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Filing date: **01/11/2013**

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

Proceeding	91200355
Party	Plaintiff Motorola Mobility, LLC and Motorola Trademark Holdings, LLC
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Date	01/11/2013
Attachments	Stipulation_Regarding_Documents_and_Things_in_Discovery.pdf ( 3 pages ) (21474 bytes )

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

Application Serial No. 78/575,442	)	
Filed: February 25, 2005	)	
Published: 2/22/2011, in the <i>Official Gazette</i>	)	
For: SOUND MARK	)	Opposition No. 91/200,355
	)	
<b>Motorola Mobility LLC and Motorola Trademark Holdings, LLC,</b>	)	
	)	
<b>Opposers,</b>	)	
vs.	)	
	)	
<b>Nextel Communications, Inc.</b>	)	
	)	
<b>Applicant.</b>	)	

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

**STIPULATION REGARDING DOCUMENTS AND THINGS IN DISCOVERY**

Pursuant to T.B.M.P. § 501.01 and Trademark Rule 2.120(d)(2), Opposers Motorola Mobility LLC and Motorola Trademark Holdings, LLC (collectively, “Motorola” or “Opposers”) and Applicant Nextel Communications, Inc. (“Nextel” or “Applicant”) hereby stipulate to the following:

1. Opposers and Applicant stipulate that the documents and things produced in discovery by Opposers (through their predecessor-in-interest Motorola, Inc.), or Applicant, as a producing party in the prior proceeding *Nextel Communications, Inc. v. Motorola, Inc.* (T.T.A.B. Case No. 91/164,353) will be deemed produced by that producing party in the above-captioned proceeding.
2. Although deemed produced in discovery in the above-captioned proceeding, Opposers and Applicant expressly reserve their rights to object to the entry of these documents

and things into evidence or their use at trial. Opposers and Applicant expressly reserve all such objections, including but not limited to: (a) relevance; (b) attorney-client privilege; (c) work-product protection; (d) any other applicable privilege or protection under applicable law; (e) undue burden; (f) materiality; (g) overbreadth; (h) the admissibility in evidence; (i) proprietary and confidential business information, financial data, and trade secrets; or (j) any other objection applicable to proceedings before the Trademark Trial and Appeal Board. All objections are expressly reserved, as are the parties' rights to move for a protective order.

3. Opposers and Applicant expressly reserve their rights to seek additional discovery from each other, and from third parties, and to supplement their production of documents and things in this proceeding in accordance with the Federal Rules of Civil Procedure and the rules of the Trademark Trial and Appeal Board.

**SO STIPULATED:**

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Dated: January 11, 2013

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Dated: January 11, 2013

**CERTIFICATE OF SERVICE**

On January 11, 2013, I served the foregoing **STIPULATION REGARDING DOCUMENTS AND THINGS IN DISCOVERY** in said action by electronic mail, per agreement of the parties, to counsel of record for Applicant as follows:

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By: /s/ Thomas M. Williams  
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