

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

nmt

Mailed: December 30, 2008

Opposition No. 91185774

Shavlik Technologies, LLC

v.

CipherOptics, Inc.

Nicole M. Thier, Paralegal Specialist

The Board notes that on December 22, 2008 applicant filed with the Board a copy of its initial disclosures that were apparently served on counsel for opposer. However, initial disclosures, like requests for discovery, responses thereto, 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; or (2) in support of or response to a motion for summary judgment; or (3) under a notice of reliance during a party's testimony period; or (4) as exhibits to a testimony deposition; or (5) in support of an objection to proffered evidence on the ground that the evidence should have been, but was not, provided in response to a request for discovery. See Trademark Rule 2.120(j)(8).

In view thereof, applicant is advised that the

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Board will give no further consideration to applicant's initial disclosures, filed December 22, 2008.