

ESTTA Tracking number: **ESTTA425047**

Filing date: **08/15/2011**

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

Proceeding	92052048
Party	Plaintiff Silk Water Solutions Inc.
Correspondence Address	DAVID A LOWE BLACK LOWE & GRAHAM PLLC 701 FIFTH AVENUE, SUITE 4800 SEATTLE, WA 98104 UNITED STATES lowe@blacklaw.com
Submission	Plaintiff's Notice of Taking Testimony
Filer's Name	David A. Lowe
Filer's e-mail	lowe@lowegrahamjones.com, gist@lowegrahamjones.com, litdocketing@lowegrahamjones.com
Signature	/David A. Lowe/
Date	08/15/2011
Attachments	SILK-6-1001P08NOD_GG.pdf ( 3 pages )(25828 bytes )

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

SILK WATER SOLUTIONS INC.,

Petitioner,

v.

DASSA HOLDINGS LTD.,

Respondent.

Cancellation No. 92052048  
(consolidated with No. 92052049)

Mark: SILK BALANCE  
Reg. No. 3,335,526  
Reg. Date: November 13, 2007



Mark: SILKBALANCE  
Reg. No. 3,360,078  
Reg. Date: December 25, 2007

**PETITIONER'S NOTICE OF DEPOSITION OF WITNESS GUY GADBOIS**

Pursuant to Fed. R. Civ. P. 30 and 45, 37 CFR § 2.123 and TBMP § 703.01 please take notice that Petitioner Silk Water Solutions Inc. ("Silk") will take the testimonial deposition upon oral examination of witness Guy Gadbois, Director of Marketing and Sales for Silk Water Solutions Inc. on August 25, 2011 beginning at 3pm at the offices of LOWE GRAHAM JONES, 701 Fifth Avenue, Suite 4800, Seattle, Washington 98104. Mr. Gadbois may be reached c/o LOWE GRAHAM JONES, 701 Fifth Avenue, Suite 4800, Seattle, WA 98104; 206.381.3300.

The deposition will be taken before a court reporter authorized to administer oaths, and will be recorded by real-time stenographic, videographic and/or by audiographic means. The deposition will be taken for the purpose of discovery, use at trial, or for any other purpose permitted by the Rules of Civil Procedure and TBMP. The deposition will continue until completed in accordance with the Rules of Civil Procedure

The topics to be covered may include without limitation Mr. Gadbois' knowledge and information regarding the trademarks in dispute, Silk's ownership and substantially exclusive use

of the marks in the United States and rights stemming therefrom, Respondent's abandonment of registrations for conflicting marks, and likelihood of confusion factors pertaining to the marks. Documents to be introduced may include those relating to Silk's ownership and substantially exclusive use of the marks, Respondent's abandonment of the registrations and likelihood of confusion factors.

RESPECTFULLY SUBMITTED this 12<sup>th</sup> day of August, 2011.

s/ David A. Lowe, PTO Reg. No. 39,281

Email: [Lowe@LoweGrahamJones.com](mailto:Lowe@LoweGrahamJones.com)

LOWE GRAHAM JONES<sup>PLLC</sup>

701 Fifth Avenue, Suite 4800

Seattle, WA 98104

T: 206.381.3300

F: 206.381.3301

Attorneys for Silk Water Solutions Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that on the 12<sup>th</sup> day of August, 2011, a true copy of the foregoing NOTICE OF DEPOSITION OF JOE DOLNIK was served via email addressed as follows:

Lisa A. Iverson, Esq.  
Jeremy Roe, Esq.  
NEAL & MCDEVITT, LLC  
1776 Ash Street  
Northfield, IL 60093  
[lisa.iverson@nealmcdevitt.com](mailto:lisa.iverson@nealmcdevitt.com)  
[jroe@nealmcdevitt.com](mailto:jroe@nealmcdevitt.com)

s/ Sarah Gist