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UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Mailed: September 30, 2014

Cancellation No. 92053911

Ovation LLC

v.

Ovation, Inc.

Eric McWilliams, Supervisory Paralegal:

Petitioner's consented motions filed July 24, 2014 and August 26, 2014, to continue suspension are noted.

The Board notes that in its May 13, 2014 order, the parties were informed of the requirement to provide a detailed progress report on the status of parties' settlement negotiations. It is noted that this report was absent from both the July 24, 2014 and August 26, 2014 motions to suspend. The Board exercises its discretion to allow the requested suspension, however, the parties are again informed that further motions to extend or suspend may not be approved in the absence of a detailed progress report, even though agreed to by the parties. This detailed report must include: a statement of issues that have been resolved and issues that remain to be resolved, and a firm timetable for resolution.

Because the parties are negotiating for a possible settlement of this case, proceedings herein are suspended,

subject to the right of either party to request resumption at any time. See Trademark Rule 2.117(c).

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 out in petitioner's August 26, 2014 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 Rule 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.