

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451  
General Contact Number: 571-272-8500

Mailed: October 31, 2014

Opposition No. 91211686

*Cott Beverages Inc.*

*v.*

*Talking Rain Beverage Company, Inc.*

**Veronica P. White, Paralegal Specialist:**

This case comes up on applicant's consented motion (filed October 27, 2014) to further extend the trial dates to accommodate the parties' continued settlement negotiations.

By order dated October 3, 2014, the parties were instructed to provide a detailed report of the parties' settlement efforts in order to demonstrate good cause for any future motion to extend or suspend. However, applicant's October 27, 2014 motion failed to include detailed information (or any information) regarding the progress of the parties' settlement negotiations.

In view thereof, the consented motion is **DENIED without prejudice**. The parties may resubmit their motion, supported by the required report. Said report must be accompanied by a detailed progress report listing, at a minimum, **1) all dates on which the parties communicated, and the method of each communication (e.g.**

**telephone, email, in-person meeting), 2) the general nature of each communication, 3) the issues that have been resolved, 4) the issues that remain to be resolved or that remain for trial, and 5) a proposed timetable for resolution of the unresolved issues.**

Dates remain as set.