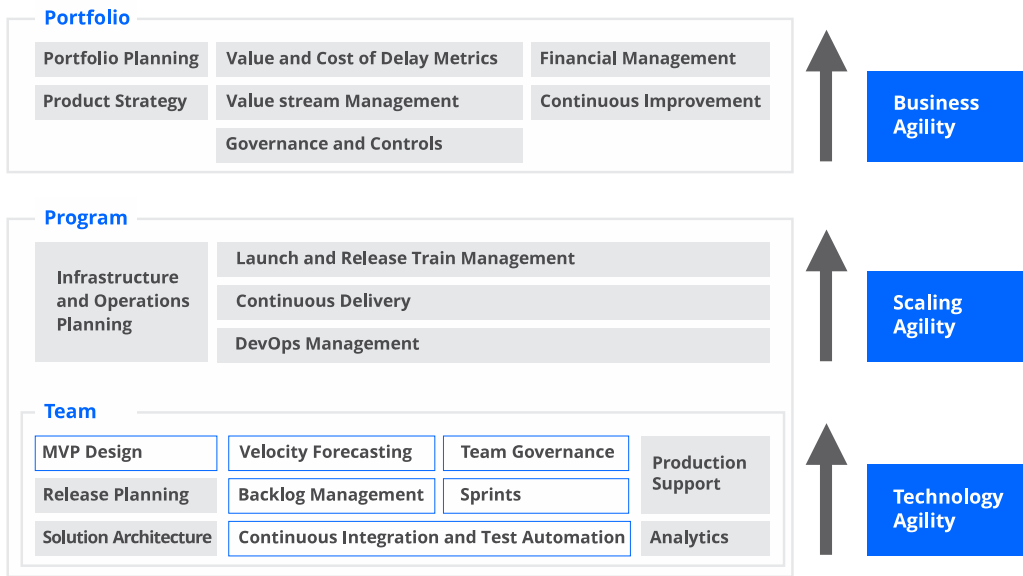
## FUTURE PRODUCT DEVELOPMENT APPROACH

Technology Agility – integrated business & technology teams organized around customer journeys

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Business Agility – Continuous re-prioritization of customer journeys based on business needs

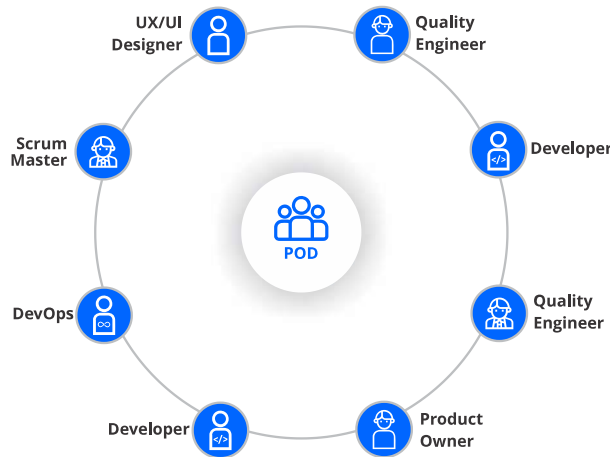
Scaling Agility – The same team builds and runs the features of the Product leading to a robust and efficient Product



This figure shows the overall capability to be packaged in a logical unit of work, i.e., an Agile POD

## What is a POD?

POD stands for "Product Oriented Delivery." An agile POD is a group of people with different competencies complementing each other. This team is a self-sufficient and cross-functional team that works collaboratively to deliver a defined product requirement in multiple sprints by following the Scrum methodology.



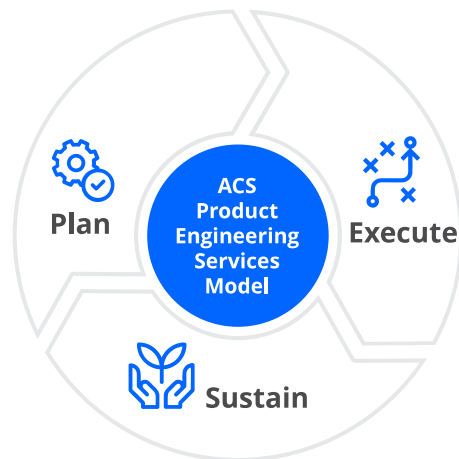
Most Agile PODs consist of four to ten members from different disciplines (UI/UX designer, QA engineer, Fullstack developer, business analyst, etc.), who combine their know-how to help build custom products and develop innovative solutions. They are autonomous, highly adaptable teams that adopt a flexible approach to problem-solving.

