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

Proceeding	91197767
Party	Plaintiff The Coca-Cola Company
Correspondence Address	BRUCE W BABER KING & SPALDING LLP 1180 PEACHTREE STREET ATLANTA, GA 30309 3521 UNITED STATES bbaber@kslaw.com, ebrown@kslaw.com, kmccarthy@kslaw.com
Submission	Response to Board Order/Inquiry
Filer's Name	Bruce W. Baber
Filer's e-mail	bbaber@kslaw.com, kmccarthy@kslaw.com, nytrademarks@kslaw.com
Signature	/Bruce W. Baber/
Date	11/03/2014
Attachments	2014.11.03 TCCC response to TTAB inquiry re Baig.pdf(16118 bytes)

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

THE COCA-COLA COMPANY,)	
)	
Opposer,)	
)	OPPOSITION
v.)	
)	NO. 91197767
ROBERT J. CORR)	
d/b/a NATURALLY ZERO,)	
)	
Applicant.)	

OPPOSER’S RESPONSE TO
ORDER DATED OCTOBER 3, 2014

NOW COMES THE COCA-COLA COMPANY (“TCCC”), the Opposer in the above-captioned matter, and files this response to the Board’s Order dated October 3, 2014 requesting a status report regarding the civil action that occasioned the suspension of this proceeding.

On May 12, 2011, the Board entered an order suspending proceedings herein pending final disposition of the civil action styled *Mirza N. Baig, et al. v. The Coca-Cola Company*, No. 1:08-CV-4206, which was then pending in the U.S. District Court for the Northern District of Illinois, Eastern Division (the “Civil Action”).

As of the date of this response, the Civil Action remains pending before both the District Court in Chicago and the Seventh Circuit Court of Appeals.

On September 24, 2014, the District Court entered a Memorandum Opinion And Order in the Civil Action granting TCCC's motion for summary judgment on the plaintiffs' claims based on U.S. law and dismissing the plaintiffs' claims based on Canadian law. A Judgment in favor of TCCC in the Civil Action was entered that same day. On October 24, 2014, TCCC filed its bill of costs as the prevailing party in the Civil Action. The District Court clerk has not yet acted on the bill of costs.

On October 22, 2014, one of the plaintiffs – Mirza N. Baig – filed a pro se appearance before the District Court and a notice of appeal to the U.S. Court of Appeals for the Seventh Circuit of the Judgment in the Civil Action. Mr. Baig's appeal was docketed by the court of appeals on October 24, 2014 and is currently pending before that court.

In view of the above, proceedings in the above matter should remain suspended pending final disposition of the Civil Action, including the pending appeal of the District Court decision and judgment.

Respectfully submitted, this 3rd day of November, 2014.

KING & SPALDING LLP

/s/ Bruce W. Baber/

Bruce W. Baber

1180 Peachtree Street, N.E.
Atlanta, Georgia 30309-3521
(404) 572-4600

Attorneys for Opposer
THE COCA-COLA COMPANY

CERTIFICATE OF SERVICE

This is to certify, in accordance with Rule 2.101(b) of the Trademark Rules of Practice, that I have this day served the foregoing Opposer's Response To Order Dated October 3, 2014 on the Applicant, by causing a true and correct copy thereof to be deposited in the United States Mail, postage prepaid, addressed to Applicant as follows:

Mr. Robert J. Corr
P.O. Box 2517
Glenview, Illinois 60025

This 3rd day of November, 2014.

/s/ Bruce W. Baber/

Bruce W. Baber