

Exhibits

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

SEAGATE TECHNOLOGY LLC,

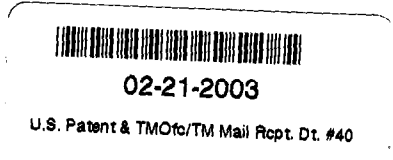
Opposer,

v.

EC-GATE NV

Applicant.

Opposition No. 114,018



CERTIFICATE OF MAILING

I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: BOX TTAB - NO FEE, Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513 on February 19, 2003.

Signed: Lisa Jeanetta
Lisa Jeanetta

US MAIL
0-21-03
114,018

**OPPOSER'S MOTION TO USE TESTIMONY DEPOSITION OF PHILIP DETWILER
IN SUPPORT OF OPPOSER'S MOTION FOR SUMMARY JUDGMENT**

SEAGATE TECHNOLOGY LLC. (hereinafter "Opposer") moves for leave to allow Opposer to use the testimony deposition of Philip Detwiler, taken in Cancellation Proceeding 24,354, pursuant to 37 C.F.R. 2.122 (f).

The parties in Cancellation Proceeding 24,354 were Seagate Technology, Inc., Seagate Technology LLC's predecessor, and Seagate Office Products, Inc. Seagate Technology took the testimony deposition of Philip Detwiler on August 6, 1999, and Exhibits 17-60 were entered into evidence. Declaration of Diane Mason, ¶8. Philip Detwiler had been employed with Seagate since 1986, and in 1999 held the position of Senior Vice President of Corporate Marketing and Americas' Distribution Sales at Seagate. *Id.*

Mr. Detwiler's deposition testimony details Seagate Technology's marketing and promotional activities for its mark SEAGATE. Mr. Detwiler's testimony is relevant to the issue

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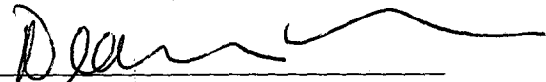
of the fame of Opposer's mark SEAGATE in this Opposition proceeding. Opposer therefore respectfully requests that this Board allow Opposer to use the testimony deposition of Philip Detwiler, taken in Cancellation Proceeding 24,354, in support of its Motion for Summary Judgment in this Opposition Proceeding.

Respectfully submitted,

Dorsey & Whitney LLP

Date: Feb. 19, 2003

By



Diane J. Mason

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