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Filing date: **09/27/2007**

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

Proceeding	92045017
Party	Plaintiff SWISSPARTNERS INVESTMENT NETWORK AG
Correspondence Address	P. JAY HINES Cantor Colburn LLP 1800 Diagonal RoadSuite 510 Alexandria, VA 22314 UNITED STATES tm-dc@cantorcolburn.com
Submission	Motion to Quash
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Date	09/27/2007
Attachments	Motion to Quash.pdf (12 pages)(2709902 bytes)

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

.....)	
SWISSPARTNERS INVESTMENT)	
NETWORK AG)	
)	CANCELLATION NO.: 92045017
Petitioner,)	U.S. Registration No.: 2,782,790
)	Mark: LIFEBRIDGE
v.)	
)	
GLOBALBRIDGE, INC.)	
)	
Respondent.)	
.....)	

PETITIONER'S MOTION TO QUASH REGISTRANT'S NOTICE OF RULE 30(B)(6)
DEPOSITION OF SWISSPARTNERS INVESTMENT NETWORK AG

Petitioner, Swisspartners Investment Network AG, hereby moves the Board for an order quashing Registrant's Notice of Rule 30(b)(6) Deposition of Swisspartners Investment Network AG which was served on Petitioner on September 18, 2007. *See* Exhibit A.

Petitioner, being a Swiss corporation, does not reside in the United States. Petitioner does not have an officer, director or managing agent in the United States. Pursuant to Trademark Rule 2.120(e), the discovery deposition of a party or a person designated under Rule 30(b)(6) residing in a foreign country must be taken on written questions in the manner prescribed by Trademark Rule 2.124 unless the parties stipulate otherwise or the Board orders, based upon a motion for good cause, the deposition to be taken by oral examination. *See Rhone-Poulenc Industries v. Gulf Oil Corp.*, 198 U.S.P.Q. 372, 374 (TTAB 1978). Here, the parties have not

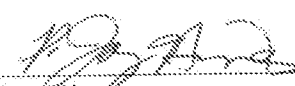
stipulated to the taking of the deposition orally nor has Registrant filed a motion requesting an order to take Petitioner's Rule 30(b)(6) deposition orally based on a showing of good cause. The Board will not order a foreign person to come to the United States for the taking of his or her discovery deposition. *See Jain v. Ramparts Inc.*, 49 U.S.P.Q.2d 1429 (TTAB 1998).

Further, Trademark Rule 2.124(d) requires that the Deposition Notice served on a non-resident party must be accompanied by the written questions to be propounded. The subject deposition notice appears to direct Petitioner to designate a witness for oral examination in the United States. It makes no mention of the method of examination and, while it includes a list of topics, it is not accompanied by a list of written questions.

For the foregoing reasons, Petitioner objects to the deposition notice and respectfully requests and order quashing same.

Respectfully submitted,

Date: September 27, 2007



P. Jay Hines
Rebecca L. Roby
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(703) 236-4500
(703) 236-4501 (fax)

Attorneys for Petitioner
Swisspartners Investment Network AG

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing **Petitioner's Motion to Quash Registrant's Notice of Rule 30(b)(6) Deposition of Swisspartners Investment Network AG** was served on Respondent, by regular U.S. mail, postage prepaid, this 27th day of September 2007 to:

Laura Gayle Coates
Faegre & Benson LLP
2200 Wells Fargo Center
90 South Seventh Street
Minneapolis, MN 55402

A handwritten signature in cursive script, reading "Denise Countiss-Lowe", is written over a horizontal dotted line.

Denise Countiss-Lowe

EXHIBIT A

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

-----X
SWISSPARTNERS INVESTMENT NETWORK AG and
Petitioner,
v.
GLOBALBRIDGE, INC.,
Registrant.
-----X

: Cancellation Proceeding No. 92045017
:
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**REGISTRANT'S NOTICE OF RULE 30(b)(6) DEPOSITION OF SWISSPARTNERS
INVESTMENT NETWORK AG**

TO: Petitioner Swisspartners Investment Network AG and its counsel P. Jay Hines, Esq., Cantor Colburn LLP, 1800 Diagonal Road, Suite 510, Alexandria, VA 22314.

