

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

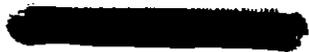
In the matter of trademark application Serial No. 78/624,734
Filed May 6, 2005
For the mark INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS)
Published in the Official Gazette on January 10, 2006

Academy of International Business)	
Opposer,)	
)	Opposition No. 91169101
v.)	
)	
AIBE)	
Applicant.)	

**OPPOSER'S MOTION TO COMPEL DISCOVERY
AND BRIEF IN SUPPORT THEREOF**

Opposer, Academy of International Business, hereby moves this Board pursuant to Trademark Rule 2.120(e) for an order compelling Applicant, AIBE to respond to Opposer's First Set of Interrogatories to Applicant (Interrogatories) and to produce documents responsive to Opposer's First Request for Production of Documents (Document Requests). Copies of the Interrogatories and Document Requests are attached hereto as Exhibit 1. Opposer, through its attorney, has made a good faith effort to contact Applicant to resolve this discovery dispute. However, Applicant has failed to respond to any of Opposer's attorney's efforts. Opposer served the Interrogatories and Document Requests on Applicant on June 23, 2006. The answers and document production were due on July 28, 2006. Since Applicant is not represented by counsel, the Interrogatories and Document Requests were served upon Alan S. Khade, MBA Ph.D. at Alans International Business Enterprise. Dr. Alan S. Khade was the signatory on Applicant's Answer to Notice of Opposition.

On August 4, 2006, Opposer's attorney sent an email to Dr. Alan S. Khade, inquiring as to



the status of the responses. This email was sent to the email address listed in the Applicant's Answer to Notice of Opposition, admin@aiibe.org. This email was also sent to AKhade@aiibe.org. Opposer has successfully corresponded with Dr. Alan S. Khade in the past using this email address. Finally, on August 10, 2006, Opposer's attorney sent a letter via regular mail to Dr. Alan S. Khade at Alans International Business Enterprise inquiring as to the status of the responses. Copies of the email and the letter are attached hereto as Exhibit 2. Opposer and its attorney have not received a response to the emails or the letter. As shown above, Opposer, through its attorney, has made several good faith attempts to discuss the discovery dispute with Applicant. However, Applicant has refused to respond to Opposer's attempts to resolve this matter without the assistance of the Board.

The August 10, 2006 letter to Applicant included a Stipulated Abandonment of Application and Withdrawal of Opposition. Opposer asked Applicant to stipulate to the abandonment of the application if it was Applicant's intent to not comply with the discovery requests or defend against the opposition. Opposer sought to avoid wasting the Board's time and resources in deciding this Motion to Compel. Neither Opposer nor its attorney has received any communications from Opposer since receiving the Certificate of Service for the Answer to Opposition No. 91169101.

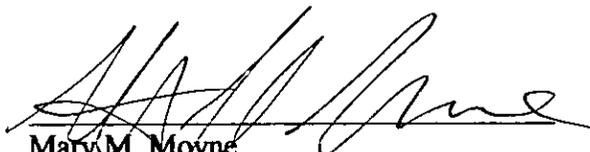
Opposer requests that the Board enter an order compelling Applicant to answer the Interrogatories and Document Requests. Opposer also requests that Applicant be barred from objecting to Opposer's Interrogatories and Document Requests and that Applicant be precluded from relying on claims of confidentiality, privilege, or work product when it ultimately responds to the discovery requests. In addition, Opposer requests that the Board impose appropriate sanctions on Applicant for its failure to respond to Opposer's discovery requests. Further, Opposer requests that the Board reset the date for close of discovery as it relates to Opposer to allow time for Opposer to

file additional discovery as may be required after review of Applicant's responses to Opposer's pending discovery requests. Finally, Opposer requests that the Board suspend the current proceeding and that the testimony period be reset after the decision on this Motion to Compel.

On Friday, August 18, 2006 it came to Opposer's attention that an assignment was recorded for Application No. 78/624,734. The change in ownership was not indicated in the TESS database. According to the USPTO's assignments database, the assignment was executed on May 1, 2006 and recorded on July 22, 2006. Therefore, the assignment was executed after the current Opposition proceeding was noticed. In addition, the assignment was recorded after Opposer sent its discovery requests to Applicant. Applicant had an obligation to inform the Board of any change in ownership and any change in correspondence address. Further, Applicant could have easily notified Opposer upon receipt of the discovery requests that it was not the current owner of the mark and that the discovery requests should be sent to the new owner. Opposer did not receive any communication from Applicant indicating a change of ownership or a change in correspondence address. In addition, to the best of Opposer's knowledge, no papers have been filed with the Board regarding a change in ownership of the application or a change in correspondence address. Therefore, Opposer served its discovery requests upon Applicant using the address originally provided to the Board and Opposer in Applicant's Answer. Opposer should not be prejudiced by Applicant's assignment of the mark. The new applicant knew or should have known that the application was being opposed. If the Board determines that there is a new applicant, Opposer requests that the new applicant be treated similarly to the original applicant and be compelled to answer the Interrogatories and Document Requests. Further, the new applicant should be barred from objecting to Opposer's Interrogatories and Document Requests and should be precluded from relying on claims of confidentiality, privilege,

or work product when he ultimately responds to the discovery requests. In addition, Opposer requests that the Board impose appropriate sanctions on the new applicant for his failure to respond to Opposer's discovery requests.

Date: August 25, 2006



Mary M. Moyne
Ian C. McLeod

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(517) 347-4100
Attorneys for Opposer

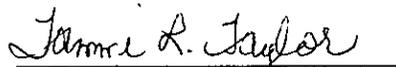
CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" mailing label number EQ 496329692 US

I hereby certify that the attached Opposer's Motion to Compel Discovery and Brief in Support Thereof is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service in an envelope addressed to

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

on August 25, 2006.



