

Exhibit 9



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TTABVUE. Trademark Trial and Appeal Board Inquiry System

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Summary

Query: Document contains all words: 85067977**Number of results:** 2**Proceeding Defendant(s),
Filing Date Property(ies)**

91199939 ISYS Technologies, Inc.
05/23/2011 **Mark:** CHROMIUMPC **S#:**85067977
85067977 ISYS Technologies, Inc.
12/20/2010 **Mark:** CHROMIUMPC **S#:**85067977

**Plaintiff(s),
Property(ies)**

Google Inc.
Mark: CHROMIUM **S#:**77980388
Google Inc.

Results as of 06/06/2011 01:09 AM

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Extension of Time

Number: 85067977**Filing Date:** 12/20/2010**Status:** Terminated**Status Date:** 05/24/2011**Opposition #:** [91199939](#)

Defendant

Name: [ISYS Technologies, Inc.](#)**Correspondence:** [DAVID B. TINGEY](#)
KIRTON & MCCONKIE
60 E SOUTH TEMPLE STE 1800
SALT LAKE CITY, UT 84111-1032**Serial #:** [85067977](#)[Application File](#)**Application Status:** Opposition Pending**Mark:** CHROMIUMPC

Potential Opposer

Name: [Google Inc.](#)**Correspondence:** [Emily Burns](#)
Google Inc.
1600 Ampitheatre Parkway
Mountain View, CA 94043
UNITED STATES
tmddocketing@google.com, mikeyoung@google.com,
emilyburns@google.com**Opposition #:** [91199939](#)**Granted To Date:** 05/22/2011

Prosecution History

#	Date	History Text
4	03/16/2011	EXTENSION OF TIME GRANTED
3	03/16/2011	INCOMING - EXT TIME TO OPPOSE FILED
2	12/20/2010	EXTENSION OF TIME GRANTED
1	12/20/2010	INCOMING - EXT TIME TO OPPOSE FILED

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There is no image for this record.

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

Emily Burns
Google Inc.
1600 Ampitheatre Parkway
Mountain View, CA 94043

Mailed: December 20, 2010

Serial No.: 85067977
ESTTA TRACKING NO: ESTTA384657

The request to extend time to oppose is granted until
3/23/2011 on behalf of potential opposer **Google Inc.**

Please do not hesitate to contact the Trademark Trial and
Appeal Board at (571)272-8500 if you have any questions
relating to this extension.

Note from the Trademark Trial and Appeal Board

TTAB forms for electronic filing of extensions of time to
oppose, notices of opposition, petition for cancellation, notice
of ex parte appeal, and inter partes filings are now available
at <http://estta.uspto.gov>. Images of TTAB proceeding files can
be viewed using TTABVue at <http://ttabvue.uspto.gov>.

ESTTA Tracking number: **ESTTA398419**

Filing date: **03/16/2011**

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

Applicant: **ISYS Technologies, Inc.**
Application Serial Number: **85067977**
Application Filing Date: **06/21/2010**
Mark: **CHROMIUMPC**
Date of Publication **11/23/2010**

60 Day Request for Extension of Time to Oppose Upon Consent

Pursuant to 37 C.F.R. Section 2.102, Google Inc., 1600 Ampitheatre Parkway, Mountain View, CA 94043, UNITED STATES respectfully requests that he/she/it be granted an additional 60-day extension of time to file a notice of opposition against the above-identified mark with applicant's consent.

The time within which to file a notice of opposition is set to expire on 03/23/2011. Google Inc. respectfully requests that the time period within which to file an opposition be extended until 05/22/2011.

Respectfully submitted,
/Emily Burns/
03/16/2011

Emily Burns

Google Inc.

1600 Ampitheatre Parkway

Mountain View, CA 94043

UNITED STATES

tmdocketing@google.com, mikeyoung@google.com, emilyburns@google.com

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

Emily Burns
Google Inc.
1600 Ampitheatre Parkway
Mountain View, CA 94043

Mailed: March 16, 2011

Serial No.: 85067977
ESTTA TRACKING NO: ESTTA398419

The request to extend time to oppose is granted until
5/22/2011 on behalf of potential opposer **Google Inc.**

Please do not hesitate to contact the Trademark Trial and
Appeal Board at (571)272-8500 if you have any questions
relating to this extension.