PLEASE TAKE NOTICE that, pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, Registrant Globalbridge, Inc. ("Registrant"), by and through their undersigned attorneys, will take the deposition of Petitioner Swisspartners Investment Network AG ("Petitioner") on the topics set forth in the attached Schedule A. Pursuant to Rule 30(b)(6), Petitioner is directed to designate one or more persons who consent to testify on its behalf, and to set forth for each person so designated the matters on which he or she will testify. The persons so designated shall testify as to matters known or reasonably available to Petitioner.

The deposition will take place at a time and place agreed to by counsel during the Discovery period and will continue from day to day, excluding holidays and weekends, until completed.

PLEASE TAKE FURTHER NOTICE that the deposition will be recorded by stenographic and/or sound-and-visual means. The deposition will take place before a qualified notary public or other officer authorized by law to administer oaths.

Date: September 18, 2007

FAEGRE & BENSON/LLP

By: 

Felicia J. Boyd
Laura G. Coates

2200 Wells Fargo Center
90 South Seventh Street
Minneapolis, MN 55402
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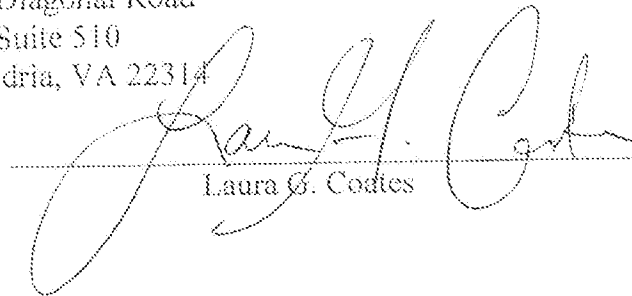
Attorneys for Registrant
Globalbridge, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on September 18, 2007, a copy of the foregoing Opposers' Notice of Rule 30(b)(6) Deposition To Petitioner Swisspartners Investment Network AG was served on counsel of record for Applicant as follows:

BY OVERNIGHT MAIL

P. Jay Hines, Esq.
Cantor Colburn LLP
1800 Diagonal Road
Suite 510
Alexandria, VA 22314



Laura G. Coates

SCHEDULE A

DEFINITIONS

A. As used herein, "Petitioner," "Swisspartners," "you," and "your" refer to Petitioner Swisspartners Investment Network AG, any predecessors or successors in interest with respect to Petitioner's trademarks, and all persons or entities acting or purporting to act on behalf of or who are and/or were subject to the direction or control of Petitioner, including, without limitation, its current and/or former attorneys, partners, representatives, agents, consultants and employees, and/or any business entity wholly or substantially owned or controlled by Petitioner.

B. As used herein, "Petitioner's Marks" refers to each mark used by Petitioner in the U.S. containing the word "LIFEBRIDGE," by itself or in combination with another word or design, including, but not limited to, the marks set forth in Application Nos. 78/316,583 and 79/006,180.

C. As used herein, "Registrant" refers to Globalbridge, Inc., and to each and every current or former officer, director, employee, agent, attorney, representative or consultant of Globalbridge, Inc. when acting on behalf of Globalbridge, Inc.

D. As used herein, "Registrant's Mark" refers to each mark used by Petitioner in the U.S. containing the word "LIFEBRIDGE," by itself or in combination with another word or design, including, but not limited to, the mark set forth in Registration No. 2,782,790.

E. As used herein, the terms "person" or "party" refer to and include any natural person, as well as any juristic person (e.g., corporation) or any business or other organizational entity (e.g., partnership, trust, joint venture, group, association or organization), and his, her, its or their officers, agents and employees.

F. As used herein, "relate" or "relating" includes, without limitation, pertaining to, concerning, constituting, comprising, reflecting, discussing or having any logical or factual connection whatsoever with the subject matter in question.