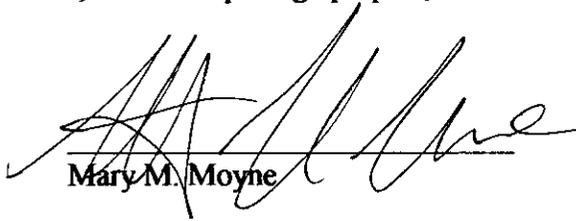
Tammi L. Taylor

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Opposer's Motion to Compel Discovery and Brief in Support Thereof for Opposition No. 91169101 was served upon:

ALAN S. KHADE, MBA, Ph.D
ALANS INTERNATIONAL BUSINESS ENTERPRISE
983 WOODLAND DRIVE
TURLOCK, CA 95382-7281

by depositing same with the U.S. Mail Service, first-class postage prepaid, this 25th day of August, 2006.



Mary M. Moyne

v.

AIBE

Opposer

Opposition No. 91169101

EXHIBIT 1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
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**OPPOSER'S FIRST SET OF
INTERROGATORIES TO APPLICANT**

NOW COMES Opposer, Academy of International Business (AIB) by and through its attorneys Mary M. Moyne and Ian C. McLeod and requests that Applicant, AIBE answer the following Interrogatories in accordance with Rule 33 of the F.R.C.P. and Rule 2.120 of the Trademark Rules of Practice. These Interrogatories are to be answered separately in writing under oath within thirty (30) days after service of these Interrogatories, as provided by Rule 33.

Respondent, AIBE, is further requested to uphold its continuing duty to supplement its responses to the Interrogatories in accordance with the provisions of Rule 26(e) of the Federal Rules of Civil Procedure after respondent serves its initial answers to the Interrogatories.

DEFINITIONS & INSTRUCTIONS

A. As used in these Interrogatories, the term, "document" or "documents" is used in its customary broad sense and is defined to include any communication including any and all manner of written, typed, printed, reproduced by any process, filmed or recorded material and all photographs, pictures, plans, drawings or other representations of any kind of anything pertaining, describing, referring or relating, directly or indirectly, in whole or in part, to the subject matter of each Interrogatory whether interoffice or with parties outside party, and whether or not claimed to be privileged or otherwise excludable from discovery, the term includes, but without limitation:

- 1) Papers, books, journals, ledgers, statements, memoranda, reports, invoices, work sheets, work papers, notes, transcriptions of notes, letters, correspondence, abstracts, diagrams, plans, blueprints, specifications, pictures, drawings, films, photographs, graphic representations, diaries, calendars, desk calendars, lists, logs, publications, advertisements, brochures, catalogs, pamphlets, circulars, trade letters, press releases, trade releases, publicity releases, instructions, minutes, orders, messages, resumés, summaries, records, agreements, contracts, telegrams, telecopies, wires, telexes, cables, recordings, audio tapes, magnetic tapes, computer disks, visual tapes, transcriptions of tapes or recordings, or any other writings or tangible things in which any writing, typing, printing, photostatic or other forms of communications are recorded or reproduced, such as discs, tapes, film and computer memory devices regardless of the origin of such documents(s) as well as all notations on the foregoing;

- 2) Originals and all other copies not absolutely identical; and
 - 3) All drafts or documents and revisions thereof and notes (whether typed or handwritten or otherwise) made or prepared in connection with each such document, whether used or not.
- B. As used in these Interrogatories, the term "identify" when used with reference to a document or documents, means for each such document state:
- 1) Its nature, e.g. letter, memorandum, photograph, etc.;
 - 2) Its title or designation;
 - 3) The date it bears;
 - 4) The name, title, business affiliation, and business address of the person by whom the document was prepared;
 - 5) The name, title, business affiliation, and business address of all persons for whom the document was prepared or copied;
 - 6) A statement of the subject and substance of the document; and
 - 7) The location and custodian of the document. If the document is not an original, the name and address of the original custodian.
- C. The term "person" or "persons" refers to natural persons, corporations, and any other form of business entity including, without limitation, partnerships, sole proprietorships, firms, ventures and associations and shall include divisions, departments, subsidiaries, directors, officers, owners, members, employees, agents, attorneys or anyone else acting on the person's or entities' behalf.
- D. The term "identify" or "give the identification of" a person is defined to mean a demand for

the full name and address, and if a natural person, state:

- 1) Their present or last known residence address and telephone number;
- 2) Their present or last known business affiliation, business address and telephone number;
- 3) Their job title;
- 4) A description of the job responsibilities of such person, together with a statement as to their relationship with AIBE, if any; and
- 5) If not presently related with AIBE, a statement as to whether any such relationship ever existed, and the inclusive dates hereof.

E. The term "identify" or "give the identification of" a person is defined to mean a demand for the full name and address and if other than a natural person, state for each entity:

- 1) Its full name;
- 2) Its form of organization, to the extent known;
- 3) Its address and principle place of business; and
- 4) Whether there is or has ever been an employer/employee relationship, a principle/agent relationship or a licensor/licensee or other relationship between such an entity and AIBE and if so, the nature of the relationship and the inclusive dates hereof.

