

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

nmt/dmd

Mailed: April 14, 2008

Cancellation No. 92047976

Kathleen Hiraga

v.

Sylvester J. Arena

Nicole M. Thier, Paralegal Specialist

On March 31, 2008, applicant filed its Answers to the First Set of Interrogatories, First Request for Admissions, and First Request for the Production of Documents that were apparently served on counsel for opposer, with the Board.

Applicant is advised that

[r]equests for discovery, responses thereto, and materials or depositions obtained through the discovery process should not be filed with the board except when submitted with a motion relating to discovery, or in support of or response to a motion for summary judgment, or under a notice of reliance during a party's testimony period. Papers or materials filed in violation of this paragraph may be returned by the Board.

Trademark Rule 2.120(j)(8).

Accordingly, applicant's First Set of Interrogatories, First Request for Admissions, and its First Request for the Production of Documents will be disregarded by the Board,

and shall not be considered of record by the parties for any purpose, unless hereafter properly submitted.¹

¹ To avoid the additional burden to the Board, we will not return opposer's papers in this case.