

ESTTA Tracking number: **ESTTA642966**

Filing date: **12/05/2014**

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

Proceeding	91205483
Party	Plaintiff Baba Slings Pty Ltd
Correspondence Address	MARK BORGHESE BORGHESE LEGAL LTD 10161 PARK RUN DRIVE, SUITE 150 LAS VEGAS, NV 89145 UNITED STATES mark@borgheselegal.com
Submission	Plaintiff's Notice of Taking Testimony
Filer's Name	Mark Borghese
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Signature	/MB/
Date	12/05/2014
Attachments	2014-12-05-Notice of Taking Trial Depositions.pdf(18086 bytes)

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

In the Matter of Trademark Application No.: 79/103197

Mark: theBabaSling

Filed on: September 6, 2011

Baba Slings Pty Ltd,)	
)	
Opposer,)	Opposition No: 91205483
)	
vs.)	
)	
BabaSlings Limited,)	
)	
Applicant.)	
_____)	

**OPPOSER’S NOTICE OF TAKING TRIAL DEPOSITIONS ON WRITTEN QUESTIONS
OF SHANTI MCIVOR AND DENIS LALOR AND REQUEST FOR SUSPENSION
PURSUANT TO TRADEMARK RULE 2.124(d)(2)**

PLEASE TAKE NOTICE that Opposer Baba Slings Pty Ltd shall take in the above-entitled action, for use as authorized by the Federal Rules of Civil Procedure and the Trademark Rules of Practice, the trial depositions on written questions of:

1. Shanti McIvor
BABA SLINGS PTY LTD
2/11 Banksia Dr
Byron Bay NSW 2481
Australia

2. Denis Lalor
BABA SLINGS PTY LTD
2/11 Banksia Dr
Byron Bay NSW 2481
Australia

The depositions shall be taken before an Australian court reporter or Notary Public in accordance with the procedures set forth in Trademark Rule 2.124. Copies of Opposer’s written deposition questions have been provided to Applicant’s counsel along with this notice.

Pursuant to Trademark Rule 2.124(d)(2), Opposer requests that proceedings be suspended pending the completion of the testimonial depositions on written questions and that Opposer thereafter be granted the remainder of its trial period, i.e. twenty-three (23) days, to submit additional trial evidence.

Respectfully submitted,

Dated: December 5, 2014

By: 

Mark Borghese, Esq.
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Attorney for Opposer Baba Slings Pty Ltd

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing **OPPOSER'S NOTICE OF TAKING TRIAL DEPOSITIONS ON WRITTEN QUESTIONS OF SHANTI MCIVOR AND DENIS LALOR AND REQUEST FOR SUSPENSION PURSUANT TO TRADEMARK RULE 2.124(d)(2)** has been served on the attorney of record for the Applicant, by mailing said copy on December 5, 2014, via First Class Mail, postage prepaid, and sending a courtesy copy via email to the attorney's correspondence address of record:

Brian A. Coleman
Drinker Biddle & Reath LLP
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Mark Borghese