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

Proceeding	91182937
Party	Defendant Fage Dairy Processing Industry S.A.
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Submission	Other Motions/Papers
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Date	05/30/2008
Attachments	Opp. No. 91182937 Stipulation Regarding Discovery.pdf (4 pages)(102259 bytes)

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

GENERAL MILLS, INC. and	:	
	:	
GENERAL MILLS IP	:	
HOLDINGS II, LLC,	:	
Opposers,	:	Opposition No. 91182937
	:	
v.	:	
	:	
FAGE DAIRY PROCESSING	:	
INDUSTRY, S.A.,	:	
Applicant.	:	
	:	
	X	

STIPULATION REGARDING DISCOVERY

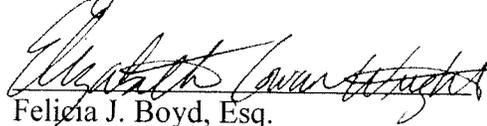
Opposers General Mills, Inc. and General Mills IP Holdings II, LLC ("Opposers") and Applicant Fage Dairy Processing Industry, S.A. ("Applicant") (collectively the "Parties") through their undersigned attorneys hereby agree and stipulate as follows:

1. Opposers and Applicant are parties to Consolidated Opposition No. 91118482 ("Opposition I") which is currently pending before the Trademark Trial & Appeal Board ("Board");
2. In Opposition I, the Parties executed that certain Stipulated Protective Order ("Protective Order") dated November 5, 2006 and filed with the Board on November 7, 2006;
3. The Parties have already propounded and produced voluminous discovery in Opposition I consisting of multiple Requests for Production of Documents, Interrogatory Requests, Requests for Admission and responses to the foregoing,

including documents labeled as bates nos. GM 000001 to GM 017419 and APP 00001 to APP 13714, which shall collectively be hereinafter referred to as "Discovery";

4. On June 13, 2007, the Parties also received documents from third party Bally Total Fitness Corporation, consisting of 158 pages (the "Bally Discovery"), in connection with Opposition I; and
5. Subject to the terms of the Protective Order in Opposition I and the designations made thereunder, the Parties hereby agree and stipulate that all Discovery and the Bally Discovery shall be deemed to have been taken in the instant proceeding and may be used at trial or a hearing for any purpose enumerated in the T.B.M.P. or the Federal Rules of Civil Procedure. This stipulation shall not be deemed to restrict the Parties from seeking additional discovery in this proceeding.
6. The Parties further agree that contemporaneous with the execution and filing of this Stipulation Regarding Discovery, the Parties will execute a protective order containing the same terms and conditions as the Protective Order which will govern the handling of all documents produced in this proceeding. Upon execution of a protective order in this proceeding, the parties need not redesignate any of the Discovery or the Bally Discovery and agree that the Discovery and Bally Discovery shall be deemed to carry confidentiality designations consistent with the Protective Order in Opposition I and this proceeding.

Dated: May 29, 2008

By: 
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FAGE DAIRY PROCESSING
INDUSTRY, S.A.

So ordered:

Trademark Trial and Appeal Board

Date: _____

CERTIFICATE OF SERVICE

I hereby certify that on May 30, 2008, a copy of the foregoing Stipulation Regarding Discovery was served on counsel of record for Opposers as follows:

BY FIRST CLASS MAIL

Felicia J. Boyd, Esq.
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Denise Bolden