F. In the following Interrogatories, if a privilege(s) is alleged as to any information, document or materials, or if an Interrogatory is otherwise not answered in full, state:

- 1) The specific grounds for not answering in full;
- 2) The answer to the Interrogatory to the extent to which it is not objected;

- 3) The full identity of the information, document and/or other item for which a privilege(s) is asserted; and
 - 4) The privilege(s) asserted (e.g., work product, attorney-client, etc.).
- G. Where an Interrogatory does not specifically request a particular fact or facts, but where such fact or facts are necessary to make the Answers to the Interrogatory either comprehensible or not misleading, AIBE is requested to include such fact or facts as part of its Answer.
- H. The name "AIBE", refers to Applicant, the company or association or any other form of business entity, its subsidiaries and affiliated companies or associations and includes any predecessors or successors in interest, any persons who are, or at any time to which these Interrogatories relate were, controlled by or otherwise acting on behalf of the foregoing, the present or former officers, directors, partners, employees, agents and representatives of any of the foregoing.
- I. The name "AIB" refers to Opposer, the association or company, its subsidiaries and affiliated companies or associations and includes any predecessors or successors in interest, any persons who are, or at any time to which these Interrogatories relate were, controlled by or otherwise acting on behalf of the foregoing, the present or former officers, directors, partners, employees, agents and representatives of any of the foregoing.
- J. The term "INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS)" shall mean any mark or trade name in standard character form or any logo or other term which includes the term "INTERNATIONAL JOURNAL OF BUSINESS STUDIES" or "IJBS" as any part thereof, in any manner or form or any spelling, phonetic variations or stylized designs of the same in singular, plural or with or without a hyphen, spaces, parenthesis or otherwise.

- K. The term "JOURNAL OF INTERNATIONAL BUSINESS STUDIES" shall mean any mark or trade name in standard character form or any logo or other term which includes the term JOURNAL OF INTERNATIONAL BUSINESS STUDIES as any part thereof, in any manner or form or any spelling, phonetic variations or stylized designs of the same in singular, plural or with or without a hyphen, spaces or otherwise.
- L. The term "JIBS" shall mean any mark or trade name in standard character form or any logo or other term which includes the term "JIBS" as any part thereof, in any manner or form including but not limited to the mark(s) or trade name(s) "(JIBS)", or any spelling, phonetic variations or stylized designs of the same in singular, plural or with or without a hyphen, spaces, parenthesis or otherwise.
- M. If you cannot answer any particular interrogatory, please:
- 1) identify any documents which you believe to contain material relevant to the answers sought; and
 - 2) identify any person who you believe might have knowledge of material relevant to the answer sought.
- N. The term "and/or", "or", or "and" is to be read in both the conjunctive and disjunctive and shall serve as a request for information which would be responsive under a conjunctive reading in addition to all information which would be responsive under a disjunctive reading.
- O. "Each" includes both "each" and "every."
- P. The singular and masculine gender shall respectively include the plural and feminine gender, and vice versa.
- Q. These interrogatories cover the period of time extending up to the date of your response to

them and are continuing. In the event that any information or any documents come to your attention, possession, custody, or control subsequent to the filing of your responses to these interrogatories, which materials or information are responsive to any interrogatory, but which were not included in your initial response thereto, please furnish said additional informational materials to the attorneys for defendants as soon as possible

INTERROGATORIES

1. Describe the organizational structure of AIBE.
2. Identify all past and present officers, directors and managerial employees or managing members of AIBE, including their home address, title as well as the length and dates of their association with AIBE.
3. Identify AIBE'S principle place of business.
4. Identify all persons, including but not limited to companies, corporations, associations, with which AIBE, is affiliated including but not limited to major stockholders, partners, proprietors, or other persons with an ownership interest in AIBE, distributors and members and indicate the form of affiliation and the length of affiliation.
5. Identify each use as enumerated by Application Serial No. 78/624,734 and otherwise by AIBE of the mark(s) or trade name(s) INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS), including the dates of first use for each of the mark(s) or trade name(s).
6. Identify all documents relating to each use by AIBE of the mark(s) or trade name(s) INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) listed in the answer to Interrogatory No. 5.
7. Describe in detail the method by which AIBE sells and/or distributes its good(s) and/or service(s) under the mark(s) or trade name(s) INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS).
8. Identify each person AIBE has licensed or authorized to sell, distribute or otherwise provide good(s) and/or service(s) under the mark INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS).

9. For each person identified in response to Interrogatory No. 8, describe all good(s) and/or service(s) sold, distributed or provided by such person, whether in connection with the mark INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) or otherwise.
10. Identify each of the good(s) and/or service(s) on which the mark(s) or trade name(s) INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) was first used, including the date of first use, the date of last use, if no longer being used, a description of each good and/or service, the geographical area in which each good and/or service is distributed, the class of buyers for each good and/or service, the sector of public for which each good and/or service is marketed.
11. Identify each of the good(s) and/or service(s) on which the mark(s) or trade name(s) INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) is presently being used, including the date of first use, a description of each good and/or service, the ingredients of each good, the geographical area in which each good and/or service is distributed, the class of buyers for each good and/or service, the sector of public for which each good and/or service is marketed.
12. For each good and/or service specified in response to Interrogatories 10 and 11 identify and describe any and all facts, documents and witnesses which AIBE will rely upon to establish each date specified in response to Interrogatories 10 and 11.
13. For each good or service listed in the answers to Interrogatories Nos. 10 and 11, indicate the particular application or use of the mark(s) or trade name(s) INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) including, but not limited to, description of packaging, and description of advertisements.

14. For each good or service listed in the answers to Interrogatories Nos. 10 and 11, indicate whether AIBE, manufactures, publishes, creates and/or distributes the same.
15. For each good or service listed in the answers to Interrogatories Nos. 10 and 11, indicate the supplier or publisher for each good and/or service.
16. Identify all documents relating to the manufacture, creation, publication and/or distribution of the good(s) and/or service(s) identified in the answers to Interrogatories Nos. 10 and 11.
17. When did AIBE, decide to adopt each of the mark(s) or trade name(s) INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS)?
18. On what factors was the selection and/or adoption of each of the mark(s) or trade name(s) INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) based, identify any surveys, reports, studies, etc., on which the decision was based.
19. Describe all trademark searches, screening searches and availability searches for the INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) mark performed or procured by AIBE.
20. Identify all individuals or entities involved in any way in the selection, adoption and/or first use of each of the mark(s) or trade name(s) INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS).
21. Identify all mark(s) or trade name(s) considered but not adopted for each of the good(s) and/or service(s) listed in the answers to Interrogatories Nos. 10 and 11 prior to adoption of each of the mark(s) or trade name(s) INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS).
22. Identify all documents relating to any other mark(s) or trade name(s) considered but not

adopted for each of the good(s) and/or service(s) listed in the answers to Interrogatories Nos. 10 and 11 before adoption of each of the mark(s) or trade name(s) INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS).

