

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451
General Contact Number: 571-272-8500

Mailed: July 18, 2014

Opposition No. 91210573

Evonik Degussa GmbH

v.

Rust-Oleum Brands Company

Nicole Thier, Paralegal Specialist:

Opposer's consented motion (filed July 9, 2014) to suspend this proceeding to accommodate the parties' ongoing settlement efforts is granted.

However, no further extensions or suspensions will be granted in the absence of a detailed report reciting what progress the parties have made toward resolving this matter. Such report must include: a recitation of the issues that have been resolved, a recitation of the issues that remain to be resolved and, a firm timetable for resolution. Failing which, any future motions may not be approved, even though agreed to by the parties.

Proceedings are suspended September 16, 2014, subject to the right of either party to request resumption at any time. *See* Trademark Rules 2.117(c), and 2.127(a); and TBMP § 605.02.

In the event that there is no word from either party concerning the progress of their negotiations, upon conclusion of the suspension period,

proceedings shall resume without further notice or order from the Board,
upon the schedule set forth in opposer's consented motion.

In each instance, a copy of the transcript of testimony together with copies of documentary exhibits, must be served on the adverse party within thirty days after completion of the taking of testimony. Trademark Rule 2.125.

Briefs shall be filed in accordance with Trademark Rules 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129. If, during the suspension period, either of the parties or their attorneys should have a change of address, the Board should be so informed.¹

¹ If the parties are (or during the pendency of this proceeding become) parties to another proceeding involving the subject application/registration, the parties must notify the Board so the Board can consider whether consolidation or suspension of proceedings is appropriate.