ESTTA Tracking number: **ESTTA432184**
Filing date: **09/23/2011**

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

Proceeding	91176065
Party	Defendant H. Co. Computer Products
Correspondence Address	RAYMOND R TABANDEH CHRISTIE PARKER & HALE LLP PO BOX 7068 PASADENA, CA 91109-7068 UNITED STATES steven.lauridsen@cph.com, gary.nelson@cph.com
Submission	Motion to Compel Discovery
Filer's Name	Steven E. Lauridsen
Filer's e-mail	pto@cph.com
Signature	/Steven E. Lauridsen/
Date	09/23/2011
Attachments	Mtn to Compel (1 of 2) pp 1-49 (H644 2).pdf (52 pages)(802006 bytes) Mtn to Compel (2 of 2) pp 50-102 (H644 2).pdf (58 pages)(1088769 bytes) Decl of S Lauridsen ISO Mtn to Compel (H644 2).pdf (3 pages)(44147 bytes) Decl of R Gaines ISO Mtn to Compel (H644 2).pdf (3 pages)(37472 bytes)

TRADEMARK
Docket No. 110.2-2/H644

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

Lenovo (Singapore) PTE Ltd. Opposer, v. H. Co. Computer Products Applicant.	Opposition No. 91176065 APPLICANT'S MOTION TO COMPEL RESPONSES TO INTERROGATORIES FROM OPPOSER AND FOR PRODUCTION OF FURTHER DOCUMENTS
AND RELATED COUNTERCLAIM	

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that, pursuant to Trademark Rule 2.120(e), Applicant and Petitioner H. Co. Computer Products ("HCCP") hereby moves the Trademark Trial and Appeal Board for an Order compelling Opposer and Registrant Lenovo (Singapore) PTE Ltd. ("Lenovo") to respond to HCCP's interrogatories and to produce documents.

The grounds for this motion is that Lenovo has refused to provide responses and documents on the basis that the interrogatories were not timely served. The proof of service, as well as the time stamp on the interrogatories, however, show that they were timely served. HCCP also seeks documents related to the interrogatory responses, to the extent they have not been produced.

This motion is based on the Points and Authorities put forth below, as well as the complete records and files of this proceeding, the accompanying Declarations of Steven E. Lauridsen and Roxanne Gaines, and any other oral or documentary evidence that may be relevant.

MEMORANDUM OF POINTS AND AUTHORITIES

I. INTRODUCTION

On July 1, 2010, HCCP propounded its first set of requests for production. [Declaration of Steven E. Lauridsen ("Lauridsen Decl.") Ex. A.] On December 14, 2010, HCCP served its first set of interrogatories. [Lauridsen Decl. ¶ 3 and Ex. B.] Between the time when HCCP served its document requests and its interrogatories, Lenovo made a partial, though inadequate, document production. Lenovo also objected to Request for Production No. 1, which requested all documents used to respond to any of HCCP's interrogatories, on the ground that, as of the date of the responses, HCCP had not propounded interrogatories. [Lauridsen Decl. Ex. C.] HCCP's counsel therefore sent Lenovo a letter on January 10, 2011 setting forth the deficiencies in Lenovo's document production and requesting a conference of counsel to resolve the discovery dispute. [Lauridsen Decl. Ex. D.] In that letter, HCCP's counsel explained, *inter alia*, that because HCCP has recently served interrogatories, Lenovo was obligated under Rule 26(e) to supplement its response to Request for Production No. 1 and to produce documents used to respond to the interrogatories. [Lauridsen Decl. Ex. D.]

