

ESTTA Tracking number: **ESTTA619787**

Filing date: **08/06/2014**

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

Proceeding	91212477
Party	Defendant GFA Brands, Inc.
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Date	08/06/2014
Attachments	2014-08-06 Stipulation for Introducing Evidence at Trial.pdf(11065 bytes )

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

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In the Matter of Application Serial No. 85/751,520: EARTH BALANCE  
Published for Opposition March 19, 2013

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BALANCE BAR COMPANY

Opposer

v.

Opposition No. 91212477

GFA BRANDS, INC.

Applicant.

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**STIPULATION FOR INTRODUCING EVIDENCE AT TRIAL**

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Pursuant to 37 C.F.R. § 2.122(f) and TBMP § 704.13, the parties, through their undersigned counsel, stipulate to the admissibility of testimony from a previous opposition proceeding captioned Balance Bar Company v. GFA Brands, Inc., Nos. 91196954 and 91197748, as follows:

1. That the trial testimony examination of Patrick Cornacchiulo, taken May 1, 2014, and all exhibits annexed thereto, be deemed admissible as agreed to by the parties.
2. That the trial testimony examination of Erin Lifeso, taken April 30, 2014, and all exhibits annexed thereto, be deemed admissible as agreed to by the parties.
3. That the trial testimony examination of William Hooper, taken July 15, 2014, and all exhibits annexed thereto, be deemed admissible as agreed to by the parties.
4. That the trial testimony examination of Timothy Kraft, taken July 23, 2014, and all exhibits annexed thereto, be deemed admissible as agreed to by the parties.

The parties stipulate to the authenticity and the admissibility of the specific documents addressed above. The parties reserve the right to object to the stipulated evidence on the grounds of competency, relevance, and materiality. The parties reserve the right to recall or demand the recall for examination or cross-examination of any witness whose prior testimony has been offered.

Dated: August 6, 2014

/s/ R. Glenn Schroeder  
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Dated: August 6, 2014

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*Attorneys for Applicant GFA Brands, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that on August 6, 2014, I served upon counsel of record the foregoing by causing the same to be delivered by U.S. mail and email to:

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Dated this 6th day of August, 2014.

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