

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

Mailed: July 18, 2011

Opposition No. 91199075

Casella Wines Pty Ltd.

v.

Diageo North America, Inc.

Karl Kochersperger, Paralegal Specialist:

The Board notes that on June 29, 2011 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

Board will give no further consideration to applicant's
aforementioned initial disclosures.