

ESTTA Tracking number: **ESTTA1112525**

Filing date: **02/05/2021**

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

Proceeding	92067794
Party	Plaintiff Joshua S. Schoonover
Correspondence Address	JOSHUA S SCHOONOVER COASTAL PATENT LAW GROUP PC PO BOX 131299 CARLSBAD, CA 92013 UNITED STATES Primary Email: LawGroup@CoastalPatent.com 858-565-4730
Submission	Other Motions/Submissions
Filer's Name	Joshua S. Schoonover
Filer's email	lawgroup@coastalpatent.com
Signature	/Joshua S. Schoonover/
Date	02/05/2021
Attachments	2021-02-05_Ps-Not-Elect-Cross-Cooley.pdf(105239 bytes )

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

In the Matter of Reg. No. 2,207,535 issued on December 1, 1998 and  
Reg. No. 3,598,502 issued on March 31, 1999

Joshua S. Schoonover,	)	
	)	
Petitioner,	)	
	)	
v.	)	Cancellation No. 92067794 (parent)
	)	Cancellation No. 92069499
The Burton Corporation,	)	
	)	
Registrant.	)	
	)	

**PETITIONER’S SUBSTITUTE NOTICE OF ELECTION TO TAKE ORAL CROSS-  
EXAMINATION OF STEVEN COOLEY**

PLEASE TAKE NOTICE that pursuant to 37 C.F.R. § 2.123(c) Petitioner, Joshua S. Schoonover (“Petitioner”) hereby elects to take the oral cross-examination of Steven Cooley, a witness of Registrant, The Burton Corporation, 180 Queen City Park Road, Burlington, VT, 05401. The examination will be taken before a person authorized to do so pursuant to Rule 28 of the Federal Rules of Civil Procedure. The examination will take place via remote videoconference technology on Friday, February 12, 2021 between the hours of 11:00 A.M. and 1:00 P.M. eastern time.

Dated this 5<sup>th</sup> day of February 2021.

By: /Joshua S. Schoonover/

Joshua S. Schoonover. Esq.  
COASTAL PATENT LAW GROUP, P.C.  
PO Box 131299  
Carlsbad, CA 92013  
Telephone: (858) 565-4730  
Facsimile: (858) 408-3339  
Email: LawGroup@CoastalPatent.com

*Petitioner Pro Se*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and accurate copy of PETITIONER'S SUBSTITUTE NOTICE OF ELECTION TO TAKE ORAL CROSS-EXAMINATION OF STEVEN COOLEY has this 5<sup>th</sup> day of February 2021 been delivered via email to the below-identified Attorney/Correspondent for the Respondent:

tmip@drm.com

/Joshua S. Schoonover/  
Joshua S. Schoonover