

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

dmd/wbc

Mailed: July 17, 2013

Opposition No. 91200405

Casella Wines Pty Ltd.

v.

Nature & Innovation

Wendy Boldt Cohen, Interlocutory Attorney:

Applicant submitted its responses (filed April 25 and April 27, 2013) to the Board's April 4, 2013 order to show cause why judgment should not be entered against applicant as to "beers." Applicant alleges that pursuant to a settlement agreement, opposer consented to the deletion of the word "beers" from its identification of goods in International Class 32 but has not provided that consent in writing as required by Trademark Rule 2.135.

Inasmuch as opposer's written consent is not of record, opposer has **THIRTY DAYS** from the mailing date of this order in which to file its written consent of applicant's deletion of "beers" from the identification of goods, failing which the opposition will be sustained and

judgment will be entered against applicant as to "beers" in International Class 32.¹

The Board also notes that the parties have not responded to its April 1, 2013 order wherein the parties were granted time in which to negotiate and file a renewed motion to amend the identification of goods in the involved application. Inasmuch as no response or further amendment has been received by the Board and applicant alleges the parties have a settlement agreement, the parties are hereby requested to advise the Board as to the status of any settlement negotiations and whether the parties wish to seek further amendment of the identification of goods within **THIRTY DAYS** of the mailing date of this order.

Proceedings are otherwise suspended.

¹ The unopposed goods in International Classes 30 and 31 remain unchanged.