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

Proceeding	92047433
Party	Defendant Jay-Y Enterprise Co., Inc.
Correspondence Address	KENNETH L WILTON SEYFARTH SHAW LLP 2029 CENTURY PARK E STE 3500 LOS ANGELES, CA 90067-3021 UNITED STATES kwilton@seyfarth.com
Submission	Testimony For Defendant
Filer's Name	Kenneth L. Wilton
Filer's e-mail	kwilton@seyfarth.com, kelko@seyfarth.com
Signature	/Kenneth L. Wilton/
Date	08/15/2011
Attachments	Notice of Filing of Confidential Exhibits to Trial Testimony Depos.pdf (5 pages) (231306 bytes)

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

GADO S.A.R.L.,

Petitioner,

v.

JAY-Y ENTERPRISE CO., INC.,

Respondent.

Cancellation No. 92047433

**RESPONDENT'S NOTICE OF FILING OF CONFIDENTIAL EXHIBITS TO THE
TRIAL TESTIMONY DEPOSITIONS OF TERESA CHEN, WARD CHEN, AND
MICHAEL OU PURSUANT TO TRADEMARK RULE 2.125**

PLEASE TAKE NOTICE that pursuant to Rule 2.125 of the Trademark Rules of Practice, Respondent Jay-Y Enterprise Co., Inc. hereby files the confidential exhibits to the trial testimony depositions of Teresa Chen (taken on February 8, 2011 and March 23, 2011), Ward Chen (taken on March 23, 2011), and Michael Ou (taken on March 24, 2011). Because the same exhibits were used for all three of these depositions, for the sake of efficiency and pursuant to a stipulation between the parties, only one set of the confidential exhibits is being filed. Because the deposition exhibits are voluminous, they are being filed with the Board by Federal Express according to the Board's practices.

Pursuant to the attached stipulation (Docket No. 54), as approved by the Board (Docket No. 55), the parties have waived all certification and sealing requirements under Trademark Rule 2.123(f).

Exhibit Nos. 131-173 were designated as confidential under the August 15, 2009 Protective Order in this proceeding. Accordingly, and pursuant to 37 CFR 2.126(d) and Rule

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Respondent.

AND RELATED COUNTERCLAIM.

Cancellation No. 92047433

STIPULATION REGARDING FILING OF TRANSCRIPTS OF
TESTIMONY DEPOSITIONS AND EXHIBITS THERETO

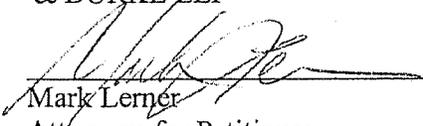
The parties hereto hereby agree and stipulate, pursuant to Trademark Rule 2.123(f), that they jointly waive the certification, sealing and exhibit filing requirements of any testimony deposition transcripts in this proceeding as set forth in Rule 2.123(f).

Pursuant to this stipulation, the parties agree that all deposition transcripts filed to date are not objectionable under Rules 2.123(f) and 2.125(c). As to future deposition transcripts to be filed, the party introducing testimony shall attend to the filing of the transcripts for all testimonial depositions pursuant to the requirements of Rules 2.123 and 2.125, with the exception that the certification, sealing, and exhibit filing requirements under Rule 2.123(f) are waived. The parties further stipulate that the correction of typographical errors contemplated by Rule 2.125(b) shall be indicated on an errata sheet included with each transcript.

In addition, as required and considered appropriate under the applicable Protective Order, the Parties will designate any confidential information found in deposition transcripts or exhibits and file un-redacted Confidential versions, as well as redacted non-Confidential versions, of the transcript and those exhibits, under separate cover, with the Board.

Dated: April 5, 2011

SATTERLEE STEPHENS BURKE
& BURKE LLP



Mark Lerner
Attorneys for Petitioner
230 Park Avenue
New York, NY 10169

SEYFARTH SHAW LLP



Kenneth L. Wilton
Attorneys for Respondent
2029 Century Park East, Suite 3500
Los Angeles, CA 90067-3021

CERTIFICATE OF SERVICE

I hereby certify that on August 15, 2011, I served the foregoing Respondent's Notice of Filing of Exhibits to the Trial Testimony Depositions of Teresa Chen, Ward Chen, and Michael Ou Pursuant to Trademark Rule 2.125 on the Petitioner by depositing a true copy thereof in a sealed envelope, postage prepaid, in First Class U.S. mail addressed to Petitioner's counsel as follows:

Mark Lerner, Esq.
Robert Carrillo, Esq.
Satterlee Stephens Burke & Burke LLP
230 Park Avenue
New York, NY 10169

/s/ Eleanor Elko

Eleanor Elko