Note from the Trademark Trial and Appeal Board

TTAB forms for electronic filing of extensions of time to
oppose, notices of opposition, petition for cancellation, notice
of ex parte appeal, and inter partes filings are now available
at <http://estta.uspto.gov>. Images of TTAB proceeding files can
be viewed using TTABVue at <http://ttabvue.uspto.gov>.



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Opposition

Number: 91199939**Filing Date:** 05/23/2011**Status:** Pending**Status Date:** 05/23/2011**Interlocutory Attorney:** JENNIFER KRISP

Defendant

Name: ISYS Technologies, Inc.**Correspondence:** DAVID B. TINGEY
KIRTON & MCCONKIE
60 E SOUTH TEMPLE STE 1800
SALT LAKE CITY, UT 84111-1032
dtingey@kmclaw.com**Serial #:** 85067977[Application File](#)**Application Status:** Opposition Pending**Mark:** CHROMIUMPC

Plaintiff

Name: Google Inc.**Correspondence:** Janet L. Cullum
Cooley LLP
777 6th Street NW, Suite 1100
Washington, DC 20001
UNITED STATES
trademarks@cooley.com, jcullum@cooley.com, apeck@cooley.com,
googletm@cooley.com**Serial #:** 77980388[Application File](#)**Application Status:** SU - Response After Non-Final Action - Entered**Mark:** CHROMIUM

Prosecution History

#	Date	History Text	Due Date
3	05/23/2011	PENDING, INSTITUTED	
<u>2</u>	05/23/2011	<u>NOTICE AND TRIAL DATES SENT; ANSWER DUE:</u>	07/02/2011
<u>1</u>	05/23/2011	<u>FILED AND FEE</u>	

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ESTTA Tracking number: **ESTTA410525**

Filing date: **05/23/2011**

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

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Google Inc.
Granted to Date of previous extension	05/22/2011
Address	1600 Ampitheatre Parkway Mountain View, CA 94043 UNITED STATES

Attorney information	Janet L. Cullum Cooley LLP 777 6th Street NW, Suite 1100 Washington, DC 20001 UNITED STATES trademarks@cooley.com, jcullum@cooley.com, apeck@cooley.com, googletm@cooley.com Phone:(212) 479-6500
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Applicant Information

Application No	85067977	Publication date	11/23/2010
Opposition Filing Date	05/23/2011	Opposition Period Ends	05/22/2011
Applicant	ISYS Technologies, Inc. 299 South Main, Suite 1300 Salt Lake City, UT 84111 UNITED STATES		

Goods/Services Affected by Opposition

Class 009. All goods and services in the class are opposed, namely: computer carrying cases; computer chassis; computer expansion boards; computer hardware; computer interface boards; computer peripherals; computers
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Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
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Mark Cited by Opposer as Basis for Opposition

U.S. Application No.	77980388	Application Date	09/02/2008
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	CHROMIUM		

Design Mark	<h1>CHROMIUM</h1>
Description of Mark	NONE
Goods/Services	<p>Class 009. First use: First Use: 2008/12/00 First Use In Commerce: 2008/12/00 computer software for accessing, browsing, sharing, and communicating information over computer networks and secure private networks; computer software for use in connecting to and searching the contents of remote computers, computer networks, and secure private networks; computer software for assisting users in navigating through computer networks and secure private networks; computer software for running web applications</p> <p>Class 042. First use: First Use: 2008/12/00 First Use In Commerce: 2008/12/00 technical support services, namely, troubleshooting of computer software problems</p>

Attachments	77980388#TMSN.jpeg (1 page)(bytes) ChromiumNoticeofOpposition.pdf (6 pages)(15857 bytes) 4scexhibits.pdf (6 pages)(78592 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by USPS Express Mail Post Office to Addressee on this date.

