

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

nmt

Mailed: April 3, 2014

Cancellation No. 92058369

Under Armour, Inc.

v.

S&O Innovations, LLC

**M. Catherine Faint,
Interlocutory Attorney:**

The stipulated protective agreement filed on March 12, 2014, is noted.¹ The parties are referred, as appropriate, to Trademark Rule 2.126(c) and TBMP §§ 412.02, *et seq.* (3d ed. rev.2 2013).²

The parties are advised that only confidential or trade secret information should be filed pursuant to a stipulated protective agreement.³ Such an agreement may not be used as

¹ The Board notes the second filing on March 14, 2014 is a duplicate filed in order to provide a written consent of both parties.

² The agreement appears to modify paragraph Nos. 1 and 15 of the Board's standard protective agreement. The parties should note that if an authorized attorney wants the access that is allowed by the change in paragraph No. 1, the attorney's request for access should refer to the alteration to the standard protective order.

³ The Board notes that confidential papers can now be filed via ESTTA, the Board's electronic filing facility. <http://estta.uspto.gov>. Pick the "CONFIDENTIAL Opposition, Cancellation or Concurrent Use" form under the "File Documents in a Board Proceeding" option.

Cancellation No. 92058369

a means of circumventing paragraphs (d) and (e) of 37 CFR § 2.27, which provide, in essence, that the file of a published application or issued registration, and all proceedings relating thereto, should otherwise be available for public inspection.

Discovery and trial dates remain as reset in the Board's December 13, 2013 institution order.
