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

Proceeding	91206212
Party	Defendant entrotech, inc.
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Date	11/11/2014
Attachments	Notice of Availability.pdf(110090 bytes )

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

In the matter of application Serial Nos.:

85/499,349 for the mark **CHLORADERM**  
85/499,345 for the mark **CHLORABSORB**  
85/499,337 for the mark **CHLORABOND**  
85/499,332 for the mark **CHLORADRAPE**

Filed on December 19, 2011

Published in the *Official Gazette* on May 29, 2012

CAREFUSION 2200, INC.,

*Opposer,*

v.

ENTROTECH LIFE SCIENCES, INC.,

*Applicant.*

Combined Opposition Proceeding  
No.: 91-206,212

**APPLICANT'S NOTICE OF AVAILABILITY FOR  
THE DEPOSITIONS OF MESSRS. MCGUIRE AND HALSEY  
UNDER RULE 30(b)(1) OF THE FEDERAL RULES OF CIVIL PROCEDURE**

Opposer CareFusion 2200, Inc. ("Opposer") moved for the Interlocutory Attorney to reconsider his Order dated October 7, 2014, in which he refused to extend all discovery and trial deadlines in this proceeding further, and Applicant Entrotech Life Sciences, Inc. ("Applicant") timely responded to Opposer's filing, stating that it respected the Interlocutory Attorney's Order and was prepared to comply with it. On November 7, 2014, a hearing was held between counsel for Applicant and Opposer and the Interlocutory Attorney about the merits of Opposer's filing. As a result of that hearing, the Interlocutory Attorney agreed to extend the deadline for the close of discovery from December 8, 2014 to December 22, 2014 only and ordered Applicant to file a

Notice of Availability for the depositions of Applicant's witnesses, Messrs. James McGuire and John Halsey, under Rule 30(b)(1) of the Federal Rules of Civil Procedure by November 11, 2014.

By way of background, before the hearing between counsel for Applicant and Opposer and the Interlocutory Attorney, the deposition of Mr. McGuire was scheduled for Tuesday, November 11, 2014 and the deposition of Mr. Halsey was scheduled for Friday, November 14, 2014. On November 3, 2014, counsel for Applicant advised counsel for Opposer that Mr. McGuire needed to re-schedule his deposition due to special circumstances that would be unexpectedly taking place the week of November 10, 2014 and asked counsel for Opposer if she would be available to depose Mr. McGuire the following Tuesday, November 18, 2014 instead. (The deposition of Mr. Halsey was to remain as scheduled.) Since that time, counsel for Opposer has advised that she is not available November 18-20, 2014 because she has a deposition(s) already scheduled on those days in connection with an unrelated matter. As a result, counsel for Applicant offered November 25, 2014, November 26, 2014, December 2, 2014, and December 3, 2014 as other possible dates for Mr. McGuire's deposition. During the hearing on November 7, 2014, counsel for Opposer explained that she would prefer not to have to travel the week of the Thanksgiving holiday, which is the week of November 24, 2014, and that she would rather depose Messrs. McGuire and Halsey the same week to avoid having to travel from Columbus, Ohio to San Diego, California twice. Currently, the deposition of Opposer under Rule 30(b)(6) of the Federal Rules of Civil Procedure is scheduled for Friday, December 5, 2014 in Chicago, Illinois, and Opposer's counsel has advised that she will need a day, likely December 4, 2014, to prepare her witness(es) for the deposition.

In an effort to accommodate Opposer's counsel's requests and schedule, Applicant submits the following availability for Messrs. McGuire and Halsey for their depositions to take place at the undersigned counsel's offices located at 12390 El Camino Real, San Diego, California 92130, with the understanding that these witnesses and counsel for Applicant also have reserved an additional day, not provided below, for counsel for Applicant to prepare each of them individually for their depositions:

**Mr. McGuire**

December 9, 2014

December 10, 2014

December 16, 2014

**Mr. Halsey**

December 11, 2014

December 12, 2014

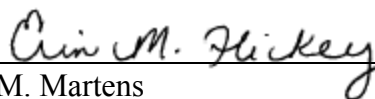
December 18, 2014

December 19, 2014

If possible for Opposer's counsel, the week of December 8, 2014 would be best for the depositions of Messrs. McGuire and Halsey, but the week of December 15, 2014 is also doable, if necessary to accommodate Opposer's counsel's schedule.

Respectfully submitted,

Dated: November 11, 2014



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*Attorneys for Applicant,*  
ENTROTECH LIFE SCIENCES, INC.

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing document has this 11th day of November, 2014 been mailed by electronic mail, as agreed to by the parties, as well as by Federal Express, given that November 11, 2014 is Veterans' Day and the U.S. Postal Service is closed, as ordered by the Interlocutory Attorney during the hearing dated November 7, 2014, to the below-identified attorneys for Opposer:

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April R. Morris