

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

Mailed: December 17, 2012

Opposition No. 91198063

AlpinBreeze LLC

v.

Evertec Information
Technology Co., Ltd.

**Robert H. Coggins,
Interlocutory Attorney:**

On November 27, 2012, applicant filed a notice of testimonial deposition on written questions. It is noted, however, that, pursuant to the Board's November 26, 2012 order, proceedings are suspended to allow the parties time to complete opposer's deposition on written on questions.

Inasmuch as a party may take testimony only during its assigned testimony period (except by stipulation of the parties approved by the Board, or, on motion, by order of the Board), and applicant's testimony period is not open, it appears that applicant's notice of testimonial deposition on written questions is premature. See Trademark Rules 2.121(a) and 2.124(b)(1); and TBMP § 703.01(c) (3d ed. rev. 2012). In view thereof, applicant's November 27th notice of

testimonial deposition will be given no further consideration.

Once the Board has been informed that opposer's deposition on written questions has been completed, the Board will resume proceedings and reset remaining trial dates -including applicant's trial period.¹ Until then, proceedings remain suspended to allow for the orderly completion of opposer's deposition on written questions.

¹ Pursuant to Trademark Rule 2.124(b)(1), if applicant still plans to take a testimonial deposition upon written questions once applicant's testimony period opens, applicant must serve opposer and inform the Board within ten days from the opening date of its testimony period.