G. The term "document" refers to any and all tangible items or sources of information within the meaning of Rule 34 of the Federal Rules of Civil Procedure, whether original or nonidentical copies of such items, in both final and draft form, of every kind and nature whatsoever, however produced, reproduced, or stored, that are within your possession, custody or control, or that are known by you to exist. The term "document" includes, but is not limited to, all correspondence, memoranda, records, reports, notes, drafts, proposals, minutes of meetings, books, papers, drawings, telegrams, logs, diaries, computer printouts, computations, ledgers, journals, purchase orders, bills of lading, invoices, vouchers, checks, books of original entry and other books or records, recordings or memoranda of conversations, or any other written, printed, typewritten or other graphic or photographic matter or tangible thing on which any information is affixed and all mechanical, electronic, sound or video recordings or transcripts thereof, and all other magnetic recordings or matter existing in any other machine readable form, and all information capable of being retrieved from a computer. The term "document" also refers to all preliminary drafts, versions, or revisions of any of the aforementioned, to all underlying preparatory or supporting materials thereto, and to all studies, analyses, or other evaluative or interpretive reports thereof.

H. As used herein, the term "communicate" or "communications" refers to all conversations, correspondence, or contacts between two or more individuals, whether in person, in writing, by telephone, or by any other means.

1. As used herein, the term "sale," "sales," "sell," or "sold" shall include sales, licenses, leases, distribution to resellers and all methods of product distribution whether direct or indirect, and whether or not Applicant received or will receive revenue therefrom.

TOPICS

1. State or federal registrations or applications for registration for any of the Petitioner's Marks, including any and all correspondence by Petitioner with the United States Patent and Trademark Office and/or any third party regarding or referring to any state or federal registrations or applications for registration.

2. The conception, selection, clearance, adoption and first use (if any) of Petitioner's Marks.

3. The selection or use by Petitioner of any good or service sold in the United States bearing any of Petitioner's Marks.

4. The organizational structure of Swisspartners Investment Network AG and any of its United States parent, sister, subsidiary and affiliated entities.

5. Sales and pricing of each product or service offered by Petitioner in the United States bearing any of Petitioner's Marks.

6. The dates of use (including the date of first use) of each product or service offered by Applicant in the United States bearing any of Petitioner's Marks.

7. Petitioner's use of Petitioner's Marks in connection with the advertising, promotion, marketing or sale of any product or service.

8. The marketing channels through which Petitioner has marketed, sold and/or distributed products bearing any of Petitioner's Marks and any future marketing channels for said products.

9. Petitioner's expenditures for the advertising, marketing, and promotion of Applicant's Marks and products bearing any of Applicant's Marks.

10. Advertising relating to the products or services on which, or in connection with which, Petitioner's Marks, have been or will be used by Petitioner in the United States.

11. Characteristics or other demographic information about: (1) the consumers to whom Petitioner markets and/or sells products or services bearing any of Petitioner's Marks; or (2) the consumers to whom Petitioner targets its marketing.

12. All facts related to Petitioner's plans or proposals to expand its existing product lines or markets for goods and/or services bearing any of Petitioner's Marks.

13. Petitioner's communications with any experts that it has retained or will retain in this case, including but not limited to, an identification of the documents that Petitioner has provided to its experts.

14. Petitioner's communications with any advertising firm, public relations agency or consulting company retained by Petitioner or that has provided or will provide services to Petitioner in connection with the advertisement, marketing, or promotion of products bearing any of Petitioner's Marks.

15. Any instance(s) of confusion, mistake, or deception of origin, sponsorship, approval, association, connection or affiliation arising in connection with or relating in any way to Petitioner's Marks, whether that confusion, mistake or deception arose relative to Registrant's products, Registrant's Marks, Registrant, or any other person or entity.

16. Petitioner's knowledge of Registrant's Marks.

17. The factual bases for all claims that Petitioner has raised in this Cancellation Proceeding.

18. Petitioner's answers to Opposers' interrogatories, document requests and requests for admissions.

19. Documents identified and/or produced by Petitioner in response to Registrant's discovery requests in the above-captioned matter.

20. To the extent that Petitioner has denied or otherwise not fully admitted any of Registrant's requests for admission, the basis for the denial and identity of any documents that Petitioner believes would support or refute the denial.

21. Petitioner's intent to use Petitioner's Marks on or in connection with goods identified in the applications for registration of any of said Marks.