

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

VISION WINE & SPIRITS, LLC,

No. C-13-2884 EMC

Plaintiff,

v.

**ORDER RE SUPPLEMENTAL
BRIEFING**

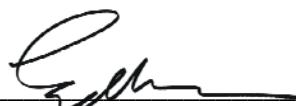
WINERY EXCHANGE, INC.,

(Docket No. 11)Defendant.

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

IT IS SO ORDERED.

Dated: August 26, 2013


EDWARD M. CHEN
United States District Judge