Although Lenovo ultimately supplemented its document production, Lenovo also sent HCCP a February 14, 2011 letter claiming that it had never received HCCP's interrogatories. [Lauridsen Decl. Ex. E.] Although Lenovo's responses were due on January 18, 2011, rather than claim that Lenovo had waived its objections by failing to respond, HCCP instead sent on March 2, 2011 a courtesy copy of the interrogatories HCCP had originally served and requested that Lenovo respond within thirty days. [Lauridsen Decl. Ex. F.] On March 22, 2011, Lenovo sent a letter stating that it would not respond to the interrogatories because Lenovo considered them to be untimely served and because Lenovo contended that they exceeded the permissible

number of interrogatories. [Lauridsen Decl. Ex. G.] Neither of these arguments are availing, and Lenovo should be ordered to respond to HCCP's interrogatories. Pursuant to Rule 26(e), Lenovo should also be order to supplement its response to HCCP's documents requests and produce all documents relied upon when responding to the interrogatories.

II. HCCP HAS ATTEMPTED TO RESOLVE THIS DISPUTE AS REQUIRED BY THE RULES

Parties in a discovery dispute must make a good faith effort, by conference or correspondence, to resolve the dispute prior to filing a motion to compel. 37 C.F.R. § 2.120(c). HCCP and Lenovo have exchanged numerous written communications on this issue. Additionally, the parties have discussed this issue on the phone and have exchanged authorities that they contend support their position. [Lauridsen Decl. ¶ 9.] Despite having done so, the parties have been unable to reach a resolution, and Board intervention is now appropriate.

III. THE BOARD SHOULD ORDER LENOVO TO RESPOND TO HCCP'S INTERROGATORIES

A. The Interrogatories Were Timely Served

HCCP served its interrogatories on December 14, 2010, as indicated on the accompanying proof of service. The proof of service, which was signed by Roxanne Gaines, a legal assistant at the offices of HCCP's attorneys, states that the interrogatories were served by mail. [Lauridsen Decl. Ex. B; *see also* Declaration of Roxanne Gaines ¶ 2.] Pursuant to Trademark Rule 2.119, "[a] statement signed by the attorney or other authorized representative, attached to or appearing on the original paper when filed, clearly stating the date and manner in which service was made will be accepted as prima facie proof of service." 37 C.F.R. § 2.119.

Lenovo cannot rebut this prima facie proof of service by making the bare assertion that it

never received the interrogatories. Nevertheless, HCCP is concurrently filing the declaration of Ms. Gaines, which states under penalty of perjury that she served the interrogatories by mail on December 14, 2011. In fact, the interrogatories were sent in the same envelope that contained HCCP's requests for admission, the latter of which Lenovo admits it received. [Gaines Decl. ¶ 2; Lauridsen Decl. Ex. G.]

Lenovo should therefore be ordered to respond to these interrogatories.

B. <u>The Interrogatories Do Not Exceed The Permissible Number</u>

Lenovo argues that even if it were to admit that HCCP's interrogatories were timely served, those interrogatories exceed the maximum of seventy-five. Specifically, Lenovo argued during the parties meet and confer that Interrogatory No. 55, which requests an explanation concerning Lenovo's denials of HCCP's requests for admission, constituted forty subparts – one for each denied request – and, when added to the fifty-seven remaining interrogatories, exceeds the permissible number. [Lauridsen Decl. Ex. G.] During the meet and confer, Lenovo provided no authority to support its contention that this interrogatory should be counted this way, and HCCP maintains that this interrogatory is properly counted as a single question.

Even if Lenovo were correct, however, HCCP would still be allowed to serve a substitute set of interrogatories:

> If, on determining a motion to compel filed in response to a general objection to interrogatories on the ground of excessive number, the Board finds that the interrogatories are excessive in number, and that the propounding party has not previously used up its allotted 75 interrogatories, the Board normally will allow the propounding party an opportunity to serve a revised set of

> interrogatories not exceeding the numerical limit. The revised set of interrogatories serves as a substitute for the excessive set, and thus is deemed timely if the excessive set was timely.

TBMP § 405.03(e).

During the parties' meet and confer, HCCP suggested that the parties attempt to agree upon a revised set of interrogatories; however, Lenovo refused to do so, thus necessitating this motion. [Lauridsen Decl. ¶ 10.]