23. Has any person ever recommended or advised against the acquisition, adoption and/or use of the mark(s) or trade name(s) INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS), by AIBE, if yes, identify each such person, the substance of their advice, the date of their advice, the receiver of their advice, and all documents relating thereto.
24. Identify any previous mark(s) or trade name(s) used on good(s) and/or service(s) now using each of the mark(s) or trade name(s) INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) including the date of first use of previous mark, date of last use of previous mark, reason for changing, and all documents relating thereto.
25. Identify all existing or abandoned (Federal, State and/or Foreign) trademark registrations or applications owned by AIBE, for the mark(s) or trade name(s) INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS).
26. Identify the previous owner(s) of any of the mark(s) or trade name(s) INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS), if any, and identify all documents relating to the transfer of ownership.
27. Identify any litigation or controversy in which AIBE is or was involved pertaining to any of the mark(s) or trade name(s) INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS), including the name of opposing party, the type of litigation or controversy and all documents related thereto.
28. Describe any and all licenses, assignments, stipulations of dismissal and settlement

agreements involving the INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) mark or use thereof by AIBE.

29. Describe each lawsuit, arbitration and proceeding, including (without limitation) appellate, opposition, cancellation, concurrent use and interference proceedings before the Trademark Trial and Appeal Board of the United States Patent and Trademark Office, involving AIBE and the INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) mark.
30. Describe the outcome of each lawsuit, arbitration and proceeding specified in response to Interrogatory No. 29.
31. State the date on which AIBE or any of AIBE's members, officers, directors, managing agents, and/or employees first obtained knowledge of AIB's marks JOURNAL OF INTERNATIONAL BUSINESS STUDIES and/or JIBS and describe in detail the circumstances under which such members, officers, directors, managing agents, and/or employees first became aware of AIB's marks.
32. Identify all documents which relate or refer to AIB, AIB's mark(s) and/or trade name(s) and/or AIB's good(s) and/or service(s) which evidence and/or support AIBE's knowledge of AIB or were generated in connection with any communication, whether written or oral, with AIB.
33. Identify any third party uses of the marks(s) and/or trade names(s) INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS), JOURNAL OF INTERNATIONAL BUSINESS STUDIES and/or JIBS of which AIBE is aware including the specific mark(s) or trade name(s) and the owner of the mark(s) or trade name(s), if known, and indicate the date(s) on which AIBE first became aware of the mark(s) or trade names(s).

34. Identify the names and classes of customers who purchase or acquire AIBE's good(s) and/or service(s) which use any of the mark(s) and/or trade name(s) INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS).
35. Identify and describe all geographical areas (by city, county and state) in which AIBE has sold, licensed, distributed or provided to any person any good(s) and/or service(s) in connection with the mark INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS).
36. For each geographical area specified in response to Interrogatory No. 35, identify and describe the following:
- (a) each good and/or service marketed, sold, distributed or provided, within such geographical area, by AIBE, in connection with the mark INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS); and
 - (b) the persons that first purchased, or received each such good and/or service within such geographical area; the exact dates thereof; and the amounts of money paid or owed to AIBE for such purchase or receipt; and
 - (c) the exact dates on which AIBE first used the mark INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS), in commerce, within such geographical area, in connection with each such good and/or service; and
 - (d) the manner and mode of each use of the mark INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS), in commerce, within such geographical area, in connection with each such good and/or service, on each date specified in response to Interrogatory No. 36(c).
37. For each geographical area specified in response to Interrogatory No. 35, describe whether

- the sale, distribution and providing of each good and/or service specified in response to Interrogatory No. 36(a) has been continuous and uninterrupted, within such geographical area, from each date specified in response to Interrogatory No. 36(c) to the present date.
38. State separately the annual dollar volume of sales for each of the good(s) and/or service(s) sold or offered by AIBE from its inception to present under any of the mark(s) or trade name(s) INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS).
 39. Indicate the amount of revenue expected from each good and/or service using the mark(s) or trade name(s) INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) for the next two (2) years.
 40. Identify all mediums in which each of the mark(s) or trade name(s) INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) has been used for the promotion, advertisement etc., of AIBE's good(s) and/or service(s), including, but not limited to, television, newspapers, trade journals, brochures, advertisement videos and trade shows and identify the type of medium, the specific name of medium, the beginning and ending dates of the advertisement, promotions, etc., the geographical area covered by the medium, the class of buyers for whom the advertisement, promotions, etc. were intended and all documents relating thereto.
 41. Indicate the amount of money AIBE spent annually advertising and marketing the good(s) and/or service(s) which are sold under any of the mark(s) or trade name(s) INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) for each mark or trade name for each year from the date of first use until present.
 42. Identify all documents relating to the classes of customers and/or consumers for each of the

good(s) and/or service(s) using any of the mark(s) or trade name(s) INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS).

