

ESTTA Tracking number: **ESTTA589385**

Filing date: **02/26/2014**

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

Proceeding	91203192
Party	Defendant Merkury Innovations, LLC
Correspondence Address	ANTHONY F LO CICERO AMSTER ROTHSTEIN & EBENSTEIN LLP 90 PARK AVE NEW YORK, NY 10016 UNITED STATES ptodocket@arelaw.com, mjason@arelaw.com
Submission	Response to Board Order/Inquiry
Filer's Name	Marc J. Jason
Filer's e-mail	ptodocket@arelaw.com
Signature	/Marc J. Jason/
Date	02/26/2014
Attachments	Applicant's_Notice_of_Expert_Disclosure.pdf(134097 bytes)

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

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BEATS ELECTRONICS, LLC,	:	
	:	
Opposer,	:	Opposition No. 91203192
	:	
v.	:	
	:	
MERKURY INNOVATIONS, LLC,	:	
	:	
Applicant.	:	

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MERKURY INNOVATIONS, LLC,	:	
	:	
Petitioner,	:	
	:	
v.	:	
	:	
BEATS ELECTRONICS, LLC,	:	
	:	
Registrant.	:	

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APPLICANT’S NOTICE OF EXPERT DISCLOSURE

Pursuant to the scheduling order dated January 22, 2014, Rule 26(a)(2) of the Federal Rules of Civil Procedure, TBMP §401.03, 72 Fed. Reg. 42242, 42246 (2007) and 37 CFR § 2.120(a)(2), applicant/petitioner Merkury Innovations, LLC (“Applicant”) hereby notifies the Board that it disclosed its expert witness, Dr. David Schroeder, Director of Jazz Studies and Associate Professor of Music at New York University, to the opposer/registrant Beats Electronics, LLC on February 24, 2014 (February 22, 2014 being a Saturday).

Respectfully submitted,

AMSTER ROTHSTEIN & EBENSTEIN LLP
Attorneys for Applicant/Petitioner
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Dated: February 26, 2014
New York, New York

By: 

Anthony F. Lo Cicero
Marc J. Jason

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he is one of the attorneys for Applicant/Petitioner Merkury Innovations, LLC in the above-captioned Opposition proceeding and that on the date which appears below, he caused a copy of the foregoing APPLICANT’S NOTICE OF EXPERT DISCLOSURE to be served on the attorneys for Opposer/Registrant Beats Electronics, LLC by email and first class mail by causing a copy thereof to be placed in a depository under the care and custody of the United States Postal Service, in the State of New York, postage pre-paid, in a wrapper addressed as follows:

Michael G. Kelber, Esq.
Luis M. Lozada, Esq.
Katherine Dennis Nye, Esq.
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Two North LaSalle Street
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Marc J. Jason

Dated: New York, New York
February 26, 2014