

**THIS ORDER IS NOT A
PRECEDENT OF THE TTAB**

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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RK/lh

April 15, 2023

Opposition Nos. **91281493 (parent)**
91281494

Saucony IP Holdings LLC

v.

Garan Services Corp.

Yong Oh (Richard) Kim, Interlocutory Attorney:

On April 12, 2023, Opposer filed a stipulated protective order signed by both parties.¹ The Board acknowledges that the parties have affirmed that the protective order will serve as a contract between the parties that survives these proceedings. Since the Board's jurisdiction ends when these proceedings are terminated, *see* Stipulated Protective Order ¶ 16, remedy for any breach thereof after the conclusion of these proceedings shall be by way of a court of competent jurisdiction. *See Alltrade Inc. v. Uniweld Prods. Inc.*, 946 F.2d 622, 20 USPQ2d 1698, 1702 n.11 (placing confidential documents into public record in violation of Board's protective order established a cause of action in district court).

¹ 7 TTABVUE.

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. The Board may treat as not confidential that material which cannot reasonably be considered confidential, notwithstanding a designation as such by a party. *See* Trademark Rule 2.116(g).

The schedule remains as set forth in the Board's notice of institution.²

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² 2 TTABVUE 3.