43. Describe all prevailing fees and prices of AIBE for each good and service specified in response to Interrogatory No. 11.
44. Describe all research, surveys and studies, including, but not limited to marketing, purchaser and brand awareness studies, that AIBE has conducted, requested or obtained to determine the familiarity of the public, industry, or any segment thereof, with the designation INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) for the good(s) and/or service(s) specified in response to Interrogatory No. 11.
45. Identify all promotional materials which have been produced, drafted or proposed for use, including mark-ups for the same, which display, refer or relate, in any way to the mark(s) or trade name(s) INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS).
46. Identify all documents which do, or may support, any claim or defenses of AIBE and/or which AIBE believes would be admissible as evidence on its behalf during this proceeding.
47. Identify which feature of AIBE's mark AIBE contends identifies and distinguishes AIBE's mark from AIB's marks.
48. Identify which features of AIBE's mark AIBE contends are not confusingly similar to AIB's marks.
49. Identify all documents, witnesses and things which support the contention that AIBE's mark is not confusingly similar to AIB's marks.
50. Identify all documents constituting and/or comprising any opinion(s) and/or reports furnished by each expert witness whose testimony, statement, declaration and/or affidavit

will or may be offered into evidence or used in any manner in this matter by AIBE and each person from whom AIBE has obtained or will obtain statements or affidavits, or who is expected to give testimony in this case.

51. Identify each witness AIBE may or will have testify in this matter, the substance of their expected testimony, whether that person is considered an expert, and if so, in what area the witness is considered an expert.
52. Identify each expert that AIBE may or will have testify on behalf of AIBE in this matter, the credentials of that expert and the substance of their expected testimony.
53. Identify all persons contacted by or on behalf of AIBE as experts in any capacity in connection with the subject opposition proceeding.
54. Describe the opinions, advice, reports, studies, facts and information provided in connection with the subject opposition proceeding by any person specified in response to Interrogatory Nos. 52 and 53.
55. Identify all entities, persons, establishments and the like that have offered for sale, or provide or will soon be offering for sale or providing AIBE's good(s) and/or service(s) having the mark INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS).
56. Describe all instances of actual confusion, known to AIBE, between the source, affiliation or sponsorship of any good(s) and/or service(s) sold, distributed, offered or promoted by AIB and the good(s) and/or service(s) specified in response to Interrogatory No. 11.
57. Describe all instances of actual confusion, known to AIBE between the mark INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) and the marks JOURNAL OF INTERNATIONAL BUSINESS STUDIES and/or JIBS as used by AIB.

58. Identify any books or other printed material; records or reports made in the course of business; drawings, charts, maps, diagrams; other documentary material; models, specimens, samples; and/or other tangible objects, with respect to any material relevant to the present proceedings which has not been identified in the Answers to previous Interrogatories, which AIBE has possession of, or knows the existence of and for each item, include a description, form, name, number, size, or other means of general identification, sufficient to identify same for purposes of a motion to produce, the date on which it was made, prepared, or taken, the present location, indicating address, and location within the address, the name, address, and job title of each person who has possession of a copy of it, whether it has been altered in any manner since this cause of action arose or after the item was initially made, taken, or prepared, and if it has been lost, destroyed, consumed, or otherwise ceased to exist, state the circumstances of its loss or the reason it has ceased to exist.
59. Identify each person who has or claims to have relevant knowledge of the facts or circumstances for this opposition.
60. Identify any document(s) received from each person claiming to have knowledge of any facts or circumstances relevant to this case.

61. Identify each person supplying information used to prepare the Answers to these Interrogatories, and as to each person so identified, indicate the number of the Interrogatory or part thereof as to which this person supplied the information.

Date: June 23, 2006



Mary M. Moyne
Ian C. McLeod
McLEOD & MOYNE, P.C.
2190 Commons Parkway
Okemos, Michigan 48864
(517) 347-4100
Attorneys for Opposer

Interrogatories 210-3.wpd

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

In the matter of trademark application Serial No. 78/624,734

Filed May 6, 2005

For the mark INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS)

Published in the Official Gazette on January 10, 2006

Academy of International Business)	
Opposer,)	
)	Opposition No. 91169101
v.)	
)	
AIBE)	
Applicant.)	

**OPPOSER'S FIRST REQUEST FOR
PRODUCTION OF DOCUMENTS**

Opposer, Academy of International Business (AIB), pursuant to Rule 34 of the Federal Rules of Civil Procedure and Rule 2.120 of the Trademark Rules of Practice, hereby requires that Applicant, AIBE, respond hereto according to the Rules, and produce the documents identified hereafter and permit AIB to inspect and copy any such documents at the place where the documents are normally kept, or at such other suitable place as counsel may arrange, commencing at 10:00a.m. on the 35th day subsequent to service of this paper.

DEFINITIONS AND INSTRUCTIONS

- A. The term "document" or "documents" is as defined in Opposer's First Set of Interrogatories to Applicant.
- B. The term "person" or "persons" is as defined in Opposer's First Set of Interrogatories to Applicant.
- C. The term "AIBE" is as defined in Opposer's First Set of Interrogatories to Applicant.
- D. The term "AIB" is as defined in Opposer's First Set of Interrogatories to Applicant.

- E. The term "INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS)" is as defined in Opposer's First Set of Interrogatories to Applicant.
- F. The term "INTERNATIONAL JOURNAL OF BUSINESS STUDIES" is as defined in Opposer's First Set of Interrogatories to Applicant.
- G. The term "IJBS" is as defined in Opposer's First Set of Interrogatories to Applicant.
- H. The term "file history" or "file histories" shall mean any and all materials and documents pertaining, describing, relating or referring, directly or indirectly, in whole or in part, to any trademarks, service marks, applications, registrations or proceedings which are the subject matter of a request, including (without limitation) any and all applications, application materials, drawings, specimens of use, office actions, office action responses, affidavits, declarations, opposition notices, cancellation petitions, complaints, answers, discovery requests, responses to discovery requests, depositions, motions, and adjudicating body decisions and rulings including, but not limited to, decisions and rulings of the United States Trademark Trial and Appeal Board.
- I. The term "identify" when used with reference to a document or documents, shall mean to state, for each such document:
- 1) the nature of the document, e.g., letter, memorandum, photograph, etc.;
 - 2) the title or designation of the document;
 - 3) the date of the document;
 - 4) the name, title, business affiliation, and business address of all persons who prepared the document;
 - 5) the name, title, business affiliation, and business address of all persons to whom the

document was directed;

