

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

Winter/tlc

Mailed: May 7, 2009

Opposition No. 91175341

F & C Management Limited

v.

RBC Dain Rauscher Inc.

**ELIZABETH J. WINTER, INTERLOCUTORY ATTORNEY:**

Opposer's consented motion (filed April 14, 2009) to suspend the proceeding for an additional sixty days for settlement is noted.

In the Board's order dated February 23, 2009, the parties were advised that further motions to extend or suspend should include *a detailed report* of the progress the parties have made towards settlement. However, the April 14, 2009 motion does not include the required showing. Specifically, the statement that the parties are "currently in the process of completing the execution of the settlement agreement" does not explain why an additional sixty-day suspension is required.

In view thereof, the motion to suspend for settlement is hereby denied without prejudice, and the parties are allowed until **THIRTY DAYS** from the mailing date of this order to submit a report, without disclosing confidential matter, which should include: a recitation of issues that have been resolved, issues that remain to be resolved, and a firm timetable for resolution. Upon submission and consideration of such a report, the parties' most recent consented motion to suspend may be granted, and other scheduling changes may be made.

In the meantime, trial dates remain as previously set in the Board's February 23, 2009 order.

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**NEWS FROM THE TTAB:**

The USPTO published a notice of final rulemaking in the Federal Register on August 1, 2007, at 72 F.R. 42242. By this notice, various rules governing Trademark Trial and Appeal Board inter partes proceedings are amended. Certain amendments have an effective date of August 31, 2007, while most have an effective date of November 1, 2007. For further information, the parties are referred to a reprint of the final rule and a chart summarizing the affected rules, their changes, and effective dates, both viewable on the USPTO website via these web addresses:  
<http://www.uspto.gov/web/offices/com/sol/notices/72fr42242.pdf>  
[http://www.uspto.gov/web/offices/com/sol/notices/72fr42242\\_FinalRuleChart.pdf](http://www.uspto.gov/web/offices/com/sol/notices/72fr42242_FinalRuleChart.pdf)

By one rule change effective August 31, 2007, the Board's standard protective order is made applicable to all TTAB inter partes cases, whether already pending or commenced on or after that date. However, as explained in the final rule and chart, this change will not affect any case in which any protective order has already been approved or imposed by the Board. Further, as explained in the final rule, parties are

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free to agree to a substitute protective order or to supplement or amend the standard order even after August 31, 2007, subject to Board approval. The standard protective order can be viewed using the following web address:

<http://www.uspto.gov/web/offices/dcom/ttab/tbmp/stndagmnt.htm>