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

Proceeding	91121980
Party	Defendant ROBERT NOBLE & BONGO, S.A., DE C.V. ROBERT NOBLE & BONGO, S.A., DE C.V. ,
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Submission	Other Motions/Papers
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Date	11/14/2006
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

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ESTEFAN ENTERPRISES, INC.

Petitioner/Opposer,	Opposition No.:	91121980
vs.	Cancellation No.:	92042251
	Registration No.:	2,347,247

BONGO, S.A. de C.V. and ROBERTO NOBLE,

Registrants/Applicants.

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**REGISTRANT/APPLICANT'S NOTICE OF PETITIONER/OPPOSER'S  
FAILURE TO RESPOND TO REGISTRANT/APPLICANT'S MOTION FOR  
SANCTIONS AS TO DEPOSITION CONDUCT**

Registrant/Applicant ROBERTO NOBLE, as successor-in-interest to BONGO, S.A. de C.V., by and through undersigned counsel hereby file the herein Notice of Petitioner/Opposer's Failure to Respond to Registrant/Applicant's Motion for Sanctions as to Deposition Conduct, and further state:

1. Registrant/Applicant BONGO, S.A. de C.V. and ROBERTO NOBLE as successor-in-interest to BONGO, S.A. de C.V., on September 1, 2006 filed a Motion for Sanctions as to Deposition Conduct (Docket No. 89).
2. Petitioner's/Opposer failed to file a timely response to the Motion for Sanctions as to Deposition Conduct and admittedly became aware of the Motion for Sanctions as of September 19, 2006 (Docket No. 95).
3. On September 21, 2006 Petitioner/Opposer filed a so-called "Agreed" Motion for Extension of Time to Respond to Motion for Sanctions. (Docket No. 95).

4. Petitioner/Opposer requested an extension of time, through and including, October 9, 2006 (Docket No. 95).

5. As of today's date, November 14, 2006, Petitioner/Opposer has yet to respond to the Motion for Sanctions, filed on September 1, 2006.

WHEREFORE, ROBERTO NOBLE respectfully requests this Board to grant his Motion for Sanctions as to Deposition Conduct and grant sanctions against the Petitioner/Opposer for its failure to provide discovery, by striking pleadings, excluding any deposition or testimony by any corporate representative for Petitioner/Opposer, and witness Raul Matias, and/or construe the facts relative to questions which such witnesses failed, refused, or were instructed to, or obstructed from answering against Petitioner/Opposer.

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing has been served on this 14<sup>th</sup> day of November, 2006, by first class mail to Karen Stetson, Esq., P.O. Box 403023, Miami, Florida 33140.

Respectfully submitted,

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