Signature	/Sheri Corallo/
Name	Sheri Corallo
Date	05/23/2011

Certificate of Transmission	
I hereby certify that this correspondence is being electronically filed via ESTTA.	
/Sheri Corallo/	(Name)

May 23, 2011	(Date)

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

In the matter of application Serial No. 85/067,977
For the Trademark CHROMIUMPC
Published in the Official Gazette
on November 23, 2010

GOOGLE, INC.,)	
)	
Opposer,)	
)	
v.)	Opposition No.
)	
ISYS TECHNOLOGIES, Inc.)	
)	
Applicant.)	
)	

NOTICE OF OPPOSITION

Opposer Google Inc. (“Opposer”), a Delaware corporation having its principal place of business at 1600 Amphitheatre Parkway, Mountain View, California 94043, believes that it will be damaged by registration of the mark CHROMIUMPC (“Applicant’s Mark” or “CHROMIUMPC Mark”) in connection with the goods listed in Application Serial No.

85/067977 (the “Application”), filed by ISYS Technologies Inc. (“Applicant”), a Nevada corporation doing business at 299 South Main, Suite 1300 Salt Lake City, Utah 84111. Google hereby opposes the Application pursuant to Section 13 of the United States Trademark Act, as amended, 15 U.S.C. § 1063.

As grounds for its opposition, Opposer alleges as follows:

1. Founded in 1998 with the introduction of breakthrough technology to search and organize the vast quantities of information available on the internet, Opposer operates the world’s most popular search engine. Since its founding, Opposer has grown rapidly to become a leading technology company offering a wide variety of products and services.

2. Among Opposer’s offerings are goods and services provided under the mark CHROMIUM (“CHROMIUM Mark” or “Opposer’s Mark”). Opposer is the owner of U.S. trademark application No. 77/980,388 filed on September 2, 2008 for the CHROMIUM Mark covering the goods identified in attached Exhibit A (“Opposer’s Goods and Services”). Opposer has continuously used the CHROMIUM Mark in connection with Opposer’s Goods and Services since at least as early as December of 2008. A true and correct copy of Opposer’s Application is attached hereto as Exhibit A.

3. As a result of Opposer’s use of the mark in commerce, Opposer also has common law rights in the CHROMIUM Mark.

4. As a result of Opposer’s investment in, and use and promotion of, the CHROMIUM Mark, it embodies the substantial goodwill which Opposer has earned in the marketplace for its high quality products and services.

Applicant and Its Pending Application

5. The Application was filed on June 21, 2010 based on Applicant's alleged intent to use the CHROMIUMPC mark (the "CHROMIUMPC Mark") in commerce. Applicant's Mark was published in the Official Gazette on November 23, 2010. Opposer filed for and obtained the necessary extensions of time in which to oppose the Application following its publication.

6. The Application covers the goods identified in Exhibit B ("Applicant's Goods"). A true and correct copy of the Application is attached hereto as Exhibit B.

7. Applicant has represented that it or a related entity plans to offer Applicant's Goods, bearing the CHROMIUMPC Mark, bundled or otherwise simultaneously offered with Opposer's products, and, in its marketing and promotional activities, has specifically associated its products with Opposer and Opposer's products.

Ground for Opposition: Likelihood of Confusion

8. Applicant's CHROMIUMPC Mark is highly similar to, and incorporates, Opposer's CHROMIUM Mark in its entirety. Applicant's Mark and Opposer's Mark are therefore highly similar in sight, sound, and commercial impression.

9. There is no question of priority. Opposer's use of, and application for, its CHROMIUM Mark predates the filing of Application.

10. The high degree of similarity between Opposer's CHROMIUM Mark and Applicant's CHROMIUMPC Mark, and the use and planned use of the respective marks, is likely to cause confusion, mistake, or deception as to the source, origin, sponsorship or approval of Applicant's Goods, and is likely to suggest an affiliation, connection or association between Applicant and Opposer and their respective goods and services. Registration of Applicant's Mark will injure Opposer and the public.

11. Opposer is not connected with the goods or services neither provided by Applicant under the CHROMIUMPC Mark, nor has Opposer endorsed or sponsored Applicant or its Goods.

