

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

Mailed: April 28, 2004

Opposition No. 91157917

PEI Licensing, Inc.

v.

LawTV, Inc.

**David Mermelstein, Attorney:**

Now before the Board is opposer's motion to compel discovery or for sanctions, filed April 22, 2004.

Opposer's motion is DENIED for failure to follow the requirements for a motion to compel. In particular, opposer did not include a copy of the discovery requests in dispute. More importantly, opposer's motion is not "supported by a written statement from the moving party that such party or the attorney therefor has made a good faith effort, by conference or correspondence, to resolve ... the issues presented in the motion and has been unable to reach agreement." Trademark Rule 2.120(e)(1).

Moreover, to the extent opposer's motion requests discovery sanctions, it is entirely without merit. See Trademark Rule 2.120(g).

Finally, we note that opposer filed, on March 15, 2004, a notice of service of interrogatories upon applicant.

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Opposer is advised that the Board's rules prohibit such filings, except as permitted under Trademark Rule 2.120(j)(8). The filing of unnecessary papers is an administrative burden upon the Board. *ITC Entertainment Group Ltd. v. Nintendo of America Inc.*, 45 USPQ2d 2021 (TTAB 1998). Accordingly, opposer's March 15 filing shall not be considered part of the record herein for any purpose.

All dates remain as previously set.

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