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

Proceeding	92047262
Party	Plaintiff Roast of the Town, Inc.
Correspondence Address	Scott R. Goldberg Schian Walker PLC 3550 North Central Avenue, Suite 1700, Suite 1700 Phoenix, AZ 85012 UNITED STATES sgoldberg@swazlaw.com
Submission	Plaintiff's Notice of Taking Testimony
Filer's Name	Ira M. Schwartz
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Signature	/Ira M. Schwartz/
Date	10/01/2009
Attachments	Roast of the Town Ntc Test Paulsen 092909.pdf (3 pages)(16327 bytes)

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

In the Matter of Trademark Registration No. 2760766	
Roast of the Town, Inc., Petitioner	Cancellation No. 92047262
v.	
The Smith Agency, Ltd., Registrant.	

PETITIONER'S NOTICE OF TAKING TESTIMONY

PLEASE TAKE NOTICE that Petitioner Roast of the Town, Inc. will take the testimony upon oral examination of Virgil Paulsen at the date, time and location specified below. The testimony will be taken before a notary public and certified shorthand reporter qualified to administer oaths and take testimony in the State of Arizona.

Person To Testify: Virgil Paulsen

Date and Time of Testimony: Monday, October 26, 2009 at 9:00 a.m.

Location: DeConcini McDonald Yetwin & Lacy
7310 N. 16th Street, Suite 330
Phoenix, Arizona 85020

Dated: October 1, 2009

Respectfully submitted,

/ Ira M. Schwartz/

Ira M. Schwartz
DeConcini McDonald Yetwin & Lacy
7310 N. 16th St., Suite 330
Phoenix, AZ 85020
(602) 282-0500
Attorneys for Petitioner

Certificate of Service

I certify that a copy of the foregoing was mailed by first class mail, postage prepaid, upon the following on the date set forth below:

Harold L. Marquis
Thomas Kayden Horstemeyer & Risley LLP
600 Galleria Parkway, NW, Suite 1500
Atlanta, GA 30339
Attorneys for Registrant

Dated: October 1, 2009.

 / Ira M. Schwartz/

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