

ESTTA Tracking number: **ESTTA1332238**
Filing date: **01/04/2024**

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

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|------------------------|---|
| Proceeding no. | 92081595 |
| Party | Plaintiff Mercury One, Inc. |
| Correspondence address | D SCOTT HEMINGWAY ATTORNEY OF RECORD FOR MERCURY ONE INC 1700 PACIFIC AVENUE SUITE 1820 DALLAS, TX 75201 UNITED STATES Primary email: shemingway@hh-iplaw.com Secondary email(s): ehartman@hh-iplaw.com, admin@hh-iplaw.com 214-292-8301 |
| Submission | Other Motions/Submissions |
| Filer's name | Elizabeth P. Hartman |
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| Signature | /Elizabeth P. Hartman/ |
| Date | 01/04/2024 |
| Attachments | 01.04.23 Joint Stipulation Admissibility of Produced Documents.fnl.pdf (147199 bytes) 01.04.24 Notice of Remote Deposition Stipulation.vfnl.pdf(147698 bytes) |

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

Cancellation No.: 92081595

In the matter of:

1. Reg. No. 6,008,523; word mark HONEST HISTORY Filed: April 19, 2018, Registration Date: March 10, 2020
2. Reg. No. 6,504,087; word mark HONEST HISTORY Filed: October 22, 2020, Registration Date: September 28, 2021
3. Reg. No. 6,504,088; word mark HONEST HISTORY Filed: October 22, 2020, Registration Date: September 28, 2021

***MERCURY ONE, INC.,
PETITIONER,
V.
HONEST HISTORY CO.,
RESPONDENT.***

**NOTICE OF JOINT STIPULATION REGARDING
ADMISSIBILITY OF PRODUCED DOCUMENTS**

The Parties have reached an agreement on the admissibility of produced documents, and the Parties wish to notify the Board about that stipulation. The present stipulation should reduce the need for rulings on admissibility of produced documents by the Board, which is meant to promote efficiency in this proceeding. If Board approval is needed for this Joint Stipulation, the Parties request the Board grant such approval of this stipulated agreement.

The Parties have met and conferred regarding the admissibility of produced documents in this matter and stipulate as follows:

The parties stipulate that documents produced to a party to this Cancellation Proceeding by another party or a third party in response to compulsory process (e.g., subpoena) or a document request served upon a party pursuant to 37 C.F.R. § 2.120 and Fed. R. Civ. P. 34 shall be deemed authentic for purposes of this Cancellation Proceeding only. The parties expressly reserve all objections as to relevance, competence, materiality, privilege, hearsay, and weight.

As set forth in the Case Management Order and the TBMP, for efficiency, the parties may stipulate to various procedural and substantive disclosures, discovery and trial matters upon written stipulation and approval by the Board. To the extent necessary, the Parties request the Board's approval of this written stipulation of the Parties and issuance of any order deemed necessary by the Board.

Dated: January 4, 2024

/s/ D. Scott Hemingway /
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Dated: January 4, 2024

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND
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Cancellation No.: 92081595

In the matter of:

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***MERCURY ONE, INC.,
PETITIONER,
V.
HONEST HISTORY CO.,
RESPONDENT.***

**NOTICE OF JOINT STIPULATION REGARDING
REMOTE DEPOSITIONS**

The Parties have reached an agreement on taking and/or attending depositions remotely by videoconference and/or telephone, and the Parties wish to notify the Board about that stipulation. The present stipulation should reduce the costs of taking certain depositions (or attending depositions), which is meant to promote efficiency and cost-savings in this proceeding. If Board approval is needed for this Joint Stipulation, the Parties request that the Board grant such approval of this stipulated agreement.

The Parties have met and conferred regarding the remote depositions in this matter and stipulate as follows:

- I. Any party requesting a deposition in this Cancellation proceeding can take depositions live or by videoconference service (with cameras on for the deponent and any counsel taking or defending the deposition), with this manner of taking the deposition to be stated in the notice of deposition or otherwise communicated to the parties in advance of the deposition, and with the party requesting the deposition obligated to

retain the appropriate service to support the chosen manner of taking the deposition.

- II. Any counsel attending depositions in any capacity may choose to participate in the deposition in the manner set forth in the deposition notice (or otherwise communicated), or alternatively, attend the deposition live, by videoconference and/or telephone with advance notice to the parties,
 1. The party requesting to attend the deposition by videoconference and/or telephone manner (if that is not the manner set forth in the notice), will be responsible for retaining the appropriate alternative communication service to support this alternative means of attending the deposition.

As set forth in the Case Management Order and the TBMP, for efficiency, the parties may stipulate to various procedural and substantive disclosures, discovery and trial matters upon written stipulation and approval by the Board. To the extent necessary, the Parties request the Board's approval of this written stipulation of the Parties and issuance of any order deemed necessary by the Board.

Dated: January 4, 2024

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