

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

Baxley

Mailed: March 9, 2005

Opposition No. **91160978**

Perfect Foods, Inc.

v.

John D. Gullahorn

Andrew P. Baxley, Interlocutory Attorney:

Applicant's responses to opposer's discovery requests, which were filed on December 30, 2004 are noted. However, in general, discovery requests, discovery responses, and materials or depositions obtained through the discovery process, should not be filed with the Board except when submitted:

(1) With a motion relating to discovery (i.e., motion to compel, motion to determine the sufficiency of an answer or objection to a request for admission, motion for leave to serve additional interrogatories, etc.);

(2) In support of or in response to a motion for summary judgment;

(3) Under a notice of reliance during a party's testimony period; or

(4) As exhibits to a testimony deposition.

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See Trademark Rules 2.120(j)(6) and (j)(8); TBMP Section 409 (2d ed. rev. 2004).

Discovery and trial dates remain as set in the Board's notice instituting this proceeding.