12. Registration of Applicant's Mark will damage Opposer because Applicant's Mark is likely, when used on or in connection with Applicant's Goods or Services, to cause confusion, or to cause mistake or to deceive. Thus, Applicant's Mark is unregistrable under 15 U.S.C. §§ 1052 and 1125.

WHEREFORE, Opposer requests that this Notice of Opposition be sustained and that the Application be denied registration.

Please recognize the following as attorneys for Google in this proceeding: Janet L. Cullum, Anne H. Peck, Jeffrey Norberg, and Peter J. Willsey (members of the Bar of the States of New York, California or Virginia), and the firm of Cooley LLP, 1114 Avenue of the Americas, New York, New York 10036-7798.

Please address all communications to Janet L. Cullum at the address below.

In accordance with 31 C.F.R. §§ 2.101 and 2.6(a)(17), the fee of \$300.00 for one International Class are submitted herewith.

Respectfully submitted,

COOLEY LLP

Janet L. Cullum

Date: May 23, 2011

By: /s/ Janet L. Cullum
Janet L. Cullum
Attorneys for Opposer
1114 Avenue of the Americas
New York, New York 10036-7798
(212) 479-6500

CERTIFICATE OF SERVICE

I hereby certify that on May 23, 2011, a true and correct copy of the foregoing **NOTICE OF OPPOSITION** has been served by mailing said copy on May 23, 2011, via overnight courier (FedEx), postage prepaid, addressed to Applicant ISYS TECHNOLOGIES, INC., care of David B. Tingey at the correspondence address of record with the USPTO: Kirston & McConkie, 60 E. South Temple Ste. 1800, Salt Lake City, UT 84111-1032.

Date: May 23, 2011

/s/ Janet L. Cullum
Janet L. Cullum
Attorney for Opposer
1114 Avenue of the Americas
New York, New York 10036-7798
(212) 479-6500

EXHIBIT A



Trademarks > Trademark Electronic Search System (TESS)

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CHROMIUM

Word Mark CHROMIUM

Goods and Services IC 009. US 021 023 026 036 038. G & S: computer software for accessing, browsing, sharing, and communicating information over computer networks and secure private networks; computer software for use in connecting to and searching the contents of remote computers, computer networks, and secure private networks; computer software for assisting users in navigating through computer networks and secure private networks; computer software for running web applications. FIRST USE: 20081200. FIRST USE IN COMMERCE: 20081200

IC 042. US 100 101. G & S: technical support services, namely, troubleshooting of computer software problems. FIRST USE: 20081200. FIRST USE IN COMMERCE: 20081200

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 77980388

Filing Date September 2, 2008

Current Filing Basis 1A;1B

Original Filing Basis 1B

Published for Opposition June 30, 2009

International Registration Number 0995055

Owner (APPLICANT) Google Inc. CORPORATION DELAWARE 1600 Ampitheatre Parkway Mountain View CALIFORNIA

94043

Attorney of Record

Terri Y Chen

Type of Mark

TRADEMARK. SERVICE MARK

Register

PRINCIPAL

Live/Dead Indicator

LIVE

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EXHIBIT B



Trademarks > Trademark Electronic Search System (TESS)

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Record 1 out of 1

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CHROMIUMPC

Word Mark	CHROMIUMPC
Goods and Services	IC 009. US 021 023 026 036 038. G & S: computer carrying cases; computer chassis; computer expansion boards; computer hardware; computer interface boards; computer peripherals; computers
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	85067977
Filing Date	June 21, 2010
Current Filing Basis	1B
Original Filing Basis	1B
Published for Opposition	November 23, 2010
Owner	(APPLICANT) ISYS Technologies, Inc. CORPORATION NEVADA 299 South Main, Suite 1300 Salt Lake City UTAH 84111
Attorney of Record	David B. Tingey
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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

Mailed: May 23, 2011

Opposition No. 91199939
Serial No. 85067977

DAVID B. TINGEY
KIRTON & MCCONKIE
60 E SOUTH TEMPLE STE 1800
SALT LAKE CITY, UT 84111-1032
dtingey@kmclaw.com

Google Inc.

v.

ISYS Technologies, Inc.