IV. LENOVO SHOULD PRODUCE DOCUMENTS RESPONSE TO REQUEST FOR PRODUCTION NO. 1

Under Rule 26(e) of the Federal Rules of Civil Procedure, a party is obligated to supplement its discovery responses if new information becomes available to that party. When HCCP served Request for Production No. 1, which asks for all documents relied upon in preparing responses to HCCP's interrogatories, HCCP had not yet served its interrogatories. Since then, HCCP has done so. Lenovo is therefore obligated to supplement its document production, if necessary, and the Board should issue an order to that effect.

V. SUSPENSION OF FURTHER PROCEEDINGS NOT GERMANE TO THIS MOTION

When a party files a motion to compel, the Board should suspend the case "with respect to all matters not germane to the motion . . .." 37 C.F.R. § 2.120(e)(2). The suspension is not automatic, but requires an order from the Board. TBMP § 523. Therefore, HCCP requests that the Board issue an order suspending all proceedings, discovery, and filings pending resolution of this motion to compel. If the Board grants the motion, HCCP requests that the Board extend all remaining deadlines to allow HCCP time to review Lenovo's responses.

VI. CONCLUSION

For the reasons stated above, HCCP request that the Board issue an order compelling Lenovo to respond to HCCP's interrogatories and to supplement its document production.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

Date September 23, 2011

By _____

Gary J. Nelson
Steven E. Lauridsen
Attorneys for Applicant
P.O. Box 7068
Pasadena, California 91109-7068
626/795-9900

SEL PAS1139168.1-*-09/23/11 1:12 PM

EXHIBIT A

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

LENOVO (SINGAPORE) PTE. LTD. Opposer, v. H. CO. COMPUTER PRODUCTS Applicant.	Opposition No. 91176065 Mark: THINKCP Serial No. 78/636,480 Filed: May 24, 2005
H. CO. COMPUTER PRODUCTS Counterclaimant, v. LENOVO (SINGAPORE) PTE. LTD. Counter-Respondent.	

APPLICANT H. CO. COMPUTER PRODUCTS' FIRST SET OF REQUEST FOR PRODUCTION OF DOCUMENTS AND THINGS TO OPPOSER LENOVO (SINGAPORE) PTE. LTD.

Applicant H. Co. Computer Products requests that Opposer Lenovo (Singapore) Pte. Ltd. respond to each of the following document requests, separately and fully, in writing, within thirty days after service hereof, pursuant to and in accordance with Rule 34 of the Federal Rules of Civil Procedure and Rules 2.119(c) and 2.120 of the Trademark Rules of Practice. Applicant requests that the documents and things be made available for inspection and copying at the offices of Christie, Parker & Hale, LLP, 350 West Colorado Boulevard., Suite 500, Pasadena, California 91105, or at another location mutually agreeable to the parties, beginning at 9:00 a.m. on August 9, 2010, or at such other place, date and time as may be mutually agreed upon by the parties.

EXHIBIT A
PAGE 7

DEFINITIONS AND INSTRUCTIONS

A. These requests seek documents and things (including any information contained in or on any document or writing as those terms are defined below) that are known or available to Opposer, including all document and things in possession of or available to Opposer's attorneys, agents, or representatives, or any investigators or any other persons acting on behalf of Opposer or under direction or control of Opposer or its attorneys or agents.

B. "Lenovo," "Opposer," "you," or "your" shall mean Lenovo (Singapore) Pte. Ltd. and any director, agent, employee, individual, division, subsidiary, or entity acting for or on behalf of Lenovo (Singapore) Pte. Ltd..

C. "HCCP" or "Applicant" shall mean H. Co. Computer Products and any entity acting for or on behalf of H. Co. Computer Products

D. The term "person" and "persons" mean both natural persons and legal entities (i.e. corporations or other business entities).