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Multiple PODs are involved in the delivery of the Product. They are bound by, include:

- Governance roles – Product Director and Product Owner
- Coaching roles – Agile/DevOps Coach(s)
- Architects – Enterprise, Application, Data, Cloud, Security, etc.
- SRE – Site/Service Reliability Engineering Specialists

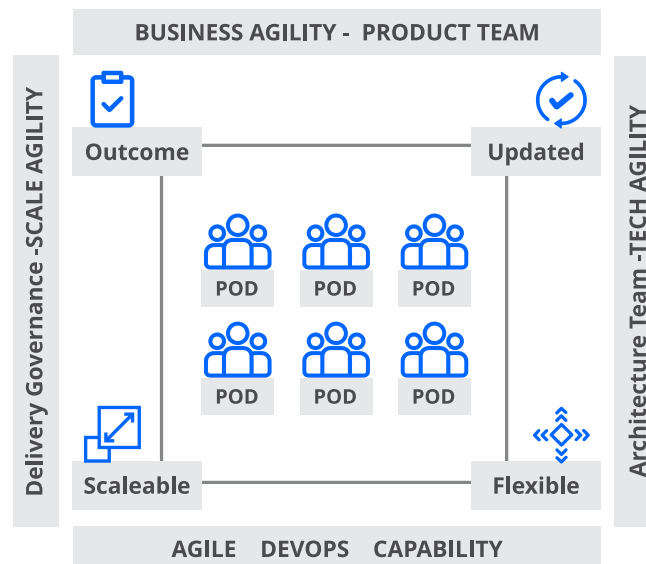
At ACS Solutions, we have a defined methodology to execute POD-based delivery. It consists of a process and structure for POD teams, followed by PES, a three-phased model where PES stands for Plan, Execute and Sustain.



## Plan a POD

The first step to work on POD-based delivery is to define the operating model. This will include:

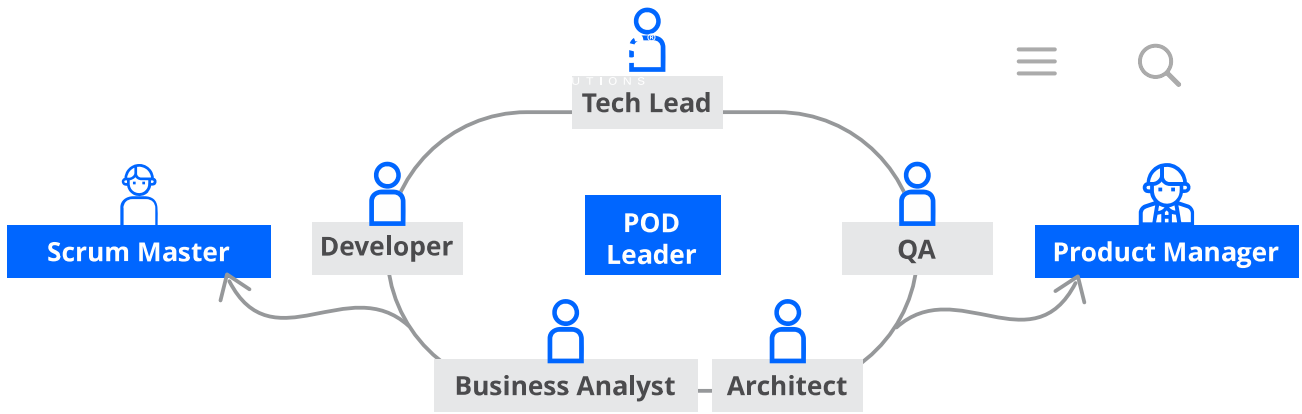
- The product owner
- The governance model
- Product architecture and customer journeys
- Agile and DevOps methodology
- POD teams capabilities
- Collaboration across PODs



*This figure below defines the overall process for POD planning*

The POD team structure at ACS is closely aligned with Scrum Framework Manager, BA, Scrum Master, Developer, QA, Tech Lead, and Architect. All work together with the same objective of achieving with the same objective of delivering a quality product.