Janet L. Cullum
Cooley LLP
777 6th Street NW, Suite 1100
Washington, DC 20001
trademarks@cooley.com, jcullum@cooley.com, apeck@cooley.com,
googletm@cooley.com

ESTTA410525

A notice of opposition to the registration sought by the above-identified application has been filed. A service copy of the notice of opposition was forwarded to applicant (defendant) by the opposer (plaintiff). An electronic version of the notice of opposition is viewable in the electronic file for this proceeding via the Board's TTABVUE system: <http://ttabvue.uspto.gov/ttabvue/v?qs=91199939>.

Proceedings will be conducted in accordance with the Trademark Rules of Practice, set forth in Title 37, part 2, of the Code of Federal Regulations ("Trademark Rules"). These rules may be viewed at the USPTO's trademarks page: <http://www.uspto.gov/trademarks/index.jsp>. The Board's main webpage (<http://www.uspto.gov/trademarks/process/appeal/index.jsp>) includes information on amendments to the Trademark Rules applicable to Board proceedings, on Alternative Dispute Resolution (ADR), Frequently Asked Questions about Board proceedings, and a web link to the Board's manual of procedure (the TBMP).

Plaintiff must notify the Board when service has been ineffective, within 10 days of the date of receipt of a returned service copy or the date on which plaintiff learns that service has been ineffective. Plaintiff has no subsequent duty to investigate the defendant's whereabouts, but if plaintiff by its own voluntary investigation or

through any other means discovers a newer correspondence address for the defendant, then such address must be provided to the Board. Likewise, if by voluntary investigation or other means the plaintiff discovers information indicating that a different party may have an interest in defending the case, such information must be provided to the Board. The Board will then effect service, by publication in the Official Gazette if necessary. See Trademark Rule 2.118. In circumstances involving ineffective service or return of defendant's copy of the Board's institution order, the Board may issue an order noting the proper defendant and address to be used for serving that party.

Defendant's ANSWER IS DUE FORTY DAYS after the mailing date of this order. (See Patent and Trademark Rule 1.7 for expiration of this or any deadline falling on a Saturday, Sunday or federal holiday.) **Other deadlines the parties must docket or calendar are either set forth below (if you are reading a mailed paper copy of this order) or are included in the electronic copy of this institution order viewable in the Board's TTABVue system at the following web address:**
<http://ttabvue.uspto.gov/ttabvue/>.

Defendant's answer and any other filing made by any party must include proof of service. See Trademark Rule 2.119. **If they agree to, the parties may utilize electronic means, e.g., e-mail or fax, during the proceeding for forwarding of service copies.** See Trademark Rule 2.119(b)(6).

The parties also are referred in particular to Trademark Rule 2.126, which pertains to the form of submissions. **Paper submissions, including but not limited to exhibits and transcripts of depositions, not filed in accordance with Trademark Rule 2.126 may not be given consideration or entered into the case file.**

Time to Answer	7/2/2011
Deadline for Discovery Conference	8/1/2011
Discovery Opens	8/1/2011
Initial Disclosures Due	8/31/2011
Expert Disclosures Due	12/29/2011
Discovery Closes	1/28/2012
Plaintiff's Pretrial Disclosures	3/13/2012
Plaintiff's 30-day Trial Period Ends	4/27/2012
Defendant's Pretrial Disclosures	5/12/2012
Defendant's 30-day Trial Period Ends	6/26/2012
Plaintiff's Rebuttal Disclosures	7/11/2012
Plaintiff's 15-day Rebuttal Period Ends	8/10/2012

As noted in the schedule of dates for this case, the parties are required to have a conference to discuss: (1) the nature of and basis for their respective claims and defenses, (2) the possibility of settling the case or at least narrowing the scope of claims or

defenses, and (3) arrangements relating to disclosures, discovery and introduction of evidence at trial, should the parties not agree to settle the case. See Trademark Rule 2.120(a)(2). Discussion of the first two of these three subjects should include a discussion of whether the parties wish to seek mediation, arbitration or some other means for resolving their dispute. Discussion of the third subject should include a discussion of whether the Board's Accelerated Case Resolution (ACR) process may be a more efficient and economical means of trying the involved claims and defenses. Information on the ACR process is available at the Board's main webpage. Finally, if the parties choose to proceed with the disclosure, discovery and trial procedures that govern this case and which are set out in the Trademark Rules and Federal Rules of Civil Procedure, then they must discuss whether to alter or amend any such procedures, and whether to alter or amend the Standard Protective Order (further discussed below). Discussion of alterations or amendments of otherwise prescribed procedures can include discussion of limitations on disclosures or discovery, willingness to enter into stipulations of fact, and willingness to enter into stipulations regarding more efficient options for introducing at trial information or material obtained through disclosures or discovery.

