

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451
General Contact Number: 571-272-8500

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Mailed: June 6, 2016

Opposition No. 91225900

PNY Technologies, Inc.

v.

Persist Marketing, LLC

Benjamin U. Okeke, Interlocutory Attorney:

The stipulated protective agreement filed on May 6, 2016 is noted and its use in this proceeding is **APPROVED**.¹ See Trademark Rule 2.116(g). The parties are referred, as appropriate, to TBMP §§ 412.04 (Filing Confidential Materials With Board), and 412.05 (Handling of Confidential Materials by the Board).

The parties are advised that only confidential or trade secret information should be filed pursuant to a stipulated protective agreement. Such an agreement may not be used as a means of circumventing Trademark Rules 2.27(d) and (e), which provide that the file of a published application or issued registration, and all proceedings relating thereto, should otherwise be available for public inspection.

Disclosure, discovery, and trial dates remain as set forth in the Board's order dated January 19, 2016.

¹ The agreement filed by Opposer does not indicate proof of service of a copy of same on counsel for Applicant, as required by Trademark Rule 2.119. A copy of the agreement can be viewed using TTABVUE at <http://ttabvue.uspto.gov>.