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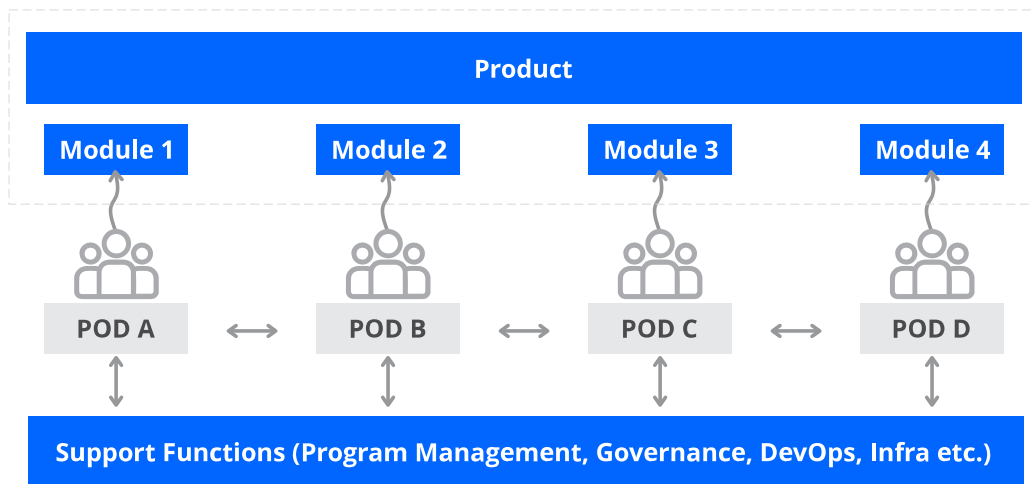
## Execute a POD

Execution is the key once POD planning is complete. Once you have a basic structure of the POD ready how do you map it to the Product? The answer is in defining clear responsibilities. There should not be an overlap between the agile PODs. Although PODs can interact and share resources, they do not share the customer journey.

The execution model for a POD focuses on:

- Features – Implementation features organized in the form of autonomous and self-sustaining PODs
- Team capabilities – POD team composition and size based on the Product, application, and technology complexities, and future product backlog and roadmaps
- Team distribution – Geographical distribution (Onsite-Offshore-Nearshore) based on the high-touch customer experience requirements, integration with business teams, time-to-market, and people capabilities

At ACS, we follow the following team structure while executing agile PODs.



## Sustain a POD

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As the Product develops, multiple PODs are created. To sustain these PODs, it is critical to define certain metrics. A few of them are:

- **KPIs**
  - **POD velocity:** Measure POD against number of story points delivered sprint by sprint.
  - **Sprint completion rate:** Measure PODs committed vs. completed work.
  - **Sprint burndown:** Measure how smooth the sprint was.

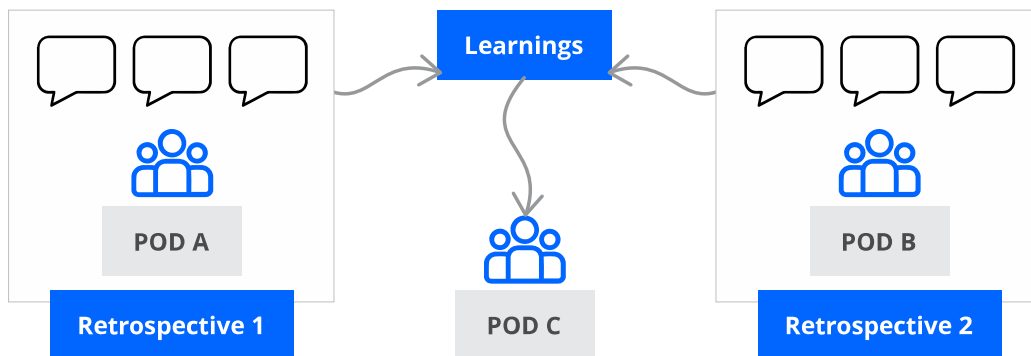


- **Retrospectives**

Each POD must ponder upon what went well and what can be improved. The PODs do their retrospective analysis separately and share their learning across other PODs

