

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451  
General Contact Number: 571-272-8500

CME

Mailed: February 11, 2016

Cancellation No. 92062372

*Bearco, LLC*

*v.*

*Vinocopia, Inc.*

**Christen M. English, Interlocutory Attorney:**

The Board's standard protective order is automatically applicable to this proceeding by operation of Trademark Rule 2.116(g) and is available here: <http://www.uspto.gov/trademarks/process/appeal/guidelines/stndagmnt.jsp>. See TBMP §§ 120.02 412.01 (2015). On January 25, 2016 the parties filed a stipulated motion to use an alternative protective order.

Parties may use an alternative protective order that they stipulate to and that is approved by the Board. Trademark Rule 2.116(g). But the parties' proposed protective order is tailored for use in cases before the United States District Court for the District of Minnesota, rather than Board proceedings. Specifically, the parties' stipulated protective order requires that: (1) the parties comply "with the Electronic Case Filing Procedures of the District of Minnesota," 7 TTABVUE 9; and (2) certain persons who receive confidential information execute a "Written Assurance" that indicates the case is "pending in the United States District Court

for the District of Minnesota” and “that any violation of the Protective Order” may subject the person signing the form to sanctions “by the Court.” *Id.* at Exhibit A. For this reason, the parties’ motion to use the proposed protective order is **DENIED** without prejudice.<sup>1</sup>

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<sup>1</sup> If the parties wish to tailor the exchange of confidential information to better suit their needs, they should consider modifying the Board’s standard protective order rather than drafting an entirely new document. If the parties decide to proceed in this manner, they should file a clean copy of any proposed stipulated protective order along with a red-lined copy showing the parties’ proposed changes.