

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

Mailed: March 24, 2011

Opposition No. 91192802

Opposition No. 91192804

Honest Tea, Inc.

v.

Idahoan Foods, LLC

Veronica P. White, Paralegal Specialist:

Opposer's consented motion (filed March 14, 2011) to extend discovery and trial dates for sixty days is granted.¹ Trademark Rule 2.127(a). Accordingly, the discovery and trial dates are reset in accordance with opposer's motion.

The Board notes that since the institution of this case in 2009, the parties have effected numerous extensions of time to accommodate the parties' settlement negotiations, yet no settlement has been reached. If the parties agree to another extension or suspension, they will

¹It is noted that opposer's filing provides proof of service upon an address for applicant that is not of record in this proceeding. Applicant is reminded of the requirement to keep the Board apprised as to its current address so that Office records may be amended accordingly. See TBMP § 117.07. As a **one-time** courtesy, a copy of this order is hereby forwarded to the address listed in the certificate of service, as well as applicant's correspondence address of record.

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be expected to report to the Board on the progress of their settlement negotiations. Such report must include a recitation of issues that have been resolved, issues that remain to be resolved, and a firm timetable for resolution.

Absent such a report, any future motion to extend or suspend, even though agreed to by the parties, may not be approved.

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.

cc:

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