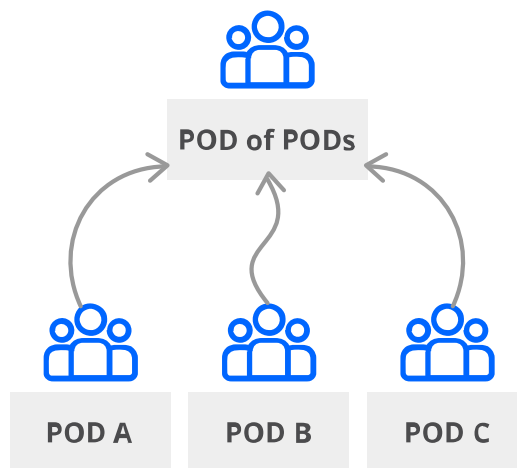
- **Share the learning**

Once a POD identifies areas of improvement individually, it should be shared with other PODs to enable scalable continuous improvement.



**POD of PODs:**

"POD of POD" is like Scrum of Scrums. The only difference is that POD of PODs also includes the leadership team. Scrum Master from each POD will share high-level updates with the leadership team in a time-boxed session. However, you can define any frequency for this call. At ACS, we do it weekly.



**Key advantages of POD-based model.**

The key advantages of POD-based delivery include:

**Business Agility**

- **Enriched client experience:** POD teams work in controlled agile environments to meet clients' goals and expectations. They deliver quality and value to the customer by continuously adapting to meet business objectives.
- **Better workflows and faster delivery times:** With the advantage of single-source accountability, the communication gap is minimized and POD teams are able to release products with greater agility and finesse.

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**Technology Agility**

- **Cross-functional awareness:** POD team members appreciate how different roles interact and understand other mindsets and perspectives within the team.
- **Collaborative approach:** Each POD builds a strong relationship with their clients, sponsors, and stakeholders to gain a full understanding of what they need, what is important for them, and the project's success to create the best possible outcome.

## Scale Agility

- **Jump in the quality or scalability:** Each POD works together with the customer and ensures to keep them happy during the entire journey. They are customizable and can be tweaked depending on business requirements leading to maximum innovation.
- **Flexibility:** POD teams consist of specialized core teams and specialists from related departments to ensure rapid problem-solving. Members from multiple PODs can also work on different goals, without disrupting the overall structure.

## Conclusion

Agile POD is more of a delivery model than a process, and with its cross-functional capabilities, POD methodology can be tailored according to the customer's needs. PODs have become a game-changer in agility, providing enriched client experience and faster time to market. In a traditional model, development can take three months; in an agile POD delivery model it can be done in almost three weeks.

Given the current trend of disruption, businesses looking for innovations and new opportunities must embrace Agile PODs to reach a higher level of efficiency.

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Case Study

Case Study

**Scaled scrum team for faster time-to-market**

**Implementation of Scrum Delivery Methodology**

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**Sent:** 7/28/2014 10:29:44 AM  
**Sent As:** ECOM115@USPTO.GOV

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[Attachment - 59](#)  
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**UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)  
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION**

**U.S. APPLICATION SERIAL NO.** 86252362

**MARK:** AGILE PODS

**\*86252362\***

**CORRESPONDENT ADDRESS:**

SUSAN UPTON DOUGLASS  
FROSS ZELNICK LEHRMAN & ZISSU, P.C.  
866 UNITED NATIONS PLZ  
NEW YORK, NY 10017-1822

**CLICK HERE TO RESPOND TO THIS LETTER:**  
[http://www.uspto.gov/trademarks/teas/response\\_forms.jsp](http://www.uspto.gov/trademarks/teas/response_forms.jsp)

**APPLICANT:** Globant S.A.

**CORRESPONDENT'S REFERENCE/DOCKET NO :**

GLBN 1401718

**CORRESPONDENT E-MAIL ADDRESS:**

sdouglass@frosszelnick.com

**OFFICE ACTION**

**STRICT DEADLINE TO RESPOND TO THIS LETTER**

TO AVOID ABANDONMENT OF APPLICANT'S TRADEMARK APPLICATION, THE USPTO MUST RECEIVE APPLICANT'S COMPLETE RESPONSE TO THIS LETTER **WITHIN 6 MONTHS** OF THE ISSUE/MAILING DATE BELOW.