E. Referenced to any person, entity, or party herein includes his, her, or its agents, attorneys, employees, officers, directors, or others acting on behalf of said person, entity, or party.

F. The terms "writings," "recordings," or "documents" as used herein are used in their broadest sense and include, without limitation, the original and all non-identical copies (including drafts and those with any notations) of all documents of the types designated in Rule 34(a) of the Federal Rules of Civil Procedure and all writings and recordings as those terms are defined by Rule 1001 of the Federal Rules of Evidence, including, without in any respect limiting the generality of the foregoing, all e-mail or electronically recorded messages.

G. If Opposer withholds documents or things responsive, in whole or in part, to any request on the basis of privilege or immunity from discovery, please identify: (1) the privilege or immunity asserted; (2) all documents or things withheld; (3) all individuals having knowledge of the information; (4) the subject matter and general nature of the information; and (5) all facts which support the assertion of the privilege or immunity.

H. References to the terms "and" and "or" shall be interpreted in their broadest sense and shall include both the disjunctive and the conjunctive.

I. "License" refers to any grant, acknowledgement, or permission, oral or written, of the right to use a trademark.

J. The singular shall include the plural, and the plural shall include the singular.

K. "Refers or relates" or "referring or relating" means embodying, pertaining to, concerning, constituting, comprising, reflecting, discussing, mentioning, or having any logical or factual connection with the subject matter in question.

L. "Oral and written communications" means any transmission of information by one or more persons and/or between two or more persons by any means including, but not limited to, telephone conversations, letters, telegrams, teletypes, telexes, telecopies, fax, electronic mail messages, computer linkups, written memoranda, and face-to-face conversations.

M. The term "date" means the exact day, month, and year, if ascertainable; if not ascertainable, the closest approximation that can be made by means of relationship to other events, locations, or matters.

N. "Opposer's Marks" and "Lenovo's Marks" shall mean the subject marks of U.S. Trademark Registration Nos. 1,738,861; 1,977,221; 2,194,267; 2,550,628; 2,633,094; 2,995,709; 2,934,258; 3,009,301; and 2,931,692.

O. "Opposer's Registrations," "Lenovo's Registrations," and "your Registrations" shall mean U.S. Trademark Registration Nos. 1,738,861; 1,977,221; 2,194,267; 2,550,628; 2,633,094; 2,995,709; 2,934,258; 3,009,301; and 2,931,692.

A. "Applicant's Mark" and "HCCP's Mark" shall mean the subject mark of U.S. Trademark Application Serial No. 78/636,480.

P. "Applicant's Application" and "HCCP's Application" shall mean the Application being opposed, i.e. U.S. Trademark Application No. 78/636,480.

The following requests are deemed to be continuing pursuant to the Federal Rule of Civil

EXHIBIT A
PAGE 9

Procedure 26(e) so that with respect to any requests herein, or part thereof, as to which Opposer, after responding, discovers additional responsive information, Applicant requests that Opposer produce such information within thirty days after acquiring knowledge of such information or advise Applicant in writing as to why such information cannot be produced within the specified time period.

REQUESTS FOR PRODUCTION OF DOCUMENTS AND THINGS

REQUEST FOR PRODUCTION NO. 1:

All documents used in preparing responses to any of Applicant's interrogatories.

REQUEST FOR PRODUCTION NO. 2:

All documents which evidence any web site on the internet where your goods in connection with or under your Marks are made available via advertising or marketing to the purchasing public.

REQUEST FOR PRODUCTION NO. 3:

All documents which evidence any web site on the internet where your goods in connection with your Marks may be or are offered for sale, sold, displayed, marketed, licensed and/or distributed.

REQUEST FOR PRODUCTION NO. 4:

Representative documents which evidence your Marks's nature, purpose and function.

REQUEST FOR PRODUCTION NO. 5:

Representative documents which evidence each of the goods or services used, sold, marketed, offered for sale, displayed, distributed, licensed, made available, provided and/or rendered in connection with your Marks.