- 6) a statement of the subject and substance of the document;
 - 7) the length of the document;
 - 8) a precise description of the place where such document is presently kept, including the title or the description of the file in which such documents would be found and the exact location of such file;
 - 9) the name, title, business affiliation, and business address of each person who presently has custody of such document.
- J. The term "identify" when used with reference to persons shall mean to state, for each such person their full name, current business affiliation, title, and current business address, or if the current business address is unknown, then the last known business address.
- K. The terms "and", "or" and "and/or" the conjunctive or the disjunctive as the context may require so that the document request is inclusive rather than exclusive. Pronouns and nouns shall refer to the masculine, feminine, neuter, singular or plural as the context may permit.
- L. You shall produce all documents in a form which renders the documents susceptible to copying. You shall produce all documents according to the specific request to which the documents are responsive as they are kept in the usual course of business or organized and labeled to correspond to the following requests.
- M. If you are unable to comply fully with any request herein, you shall comply to the extent possible and provide an explanation as to why full compliance is not possible.
- N. If any document responsive to or falling within the scope of any request herein is unavailable because it has been destroyed, you shall identify the document, state when the document was

destroyed, state the reasons for destruction of the document, identify all persons who ordered the document destroyed and all persons who participated in or have knowledge of the destruction.

- O. All requests herein are directed to those documents which are in your possession, custody or control, or within the possession, custody or control of your employees, agents, servants, trustees, guardians, attorneys and representatives. They are also directed to those persons that you control, and to documents in possession, custody or control of employees, agents, servants, trustees, guardians, attorneys and representatives of such persons.
- P. If you withhold, on the basis of a claim of privilege, work product, or any other ground, any document responsive to or falling within the scope of any request herein, you shall identify such document in writing, state all grounds alleged for withholding the document and identify all persons who have or have had possession, custody or control of the document or any portions thereof.
- Q. This request shall be deemed to be continuing. Your attention is directed to Rule 26(e)(2) of the Federal Rules of Civil Procedure, which provides as follows:

A party is under a duty seasonably to amend a prior response to an interrogatory, request for production, or request for admission if the party learns that the response is in some material respect incomplete or incorrect and if the additional or corrective information has not otherwise been made known to the other parties during the discovery process or in writing.

REQUESTS

1. All documents and file histories relating or referring to any federal or state registrations owned by AIBE for the mark INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS).
2. All documents and file histories relating or referring to any federal or state trademark applications prepared, submitted or filed by (or on behalf of) AIBE, to register the mark INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS), including (without limitation) the application filed in the United States Patent and Trademark Office and assigned Serial No. 78/624,734.
3. All documents and file histories relating or referring to any federal or state trademark applications prepared, submitted or filed by (or on behalf of) AIBE, to register any mark in connection with any of the goods or services claimed in Application Serial No. 78/624,734.
4. All documents relating or referring to the creation, formation or establishment of AIBE.
5. All documents relating or referring to the organizational structure of AIBE.
6. All documents relating or referring to related companies of AIBE as defined in 15 USC §1127, any parent or subsidiary entities of AIBE or any entities affiliated with AIBE, including documents relating or referring to the relationship between any such related companies, parent, subsidiary and affiliated entities and AIBE.
7. All documents relating or referring to any franchises or business opportunities involving AIBE.
8. All documents relating or referring to any goods or services marketed, promoted or provided by AIBE in connection with the mark INTERNATIONAL JOURNAL OF BUSINESS

STUDIES (IJBS).

9. All packaging, tags, labels, brochures, and wrappers for any good(s) and/or service(s) presently marketed, promoted or provided by AIBE in connection with the INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) mark.
10. All packaging, tags, labels, brochures, and wrappers relating to or used in connection with any good(s) and/or service(s) on which the mark(s) or trade name(s) presently INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) was first used.
11. Representative samples or photographs of actual samples of actual goods bearing AIBE's INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) mark for each and every good claimed in Application Serial No. 78/624,734.
12. Samples of each and every good sold by AIBE under or in connection with the mark INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) and all material shipped or distributed with such products when sold.
13. All documents relating or referring to any marketing, advertising or promotional materials for any goods or services marketed, promoted or provided by AIBE in connection with the INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) mark.
14. Samples of each advertisement and promotional and/or printed material for the goods and/or services of AIBE.
15. All documents relating or referring to fees and/or prices charged by AIBE for any good(s) and/or services(s) marketed, promoted or provided by AIBE in connection with the INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) mark.
16. All documents relating or referring to or identifying customers, or recipients of any goods

- or services marketed, promoted or provided by AIBE in connection with the INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) mark.
17. All documents relating or referring to amounts of money including but not limited to sales and/or gross revenue received by AIBE, including (without limitation) accounts receivable, in connection with any goods or services marketed, promoted or provided by AIBE in connection with the INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) mark.
 18. All annual and other reports referring or relating to AIBE's business or activities in connection with any mark(s) and/or trade name(s) INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) and/or the good(s) and/or service(s) in connection with which such mark(s) or trade name(s) have been or are used.
 19. All documents relating or referring to any amounts of money spent or budgeted by AIBE, including (without limitation) accounts payable, in connection with any marketing, promotion or advertising of each of the good(s) and/or service(s) in connection with the INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) mark from the date of first use until present.
 20. All documents relating or referring to news or press releases for the INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) mark or any goods or services marketed, promoted or provided by AIBE in connection with the INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) mark.
 21. All documents relating or referring to any contracts, business arrangements, licenses, transactions or dealings, whether or not completed, between AIBE and AIB.
 22. All documents relating or referring to any meetings concerning the INTERNATIONAL

JOURNAL OF BUSINESS STUDIES mark or AIBE.

