

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

Mailed: January 3, 2011

Opposition No. 91195847

philosophy, inc.

v.

Levit Labs LLC

**Robert H. Coggins,  
Interlocutory Attorney:**

On December 20, 2010, opposer filed a copy of its initial disclosures with the Board.<sup>1</sup> Written disclosures should not be filed with the Board except under limited circumstances not presently at issue. Trademark Rule 2.120(j)(8). Accordingly, the December 20th filing will be given no further consideration. Trial dates remain as set.

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<sup>1</sup> Opposer is advised that subsections (iii) and (iv) of Fed. R. Civ. P. 26(a)(1)(A) --which are former Subsections C and D of that rule-- are not relevant and will not apply to Board proceedings. See *Miscellaneous Changes to Trademark Trial and Appeal Board Rules*, 72 Fed. Reg. 42242, 42246 (August 1, 2007).