

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

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Mailed: July 26, 2011

Opposition Nos. 91194974  
91196358

H.J. Heinz Company and  
Promark Brands Inc.<sup>1</sup>

v.

GFA Brands, Inc.

**Cheryl Butler, Attorney, Trademark Trial and Appeal Board:**

The stipulated protective agreement filed on June 30, 2011 is noted and its use in this proceeding is approved. The parties are referred, as appropriate, to TBMP §§ 412.03 (Signature of Protective Order), 412.04 (Filing Confidential Materials With Board), 412.05 (Handling of Confidential Materials by Board). Opposer's motion to substitute, also filed on June 30, 2011, will be acted on in due course.

The parties are advised that only confidential or trade secret information should be filed pursuant to a

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<sup>1</sup> Opposer's motion, filed June 30, 2011, to substitute the party plaintiff is denied as to a substitution but is granted as to a joinder because the assignment occurred after the commencement of this proceeding. See TBMP § 512.01 (3d ed. 2011); and Reel and Frame 4534/0456.

stipulated protective agreement. Such an agreement may not be used as a means of circumventing paragraphs (d) and (e) of 37 CFR § 2.27, which provide, in essence, that the file of a published application or issued registration, and all proceedings relating thereto, should otherwise be available for public inspection.

Dates otherwise remain as previously set and are copied below:

Expert Disclosures Due	08/10/2011
Discovery Closes	09/10/2011
Plaintiff's Pretrial Disclosures	10/25/2011
Plaintiff's 30-day Trial Period Ends	12/08/2011
Defendant's Pretrial Disclosures	12/23/2011
Defendant's 30-day Trial Period Ends	02/07/2012
Plaintiff's Rebuttal Disclosures	02/22/2012

Plaintiff's 15-day Rebuttal Period Ends	03/22/2012
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In each instance, a copy of the transcript of testimony, together with copies of documentary exhibits, must be served on the adverse party within thirty days after completion of the taking of testimony. Trademark Rule 2.125.

Briefs shall be filed in accordance with Trademark Rules 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.

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