23. All Internet and World Wide Web documents relating or referring to goods(s) and/or service(s) marketed, promoted or offered by AIBE in connection with the INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) mark.
24. All documents relating or referring to any competitors of AIBE or any good(s) and/or service(s) competing with products or services marketed, promoted or offered by AIBE in connection with the INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) mark.
25. All documents identifying the persons who participated in the creation, development, design, selection or adoption of the INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) mark.
26. All documents relating to the selection, adoption and/or first use of each of the mark(s) or trade name(s) INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS).
27. All documents relating or referring to the reasons that AIBE selected the mark INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) to identify good(s) and/or service(s) of AIBE.
28. All documents relating or referring to common law rights of AIBE to the INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) mark.
29. All documents which relate or refer to, evidence or were generated in connection with any instances of actual confusion between AIB and AIBE and their respective good(s) and/or service(s) or source of origin of those good(s) and/or service(s).
30. All documents relating or referring to a likelihood of confusion between the mark INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) of AIBE and the names

and marks of AIB.

31. All documents relating or referring to any decision of AIBE to pursue or apply for registration of the INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) mark on the Principal Register or Supplemental Register of the United States Patent and Trademark Office.
32. All documents relating or referring to the strength of the INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) mark as used by AIBE.
33. All documents relating or referring to acquired distinctiveness or secondary meaning for the INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) mark as used by AIBE.
34. All documents relating or referring to goodwill associated with the INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) mark as used by AIBE.
35. All documents relating or referring to the degree of similarity between the goods and services marketed, promoted, offered or provided by AIBE and the goods and services marketed, promoted, offered or provided by AIB.
36. All documents relating or referring to the degree of similarity between the goods and services marketed, promoted, offered or provided by AIBE in connection with the mark INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) and the goods and services marketed, promoted, offered or provided by AIB.
37. All documents relating or referring to consideration of potential marks other than the INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) mark for use by AIBE in connection with the goods or services of AIBE and the process of selecting the INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) mark instead of the other

potential marks considered.

38. All trademark search reports and other documents relating or referring to any trademark, service mark, or trade name searching, by or for AIBE in connection with the INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) mark.
39. All documents relating or referring to any alteration made in the format (e.g., appearance or spelling) of the INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) mark as a result of information derived by AIBE from a trademark, service mark or trade name search.
40. All documents relating or referring to consideration by AIBE of designs for the INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) mark other than designs currently in use by AIBE and produced contemporaneously herewith.
41. All documents relating or referring to any opinions or analyses, legal or otherwise, regarding the right of AIBE to use or register the INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) mark.
42. All documents relating or referring to any research, surveys or studies, including but not limited to marketing, purchaser and brand awareness studies, that AIBE has conducted, requested or obtained to determine the familiarity of the public, industry, or any segment thereof, with goods and services promoted by AIBE in connection with the INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) mark.
43. All documents relating or referring to the opinions, advice, reports, studies, facts, or information provided by any persons contacted by or on behalf of AIBE as experts in any capacity in connection with the subject opposition proceeding.

44. All documents constituting and/or comprising any opinion(s) and/or reports furnished by each expert witness whose testimony, statement, declaration and/or affidavit will or may be offered into evidence or used in any manner in this matter by AIBE.
45. All documents constituting and/or comprising any opinion(s) and/or reports furnished by each person from whom AIBE has obtained or will obtain statements or affidavits, or who is expected to give testimony in this matter.
46. All documents relating or referring to any goods or services marketed, promoted, offered or provided by AIBE in connection with the INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) mark.
47. All documents relating or referring to research, studies, investigations or analyses of any goods, or services marketed, promoted, offered or provided by AIBE in connection with the INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) mark.
48. All documents which evidence contain the results of, support, refer, and/or relate to any search, survey, poll and/or investigation referring or relating to any of the mark(s) or trade name(s) INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) and/or any of the good(s) and/or service(s) offered for sale or provided by AIBE.
49. All documents relating or referring to trademark and service mark licenses, assignments or contracts between AIBE and other persons involving the INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) mark.
50. All documents relating or referring to any licensing of the INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) mark between AIBE and related companies, as defined in 15 USC §1127, parent, subsidiary and affiliated entities of AIBE.

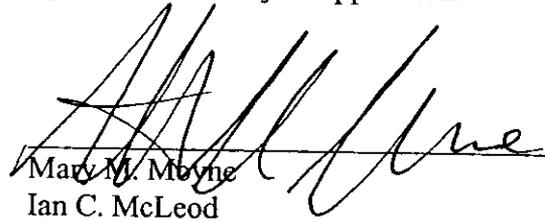
51. All documents relating or referring to AIB, excluding formal papers filed with the Trademark Trial and Appeal Board in this opposition proceeding.
52. All documents relating or referring to any disputes between AIBE and AIB, excluding formal papers filed with the Trademark Trial and Appeal Board in this opposition proceeding.
53. All documents which do, or may support, any claim or defenses of AIBE and/or which AIBE believes would be admissible as evidence on its behalf during this proceeding.
54. All documents relating or referring to any demand or request by (or on behalf of) AIBE that any person cease using the term INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) or a similar term.
55. All documents and file histories relating or referring to any disputes, proceedings, litigation or arbitration between AIBE and any other persons involving the INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) mark or a similar mark.
56. All documents relating or referring to or establishing AIBE's date (or anticipated date) of first use and date (or anticipated date) of first use in interstate commerce of the INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) mark, including (without limitation) the documents that AIBE will rely upon to establish its dates of first use and first use in interstate commerce for the INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) mark.
57. All documents relating or referring to or establishing continuous use by AIBE of the INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) mark since the alleged dates of first use and first use in interstate commerce.

