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

Proceeding	92050966
Party	Defendant Golden Vision Flower Inc.
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Date	05/14/2010
Attachments	motion to preserve audio recordings.pdf (3 pages)(94780 bytes)

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

Atlas Flowers, Inc., d/b/a Golden
Flowers,

Petitioner,

v.

Cancellation No. 92050966

Golden Vision Flower, Inc.

Registrant.

**REGISTRANT'S MOTION TO PRESERVE
AUDIO RECORDING OF DEPOSITIONS**

Registrant, Golden Vision Flower, Inc., moves the Trademark Trial and Appeal Board for entry of an order directing Esquire Deposition Services and court reporter Layla Degler to preserve the audio recording of the depositions of Shun-Chi Huang and Li-Ying Chuong, and as grounds therefor would show:

1. The depositions of Shun-Chi Huang and Li-Ying Chuong were taken on May 14, 2010 in Orlando, Florida.
2. Both individuals are officers and shareholders of Registrant and residents of Taiwan. Their native language is Mandarin Chinese and they cannot speak or read English. Accordingly, counsel for Petitioner arranged for an interpreter to translate his questions and the deponents' answers for the court reporter.
3. Registrant's corporate representative at the depositions is a native Mandarin Chinese speaker who is also fluent in English. During the deposition of Shun-Chi Huang Registrant's corporate representative informed its counsel that the interpreter was not properly translating counsel's questions and the deponent's answers. Counsel for Registrant stated his objection to the

improper translation on the record several times.

4. A new translator was brought in for the deposition of Li-Ying Chuong based on the first translator having to excuse herself for medical reasons. Similarly during this deposition Registrant's corporate representative informed its counsel that the new interpreter was also improperly translating counsel's questions and the deponent's answers.

5. Furthermore, it was obvious from the answers of both deponents that the questions being asked by counsel were not the same as those being translated to them. The improper translations related to central issues in this proceeding and were not simply a few words missed sporadically.

6. At the close of the last deposition counsel for Registrant stated his objection to the translation of that deposition and requested that the court reporter not destroy or alter the audio recordings in any way.

7. Registrant should be afforded the opportunity to have the audio recordings reviewed by an interpreter versed in commercial and business matters who can determine if the translations were proper.

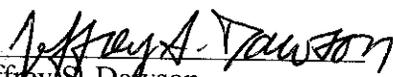
WHEREFORE, Registrant requests that this Board enter an order directing Esquire Deposition Services and court reporter Layla Degler to preserve the audio recording of the depositions and to make the recordings available to the parties for further review.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Answer has been furnished via U.S. Mail on May 14, 2010 to Tal Benschar, 488 Madison Avenue, New York, NY 10022.

CERTIFICATE OF FILING

I HEREBY CERTIFY that the foregoing Answer is being filed with the Trademark Trial and Appeal Board through the ESTTA system on May 14, 2010.


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