**ISSUE/MAILING DATE:** 7/28/2014

The assigned trademark examining attorney has reviewed the referenced application. Applicant must respond timely and completely to the issues below. 15 U.S.C. §1062(b); 37 C.F.R. §§2.62(a), 2.65(a); TMEP §§711, 718.03.

### **OFFICE SEARCH**

The trademark examining attorney's search of the Office's database of registered and pending marks has revealed no conflicting *registered* marks that would bar registration under Trademark Act Section 2(d). TMEP §704.02; *see* 15 U.S.C. §1052(d).

### **PRIOR PENDING APPLICATION**

The filing date of pending U.S. Application Serial No. **86244487** precedes applicant's filing date. See attached referenced application. If the mark in the referenced application registers, applicant's mark may be refused registration under Trademark Act Section 2(d) because of a likelihood of confusion between the two marks. *See* 15 U.S.C. §1052(d); 37 C.F.R. §2.83; TMEP §§1208 *et seq.* Therefore, upon receipt of applicant's response to this Office action, action on this application may be suspended pending final disposition of the earlier-filed referenced application.

In response to this Office action, applicant may present arguments in support of registration by addressing the issue of the potential conflict between applicant's mark and the mark in the referenced application. Applicant's election not to submit arguments at this time in no way limits applicant's right to address this issue later if a refusal under Section 2(d) issues.

SUMMARY OF ISSUES that applicant must address:

- Refusal – Section 2(e)(1) Merely Descriptive
- Requirement – Identification of Services

### **SECTION 2(e)(1) REFUSAL - MERELY DESCRIPTIVE**

Registration is refused because the applied-for mark merely describes characteristics of applicant's goods and/or services. Trademark Act Section 2(e)(1), 15 U.S.C. §1052(e)(1); *see* TMEP §§1209.01(b), 1209.03 *et seq.*

A mark is merely descriptive if it describes an ingredient, quality, characteristic, function, feature, purpose, or use of an applicant's services. TMEP §1209.01(b); *see, e.g., DuoProSS Meditech Corp. v. Inviro Med. Devices, Ltd.*, 695 F.3d 1247, 1251, 103 USPQ2d 1753, 1755 (Fed. Cir. 2012) (quoting *In re Oppedahl & Larson LLP*, 373 F.3d 1171, 1173, 71 USPQ2d 1370, 1371 (Fed. Cir. 2004)); *In re Steelbuilding.com*, 415 F.3d 1293, 1297, 75 USPQ2d 1420, 1421 (Fed. Cir. 2005) (citing *Estate of P.D. Beckwith, Inc. v. Comm'r of Patents*, 252 U.S. 538, 543 (1920)).

Applicant's identification of services reads: "Computer hardware consultation; computer programming services; computer software consultation services; computer software design services; installation of computer software; maintenance of computer software services; computer system design services; computer system analysis; creating and maintaining web sites for others; updating of computer software for others".

The attached evidence includes excerpts from a website displaying the Manifesto for Agile Software Development relating to certain principles relating to software services and the website of the Agile Alliance which describes the Alliance as a membership organization "committed to advancing Agile development principles and practices". Therefore, the word "AGILE" in the mark merely describes the Agile Software Development principles and practices ("Agile Principles"). Relative to applicant's services, the word "AGILE" merely describes applicant's services as performed further to or consistent with the Agile Principles. Thus, the word "AGILE" merely describes a characteristic of applicant's services.

The attached evidence from the Process People Pods blog, Lean for Change and Sprinklr shows that the word "POD" in the mark refers to self-directed work teams further to the Agile Principles. Therefore, the word "POD" in the mark merely describes work teams based on the Agile Principles. Relative to the applicant's services, the word "POD" describes the organizational structure of the personnel performing the services. Thus, the word "POD" also merely describes a characteristic of applicant's services.

Accordingly, the mark "AGILE PODS", as a whole, means work teams organized and performing services under the Agile Principles. Relative to the applicant's services, the mark merely describes services provided by teams formed and performing under the Agile Principles.