REQUEST FOR PRODUCTION NO. 6:

All documents which relate to any expert you have used or expect to use in connection with any matter pertaining to this proceeding, including all documents which relate to the qualifications, field of specialization and expert testimony of any expert retained or expected by you to be retained to act on your behalf in any matter relating to this proceeding.

REQUEST FOR PRODUCTION NO. 7:

All documents that relate to any expert opinion(s) obtained or expected by you to be obtained relating to this proceeding.

REQUEST FOR PRODUCTION NO. 8:

All documents which relate to any surveys, opinion polls, and/or market research conducted by or for you related to this proceeding.

REQUEST FOR PRODUCTION NO. 9:

All documents which relate to the dates you first became aware of HCCP's Mark.

REQUEST FOR PRODUCTION NO. 10:

All documents which relate to the dates any persons acting on your behalf or in association with you first became aware of HCCP's Mark.

REQUEST FOR PRODUCTION NO. 11:

Copies of the complete U.S. Patent and Trademark Office ("PTO") file history for your Marks.

REQUEST FOR PRODUCTION NO. 12:

All publications, whether printed or electronic, in which your goods in connection with or under your Marks have been used in commerce.

REQUEST FOR PRODUCTION NO. 13:

All documents related to what you contend is the meaning or connotation of the word mark THINKCP.

REQUEST FOR PRODUCTION NO. 14:

All documents related to what you contend is the meaning of each of each of your Marks.

REQUEST FOR PRODUCTION NO. 15:

All documents, including advertisements, which relate to how you market and advertise your Marks.

REQUEST FOR PRODUCTION NO. 16:

All documents which relate to your date of first use of each of your Marks anywhere.

EXHIBIT A
PAGE 11

REQUEST FOR PRODUCTION NO. 17:

All documents which relate to your date of first use of each of your Marks in commerce in the United States.

REQUEST FOR PRODUCTION NO. 18:

All documents which relate to use of each of your Marks not being continuous since the date of first actual use.

REQUEST FOR PRODUCTION NO. 19:

All documents which evidence use of each of your Marks being continuous since the date of first actual use.

REQUEST FOR PRODUCTION NO. 20:

All documents which evidence the approximate dollar value, and volume in units, of gross sales in commerce of each separate good and service which have been provided, distributed, licensed and/or sold in connection with or under your Marks.

REQUEST FOR PRODUCTION NO. 21:

All documents which evidence the annual gross expenditures for advertising, marketing and promotion of each separate good and service provided, distributed, licensed and/or sold in connection with or under your Marks within the five years immediately preceding the filing of the Notice of Opposition.

REQUEST FOR PRODUCTION NO. 22:

All documents which evidence the markets, outlets, and channels of trade in which each good and service provided in connection with or under each of your Marks are manufactured, sold, produced, offered for sale, used, distributed, delivered, licensed, used, advertised or otherwise marketed or promoted.

REQUEST FOR PRODUCTION NO. 23:

Representative documents which evidence the name and address of each employee, officer, director or other person working for you, with you, or on your behalf who have responsibility for the following activities and positions as respect the business of each of your

Marks (or the equivalent supervisory responsibilities if different positions or titles are used by you):

(a) National sales;

(b) National marketing;

(c) President or Chief Executive Officer

(d) Chief Financial Officer

(e) Licensing, franchising and assignment of trademarks

(f) Creation, adoption, use and registration of trademarks

(g) National advertising; and

(h) National customer service.

REQUEST FOR PRODUCTION NO. 24:

All documents provided to you at any time by any advertising agency and/or advertising consultant that have been used by you, may be used by you or considered by you relating to your Marks.

REQUEST FOR PRODUCTION NO. 25:

All documents provided to you at any time by any business consulting and/or management consulting firm used by you in which HCCP is mentioned or referenced.

REQUEST FOR PRODUCTION NO. 26:

All documents created by you or by others acting on your behalf in which HCCP is mentioned or referenced.

