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Filing date: **06/08/2011**

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

Proceeding	91178927
Party	Plaintiff Royal Crown Company, Inc.
Correspondence Address	LAURA POPP-ROSENBERG FROSS ZELNICK LEHRMAN & ZISSU PC 866 UNITED NATIONS PLAZA NEW YORK, NY 10017 UNITED STATES bsolomon@fzlj.com, bsolomon@frosszelnick.com, lpopp-rosenberg@frosszelnick.com
Submission	Stipulated/Consent Motion to Extend
Filer's Name	Laura Popp-Rosenberg
Filer's e-mail	lpopp-rosenberg@frosszelnick.com
Signature	/Laura Popp-Rosenberg/
Date	06/08/2011
Attachments	Stipulation to Suspend for AmBev (F0808812).PDF (5 pages)(12922 bytes)

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

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ROYAL CROWN COMPANY, INC.,	:	<u>Consolidated Proceedings</u>
	:	Opposition No. 91178927
Opposer,	:	Opposition No. 91180771
	:	Opposition No. 91180772
- against -	:	Opposition No. 91183482
	:	Opposition No. 91185755
THE COCA-COLA COMPANY,	:	Opposition No. 91186579
	:	Opposition No. 91189847
Applicant.	:	Opposition No. 91190658
-----X		

— and —

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THE COCA-COLA COMPANY,	:	
	:	
Applicant,	:	
	:	
- against -	:	Opposition No. 91184434
	:	
ROYAL CROWN COMPANY, INC.,	:	
	:	
Opposer.	:	
-----X		

CONSENTED MOTION FOR SUSPENSION

The Coca-Cola Company (“TCCC”) and Royal Crown Company, Inc. (“Royal Crown”), by and through their respective undersigned counsel and in accordance with Rule 117 of the Trademark Rules of Procedure, 37 C.F.R. § 2.117, hereby submit this Consented Motion for Suspension and request that the Board suspend these consolidated proceedings until sixty (60) days following the Board’s issuance of a decision in Consolidated Opposition No. 91178953, styled *Companhia de Bebidas das Americas – AMBEV v. The Coca-Cola Company*.

During the past several months, the parties have jointly requested, and the Board has granted, several successive suspensions of these proceedings based on the parties' engagement in ongoing settlement discussions. The parties have recently concluded that settlement is not likely at this time.

However, during the time that the parties have been discussing the possibility of settlement, proceedings have been ongoing in consolidated oppositions between TCCC and a third party, Companhia de Bebidas das Americas – AMBEV (“AmBev”), Consolidated Opposition No. 91178953 (the “AmBev Proceedings”). The AmBev Proceedings relate to the same TCCC applications that are at issue in these proceedings; involve issues that are in part the same as or are related to issues in these proceedings, namely, the validity of TCCC's claimed rights in various ZERO-inclusive marks; and the outcome of the AmBev Proceedings may have a bearing on the issues in these proceedings. Trial briefing in the AmBev Proceedings was completed on February 23, 2011, and TCCC and AmBev are awaiting a date for oral argument and then a decision of the Board.

The AmBev Proceedings are at an advanced stage, well beyond the status of the proceedings between TCCC and Royal Crown at this point. Under the current schedule in these proceedings, briefing is not scheduled to be completed until May 29, 2012. TCCC and Royal Crown both believe that given the advanced stage of the AmBev Proceedings as compared to the current schedule in these proceedings, both the parties and the Board would be best served if the instant proceedings were suspended until after a decision is issued in the AmBev Proceedings.

The parties therefore request that these proceedings be suspended until sixty (60) days following the issuance of a decision by the Board in the AmBev Proceedings. The parties request additional time following decision in the AmBev Proceedings so that they can discuss the implications of the Board's decision in that case and so that they can resolve some open discovery and administrative issues that the parties have placed on hold during the time these proceedings have been suspended.

For the reasons stated above, the parties believe that good cause exists for the requested suspension.

Respectfully submitted,

Dated: June 8, 2011

FROSS ZELNICK LEHRMAN & ZISSU, P.C.

By: /Laura Popp-Rosenberg/
Barbara A. Solomon
Laura Popp-Rosenberg
866 United Nations Plaza
New York, New York 10017
Telephone: (212) 813-5900
Email: bsolomon@frosszelnick.com
lpopp-rosenberg@frosszelnick.com

Attorneys for Royal Crown Company, Inc.

Dated: June 8, 2011

KING & SPALDING LLP

By: /Bruce W. Baber/

Bruce W. Baber

Emily B. Brown

1180 Peachtree Street

Atlanta, Georgia 30309

Telephone: (404) 572-4600

Email: bbaber@kslaw.com

ebrown@kslaw.com

Attorneys for The Coca-Cola Company

CERTIFICATE OF SERVICE

I hereby certify that I have caused a true and correct copy of the foregoing **Consented Motion for Suspension** to be sent by email to counsel for Applicant, Bruce Baber, Esq., at bbaber@kslaw.com, with said counsel's consent, this 8th day of June, 2011.

/Laura Popp-Rosenberg/
Laura Popp-Rosenberg