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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

8 VISION WINE & SPIRITS, LLC, No. C-13-2884 EMC  
9 Plaintiff,  
10 v. **ORDER RE SUPPLI  
11 WINERY EXCHANGE, INC., BRIEFING  
12 Defendant. (Docket No. 11)**

## **ORDER RE SUPPLEMENTAL BRIEFING**

**(Docket No. 11)**

14 It appears that a third party has registered the mark “GR8” without any accompanying  
15 imagery or elaboration. *See* TESS Record, attached hereto as Exhibit A (Trademark Serial No.  
16 86023145). The Court therefore orders the parties to provide supplemental briefing to address (1)  
17 whether there are any reasons why the Court, *sua sponte*, should not take judicial notice of this fact;  
18 and (2) if the Court may do so, what legal effect, if any, this fact would have on the issues raised in  
19 Winery Exchange’s motion to dismiss and the accompanying response papers. Accordingly, the  
20 parties are hereby ordered to provide and e-file supplemental briefing, no more than three pages per  
21 party, in response to this order by 4:00 p.m., Tuesday, August 27, 2013.

23 || IT IS SO ORDERED.

25 | Dated: August 26, 2013

  
EDWARD M. CHEN  
United States District Judge