REQUEST FOR PRODUCTION NO. 27:

All past and/or current licenses related to each of your Marks.

REQUEST FOR PRODUCTION NO. 28:

All past and/or current agreements related to each of your Marks.

REQUEST FOR PRODUCTION NO. 29:

All past and/or current settlement agreements, co-existence agreements, or other agreements and contracts related to or about your Marks.

REQUEST FOR PRODUCTION NO. 30:

Representative documents which evidence the classes or types of purchasers or customers to whom you sell, distribute, or render goods or services under your Marks.

REQUEST FOR PRODUCTION NO. 31:

Representative documents referring to or relating to your past, present, and planned marketing, promotion, and advertising of your goods in connection with and under each of your Marks, including but not limited to, marketing plans, advertising plans, business plans, and market research reports.

REQUEST FOR PRODUCTION NO. 32:

All documents which relate to any investigation of HCCP relating to HCCP's Mark, and/or relating to any goods or services of HCCP.

REQUEST FOR PRODUCTION NO. 33:

All documents which evidence your attendance at each trade show where your Marks have been displayed, advertised or promoted.

REQUEST FOR PRODUCTION NO. 34:

All documents which evidence how your Marks were displayed, advertised or promoted at any trade show.

REQUEST FOR PRODUCTION NO. 35:

All documents which relate to any instances or occurrences of actual confusion between the use of HCCP's Mark and the use of each of your Marks, and vice versa.

REQUEST FOR PRODUCTION NO. 36:

All documents referring or relating to any third party objections to your use and/or registration of any name, mark, or designation comprised of or containing your Marks or a derivation of each of your Marks.

REQUEST FOR PRODUCTION NO. 37:

All documents referring or relating to any objections you have made to any third party use of any name, mark or designation comprised of or containing your Marks or a derivation of each of your Marks.

REQUEST FOR PRODUCTION NO. 38:

All documents referring or relating to inquiries or comments on the relationship between

you and/or your Marks and HCCP and/or HCCP's Mark.

REQUEST FOR PRODUCTION NO. 39:

Representative documents which evidence the selling prices you, your agents, distributors and/or licensees charge for each of the separate goods and services used, distributed, provided or sold in connection with or under your Marks.

REQUEST FOR PRODUCTION NO. 40:

All documents which relate to any written or unwritten plans you have to expand the line of goods or services sold, distributed, licensed, used, or provided under your Marks.

REQUEST FOR PRODUCTION NO. 41:

Representative documents which evidence all of the physical locations where your goods in connection with or under your Marks are available to the public.

REQUEST FOR PRODUCTION NO. 42:

All documents which evidence the geographic regions or areas where your Marks is marketed and promoted.

REQUEST FOR PRODUCTION NO. 43:

All documents which evidence the state(s) of the United States in which you or your licensees and distributors, do business under your Marks.

REQUEST FOR PRODUCTION NO. 44:

All documents relating to surveys, public opinion polls, market research studies, and consultant opinions conducted by or for the benefit of you related to this proceeding.

REQUEST FOR PRODUCTION NO. 45:

All documents relating to surveys, public opinion polls, market research studies, and consultant opinions conducted by or for the benefit of you related to this proceeding to be used by you in this Proceeding.

REQUEST FOR PRODUCTION NO. 46:

All documents which evidence that your Marks is presently distinctive of your goods.

REQUEST FOR PRODUCTION NO. 47:

All documents which evidence that relevant purchasers of your goods in connection with or under your Marks associate the Marks with you alone.

EXHIBIT A
PAGE 15

REQUEST FOR PRODUCTION NO. 48:

All documents relating to your incorporation, legal organization, and chartering (including any amendments thereto).

REQUEST FOR PRODUCTION NO. 49:

All documents relating to the incorporation, legal organization, and chartering (including any amendments thereto) of past and current licensees, agents and distributors related to your Marks.