See attached evidence from the websites of Flexis, Prezi, Scaled Agile, Chiefmartec.com, SXSW, Information Week, Unicom Tech Store and a white paper by Leffingwell LLC posted on the Scaling Software Agility Blog as examples of uses of the term "AGILE PODS" to refer to work



teams based on the Agile Principles.

Because the applicant's mark merely describes the services identified in the application, registration of the applied-for mark on the Principal Register is refused on the basis of Section 2(e)(1).

Although applicant's mark has been refused registration, applicant may respond to the refusals by submitting evidence and arguments in support of registration.

If applicant responds to the refusal, applicant must also respond to the requirement set forth below.

## **II. IDENTIFICATION OF SERVICES**

The wording "*maintenance of computer software services*" in the identification of services is indefinite and must be clarified with respect to the nature of the services. See TMEP §1402.01. For example, applicant may adopt, "*Maintenance of computer software*", if accurate.

Applicant may adopt the following identification of services, if accurate:

Computer hardware consultation; computer programming services; computer software consultation services; computer software design services; installation of computer software; maintenance of computer software ~~services~~; computer system design services; computer system analysis; creating and maintaining web sites for others; updating of computer software for others.

See TMEP §1402.01.

(Suggested deletion is stricken.)

An applicant may only amend an identification to clarify or limit the services, but not to add to or broaden the scope of the services. 37 C.F.R. §2.71(a); see TMEP §§1402.06 *et seq.*, 1402.07.

For assistance with identifying and classifying goods and services in trademark applications, please see the USPTO's online searchable *U.S. Acceptable Identification of Goods and Services Manual* at <http://tess2.uspto.gov/netathtml/tidm.html>. See TMEP §1402.04.

## **RESPONSE GUIDELINES**

To expedite prosecution of the application, applicant is encouraged to file its response to this Office action online via the Trademark Electronic Application System (TEAS), which is available at <http://www.uspto.gov/trademarks/teas/index.jsp>. If applicant has technical questions about the TEAS response to Office action form, applicant can review the electronic filing tips available online at [http://www.uspto.gov/trademarks/teas/e\\_filing\\_tips.jsp](http://www.uspto.gov/trademarks/teas/e_filing_tips.jsp) and email technical questions to [TEAS@uspto.gov](mailto:TEAS@uspto.gov).

If applicant has questions regarding this Office action, please telephone or e-mail the assigned trademark examining attorney. All relevant e-mail communications will be placed in the official application record; however, an e-mail communication will not be accepted as a response to this Office action and will not extend the deadline for filing a proper response. See 37 C.F.R. §2.191; TMEP §§304.01-.02, 709.04-.05. Further, although the trademark examining attorney may provide additional explanation pertaining to the refusal and requirement in this Office action, the trademark examining attorney may not provide legal advice or statements about applicant's rights. See TMEP §§705.02, 709.06.

/Betty Chang/  
Betty Chang  
Examining Attorney  
Law Office 115  
571-272-6517  
[betty.chang@uspto.gov](mailto:betty.chang@uspto.gov)

**TO RESPOND TO THIS LETTER:** Go to [http://www.uspto.gov/trademarks/teas/response\\_forms.jsp](http://www.uspto.gov/trademarks/teas/response_forms.jsp). Please wait 48-72 hours from the issue/mailing date before using the Trademark Electronic Application System (TEAS), to allow for necessary system updates of the application. For *technical* assistance with online forms, e-mail [TEAS@uspto.gov](mailto:TEAS@uspto.gov). For questions about the Office action itself, please contact the assigned trademark examining attorney. **E-mail communications will not be accepted as responses to Office actions; therefore, do not respond to this Office action by e-mail.**

**All informal e-mail communications relevant to this application will be placed in the official application record.**

**WHO MUST SIGN THE RESPONSE:** It must be personally signed by an individual applicant or someone with legal authority to bind an applicant (i.e., a corporate officer, a general partner, all joint applicants). If an applicant is represented by an attorney, the attorney must sign the response.