The parties are required to conference in person, by telephone, or by any other means on which they may agree. A Board interlocutory attorney or administrative trademark judge will participate in the conference, upon request of any party, provided that such participation is requested no later than ten (10) days prior to the deadline for the conference. See Trademark Rule 2.120(a)(2). The request for Board participation must be made through the Electronic System for Trademark Trials and Appeals (ESTTA) or by telephone call to the interlocutory attorney assigned to the case, whose name can be found by referencing the TTABVUE record for this case at <http://ttabvue.uspto.gov/ttabvue/>. The parties should contact the assigned interlocutory attorney or file a request for Board participation through ESTTA only after the parties have agreed on possible dates and times for their conference. Subsequent participation of a Board attorney or judge in the conference will be by telephone and the parties shall place the call at the agreed date and time, in the absence of other arrangements made with the assigned interlocutory attorney.

The Board's Standard Protective Order is applicable to this case, but the parties may agree to supplement that standard order or substitute a protective agreement of their choosing, subject to approval by the Board. The standard order is available for viewing at: <http://www.uspto.gov/trademarks/process/appeal/guidelines/stndagmnt.jsp>. Any party without access to the web may request a hard copy of the standard order from the Board. The standard order does not automatically protect a party's confidential information and its provisions must be utilized as needed by the parties. See Trademark Rule 2.116(g).

Information about the discovery phase of the Board proceeding is available in chapter 400 of the TBMP. By virtue of amendments to the Trademark Rules effective November 1, 2007, the initial disclosures and expert disclosures scheduled during the discovery phase are required only in cases commenced on or after that date. The TBMP has not yet been amended to include information on these disclosures and the parties are referred to the August 1, 2007 Notice of Final Rulemaking

(72 Fed. Reg. 42242) posted on the Board's webpage. The deadlines for pretrial disclosures included in the trial phase of the schedule for this case also resulted from the referenced amendments to the Trademark Rules, and also are discussed in the Notice of Final Rulemaking.

The parties must note that the Board allows them to utilize telephone conferences to discuss or resolve a wide range of interlocutory matters that may arise during this case. In addition, the assigned interlocutory attorney has discretion to require the parties to participate in a telephone conference to resolve matters of concern to the Board. See TBMP § 502.06(a) (2d ed. rev. 2004).

The TBMP includes information on the introduction of evidence during the trial phase of the case, including by notice of reliance and by taking of testimony from witnesses. See TBMP §§ 703 and 704. Any notice of reliance must be filed during the filing party's assigned testimony period, with a copy served on all other parties. Any testimony of a witness must be both noticed and taken during the party's testimony period. A party that has taken testimony must serve on any adverse party a copy of the transcript of such testimony, together with copies of any exhibits introduced during the testimony, within thirty (30) days after the completion of the testimony deposition. See Trademark Rule 2.125.

Briefs shall be filed in accordance with Trademark Rules 2.128(a) and (b). An oral hearing after briefing is not required but will be scheduled upon request of any party, as provided by Trademark Rule 2.129.

If the parties to this proceeding are (or during the pendency of this proceeding become) parties in another Board proceeding or a civil action involving related marks or other issues of law or fact which overlap with this case, they shall notify the Board immediately, so that the Board can consider whether consolidation or suspension of proceedings is appropriate.

ESTTA NOTE: For faster handling of all papers the parties need to file with the Board, the Board strongly encourages use of electronic filing through the Electronic System for Trademark Trials and Appeals (ESTTA). Various electronic filing forms, some of which may be used as is, and others which may require attachments, are available at <http://estta.uspto.gov>.