58. All documents relating to the classes of customers and/or consumers for each of the good(s) and/or service(s) using any of the mark(s) or trade name(s) INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS).
59. All documents relating or referring to customer, or recipient satisfaction or dissatisfaction with the goods and services provided by AIBE in connection with the INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) mark, including (without limitation) customer complaints, allegations of defects, comment cards, return of goods or discontinuance of patronage (for any reason) and customer surveys conducted by or procured by AIBE.
60. All documents relating or referring to the likelihood of confusion between the goods and services provided by AIBE in connection with the INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) mark and the goods and services provided by AIB.
61. All documents which refer or relate to any standards or other instructions relating to use or display of any of the mark(s) or trade name(s) INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) used by AIBE
62. All documents relating or referring to quality control policies and procedures of AIBE, as well as all revisions to such policies and procedures over the past five years including the reasons for such revisions.
63. All documents relating or referring to recalls, defects or other incidents necessitating or resulting in modification of the design, manufacture, delivery or use of AIBE's goods.
64. All documents relating or referring to rules, guidelines, instruction, training, suggestions or advice provided by AIBE to its employees, agents, independent contractors or other third parties concerning the promotion, marketing or sale of goods and services provided by AIBE

in connection with the INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) mark.

65. All documents relating or referring to discipline, discharge or termination by AIBE of employees, agents, independent contractors or other third parties engaged in the promotion, marketing, performance, providing or sale of the goods and services provided by AIBE in connection with the INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) mark.
66. All documents referenced, mentioned, described or identified in response to any of the interrogatories set forth in Opposer's First Set of Interrogatories to Applicant in the subject opposition.
67. All documents referred to or consulted in responding to any of the interrogatories set forth in Opposer's First Set of Interrogatories to Applicant in the subject opposition.

Date: June 23, 2006



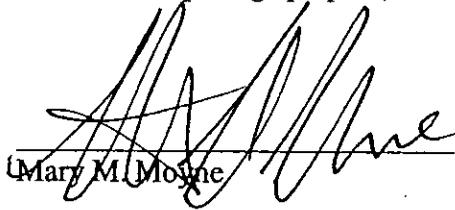
Mary M. Moyne
Ian C. McLeod
McLEOD & MOYNE, P.C.
2190 Commons Parkway
Okemos, Michigan 48864
(517) 347-4100
Attorneys for Opposer

CERTIFICATE OF SERVICE

The undersigned hereby certifies that true and correct copies of Opposer's First Set of Interrogatories to Applicant and Opposer's First Request for Production of Documents were served upon:

ALAN S. KHADE, MBA, Ph.D
ALANS INTERNATIONAL BUSINESS ENTERPRISE
983 WOODLAND DR
TURLOCK, CA 95382-7281

by depositing same with the U.S. Mail Service, first-class postage prepaid, this 23rd day of June, 2006.


Mary M. Moynne

Academy of International Business

v.

AIBE

Opposition No. 91169101

IAN C. McLEOD
MARY M. MOYNE
STEVEN E. MERRITT

McLEOD & MOYNE, P.C.
ATTORNEYS AND COUNSELORS AT LAW
PATENTS, TRADEMARKS AND COPYRIGHTS

2006 August 10

Academy of International Business
Opposer

EXHIBIT 2

2190 COMMONS PARKWAY
OKEMOS, MICHIGAN 48864
TELEPHONE (517) 347-4100
FACSIMILE (517) 347-4103

Alan S. Khade, MBA, Ph.D
ALANS INTERNATIONAL BUSINESS ENTERPRISE
983 Woodland Drive
Turlock, CA 95382-7281

Re: AIB 2.10-3
Opposition No. 91169101
Opposition Against AIBE

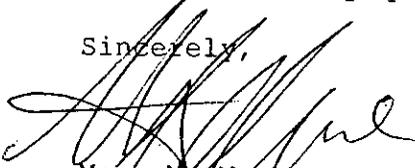
Dear Dr. Khade:

I have not yet received responses to the Discovery Requests served upon you on June 23, 2006. I also did not receive a response to my previous email sent to you on August 4, 2006. I need to know whether or not you will send responses. I also need to know whether or not you will be attending the depositions noticed for August 24th and 25th, 2006. The deposition notices were served upon you on July 20, 2006.

If you do not intend to comply with the Discovery Requests or defend against the opposition, then I request that you stipulate to abandon the application. I am enclosing a Stipulated Abandonment of Application and Withdrawal of Opposition. If you agree to stipulate to abandon the application, you need to sign the attached document and return it to me. I will then file it with the Trademark Trial and Appeal Board.

If there are any questions, please let me know.

Sincerely,


Mary M. Moyne
MMM/tlt
Encl.

cc: Academy of International Business

Subject: Discovery Responses

Opposition No. 91169101

EXHIBIT 2

From: "Mary M. Moyne" <mcldmyn@comcast.net>**Date:** Fri, 04 Aug 2006 11:35:25 -0400**To:** "Khade, Alan" <Admin@aibe.org>, "Khade, Alan" <AKhade@iabe.org>**CC:** "Kiyak, Tunga" <aib@msu.edu>

Dear Dr. Alan S. Khade:

On June 23, 2006, I served upon you as representative of Alans International Business Enterprise, Opposer's First Set of Interrogatories to Applicant and Opposer's First Request for Production of Documents for Opposition No. 91169101. To date, I have not received responses to my discovery requests.

Please let me know if the responses have been sent. If you do not intend to respond to the discovery requests, please let me know.

Sincerely,
Mary M. Moyne

--

Mary M. Moyne
McLeod & Moyne, P.C.
2190 Commons Parkway
Okemos, MI 48864
Telephone: (517) 347-4100
Facsimile: (517) 347-4103

Notice: This communication is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the recipient of this communication is not the intended recipient or the employee or agent responsible for delivering the communication to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the communication to us at the above address via first class mail.