**PERIODICALLY CHECK THE STATUS OF THE APPLICATION:** To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using the Trademark Status and Document Retrieval (TSDR) system at <http://tsdr.uspto.gov/>. Please keep a copy of the TSDR status screen. If the status shows no change for more than six months, contact the Trademark Assistance Center by e-mail at [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov) or call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

**TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS:** Use the TEAS form at <http://www.uspto.gov/trademarks/teas/correspondence.jsp>.

**To:** Globant S.A. ([sdouglass@frosszelnick.com](mailto:sdouglass@frosszelnick.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 86252362 - AGILE PODS - GLBN 1401718  
**Sent:** 7/28/2014 10:29:44 AM  
**Sent As:** ECOM115@USPTO.GOV  
**Attachments:**

**UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)**

**IMPORTANT NOTICE REGARDING YOUR  
U.S. TRADEMARK APPLICATION**

USPTO OFFICE ACTION (OFFICIAL LETTER) HAS ISSUED  
ON **7/28/2014** FOR U.S. APPLICATION SERIAL NO. 86252362

Please follow the instructions below:

**(1) TO READ THE LETTER:** Click on this [link](#) or go to <http://tsdr.uspto.gov>, enter the U.S. application serial number, and click on "Documents."

The Office action may not be immediately viewable, to allow for necessary system updates of the application, but will be available within 24 hours of this e-mail notification.

**(2) TIMELY RESPONSE IS REQUIRED:** Please carefully review the Office action to determine (1) how to respond, and (2) the applicable response time period. Your response deadline will be calculated from **7/28/2014** (or sooner if specified in the Office action). For information regarding response time periods, see <http://www.uspto.gov/trademarks/process/status/responsetime.jsp>.

**Do NOT hit "Reply" to this e-mail notification, or otherwise e-mail your response** because the USPTO does NOT accept e-mails as responses to Office actions. Instead, the USPTO recommends that you respond online using the Trademark Electronic Application System (TEAS) response form located at [http://www.uspto.gov/trademarks/teas/response\\_forms.jsp](http://www.uspto.gov/trademarks/teas/response_forms.jsp).

**(3) QUESTIONS:** For questions about the contents of the Office action itself, please contact the assigned trademark examining attorney. For *technical* assistance in accessing or viewing the Office action in the Trademark Status and Document Retrieval (TSDR) system, please e-mail [TSDR@uspto.gov](mailto:TSDR@uspto.gov).

**WARNING**

**Failure to file the required response by the applicable response deadline will result in the ABANDONMENT of your application.** For more information regarding abandonment, see <http://www.uspto.gov/trademarks/basics/abandon.jsp>.

**PRIVATE COMPANY SOLICITATIONS REGARDING YOUR APPLICATION:** Private companies **not** associated with the USPTO are using information provided in trademark applications to mail or e-mail trademark-related solicitations. These companies often use names that closely resemble the USPTO and their solicitations may look like an official government document. Many solicitations require that you pay "fees."

Please carefully review all correspondence you receive regarding this application to make sure that you are responding to an official document from the USPTO rather than a private company solicitation. All official USPTO correspondence will be mailed only from the "United States Patent and Trademark Office" in Alexandria, VA; or sent by e-mail from the domain "@uspto.gov." For more information on how to handle private company solicitations, see [http://www.uspto.gov/trademarks/solicitation\\_warnings.jsp](http://www.uspto.gov/trademarks/solicitation_warnings.jsp).

Side - 1



**NOTICE OF ABANDONMENT**  
**MAILING DATE: Aug 3, 2015**

The trademark application identified below was abandoned in full because a response to the Office Action mailed on Jan 5, 2015 was not received within the 6-month response period.

If the delay in filing a response was unintentional, you may file a petition to revive the application with a fee. If the abandonment of this application was due to USPTO error, you may file a request for reinstatement. Please note that a petition to revive or request for reinstatement **must be received within two months from the mailing date of this notice.**

For additional information, go to <http://www.uspto.gov/teas/petinfo.htm>. If you are unable to get the information you need from the website, call the Trademark Assistance Center at 1-800-786-9199.

**SERIAL NUMBER:** 86252362  
**MARK:** AGILE PODS  
**OWNER:** Globant S.A.

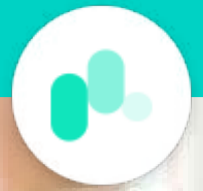
Side - 2

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# **ANEXO 7**



## Agile Organizations

# Impulsamos la evolución de las organizaciones en el cambiante universo empresarial.

¿Qué tan rápido puedes reinventarte en un mercado en constante movimiento?

[Contáctanos](#)

La agilidad organizacional es lo que determina si una empresa va a prosperar o desaparecer. Estudiamos constantemente el arte de la adaptación y perfeccionamos las herramientas y tácticas que ayudan a las empresas a atravesar la incertidumbre con éxito, como la gestión basada en evidencia, los flujos de valor y el ciclo estratégico adaptable.

Una organización preparada para una transformación ágil es capaz de reducir los plazos del cambio y aumentar su flexibilidad para adaptarse a la disrupción del mercado. El cambio es una fuerza natural que podemos usar a nuestro favor. Solo se necesita una mentalidad ágil.

## Servicios



Cuéntanos cómo podemos ayudarte a reinventar tu negocio hoy

1



# Agilidad empresarial

Servicios de consultoría estratégica para ayudar a las organizaciones a desarrollar capacidades, comportamientos y mecanismos de trabajo que ofrezcan la libertad, flexibilidad y resiliencia necesarias para competir y prosperar en la era digital.

[Conoce a nuestros expertos](#)

## Latest posts



17 febrero 2023

**5 pitfalls in Agile adoption that hinder digital transformation**



07 febrero 2023

**Tortoises and Hares: How do we achieve a balance between slow and fast in an...**



10 Enero 2023

**We fail Agile, Agile doesn't fail us**

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**SIGAMOS EN CONTACTO**



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**Nro de comprobante: 23104705**  
Importe: \$ 0

## DATOS PRINCIPALES

**FECHA DE PRESENTACIÓN:** 22/05/2023 14:40:55.563

**TIPO DE TRAMITE:** Contestacion de vistas

**ANTECEDENTE:** 3832284

## ARCHIVOS INGRESADOS

**ARCHIVO:** 2276106.pdf

**HASH:** a9a402ca590880c236d9daa30c58b2db

**REFERENCIA:** - Formulario

**ARCHIVO:** 2276106\_1F.pdf

**HASH:** e64623cc046adf9134e6cbb1a47d18ab

**REFERENCIA:** - CONTESTACIÓN DE OPOSICIÓN Y ANEXOS OTROS

## Erica Lerner

---

**De:** Erica Lerner <erica.lerner@edl.com.ar>  
**Enviado el:** miércoles, 28 de junio de 2023 12:10  
**Para:** 'Thomas, Madelaine M.'  
**CC:** 'Assmus, Richard M.'; 'luciano.sanders@edl.com.ar'  
**Asunto:** RE: AgileThought - Change of Representation (Hughes Hubbard & Reed LLP) - New Client Contact Information

Dear Maddy,

Thanks for your below message, the contents of which has been duly noted.  
Best regards,

Erica Lerner  
Socia | Partner



Rocamora 4343 Piso 21 | C1184ABG | Buenos Aires, Argentina  
T. (54 9 11) 6685 6076 | [www.edl.com.ar](http://www.edl.com.ar)

---

**De:** Thomas, Madelaine M. <MMThomas@mayerbrown.com>  
**Enviado el:** martes, 27 de junio de 2023 19:28  
**Para:** Assmus, Richard M. <RAssmus@mayerbrown.com>  
**Asunto:** AgileThought - Change of Representation (Hughes Hubbard & Reed LLP) - New Client Contact Information

Dear Counsel,

We write to inform you that Mayer Brown is no longer responsible for AgileThought's trademark portfolio. For current or future matters requiring AgileThought's attention (including new or outstanding invoices), please direct your communication to the following email addresses:

1. [Patrice.jean@hugheshubbard.com](mailto:Patrice.jean@hugheshubbard.com)
2. [trademarkgeneral@hugheshubbard.com](mailto:trademarkgeneral@hugheshubbard.com)

Thank you, and it has been pleasure working with you.

Best,  
Maddy

### **Madelaine M. Thomas**

*Associate*

*Pronouns: she/her*

Mayer Brown LLP

71 South Wacker Drive

Chicago, Illinois 60606

T +1 (312) 701-8209

[mayerbrown.com](http://mayerbrown.com)

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