REQUEST FOR PRODUCTION NO. 50:

Representative documents which evidence your former principals, officers and directors within the last ten (10) years.

REQUEST FOR PRODUCTION NO. 51:

Representative documents which evidence the principals, owners, officers and directors of each licensee, agent or distributor of each of your Marks, within the last ten (10) years.

REQUEST FOR PRODUCTION NO. 52:

Representative documents which evidence your current principals, officers and directors.

REQUEST FOR PRODUCTION NO. 53:

Representative documents which evidence your agents, licensees, or distributors that are used by you in any way in connection with your Marks.

REQUEST FOR PRODUCTION NO. 54:

Representative documents which evidence any licensees of each of your Marks.

REQUEST FOR PRODUCTION NO. 55:

Representative documents which evidence current and former advertising agencies and/or advertising consultants used by you in connection with your Marks.

REQUEST FOR PRODUCTION NO. 56:

All documents, things, materials, literature and advertisements (including, but not limited to, radio, newspaper, magazine, print, television, cable, and internet advertisements) related to the advertising, marketing, and/or promotion of each of your Marks.

REQUEST FOR PRODUCTION NO. 57:

A sample of each good sold, distributed, licensed, used, or rendered under your Marks.

REQUEST FOR PRODUCTION NO. 58:

A sample of the marketing or advertising material for each service sold, distributed, licensed, used, or rendered under your Marks.

REQUEST FOR PRODUCTION NO. 59:

A sample of each catalog, price list, merchandising offer, and/or other publication or document where the availability of any good or service in connection with or under your Marks has been advertised or made known.

REQUEST FOR PRODUCTION NO. 60:

Representative documents which evidence any and all ways in which your Marks has been and is currently being used.

REQUEST FOR PRODUCTION NO. 61:

All documents related to any customers of HCCP who mistakenly contacted you or any of your agents, distributors or licensees.

REQUEST FOR PRODUCTION NO. 62:

All trademark searches performed in relation to HCCP's Mark.

REQUEST FOR PRODUCTION NO. 63:

All documents which relate to any trademark searches performed in connection with HCCP's Mark.

REQUEST FOR PRODUCTION NO. 64:

All documents which refer to or relate to your discovery, knowledge or awareness of HCCP's Mark.

REQUEST FOR PRODUCTION NO. 65:

All cease and desist letters and other correspondence sent by you in connection with your Marks to any persons or entities.

REQUEST FOR PRODUCTION NO. 66:

All correspondence received by you in connection with your Marks sent by any persons or entities including, but not limited to, HCCP.

REQUEST FOR PRODUCTION NO. 67:

All Complaints, all Notices of Opposition, all Petitions for Cancellation, and all other

pleadings, filed by you at the Trademark Trial and Appeal Board or in any court, against any person or entity, in connection with each of your Marks.

REQUEST FOR PRODUCTION NO. 68:

All Complaints, all Notices of Opposition, and all other pleadings, filed against you at the Trademark Trial and Appeal Board (TTAB) or in any court, by any person or entity, in connection with your Marks.

REQUEST FOR PRODUCTION NO. 69:

All written discovery requests served on you by any person or entity in any proceedings before the TTAB or in any court in connection with your Marks.

REQUEST FOR PRODUCTION NO. 70:

All of your responses to any written discovery requests served on you by any person or entity in any proceeding before the TTAB or in any court in connection with your Marks.

REQUEST FOR PRODUCTION NO. 71:

All transcripts of any discovery depositions taken in any proceeding before the TTAB or in any court in connection with your Marks.

REQUEST FOR PRODUCTION NO. 72:

All transcripts of any testimony depositions taken in any proceeding before the TTAB or in any court in connection with your Marks.

REQUEST FOR PRODUCTION NO. 73:

All transcripts of any court and/or TTAB proceeding in connection with your Marks.

REQUEST FOR PRODUCTION NO. 74:

All documents you intend to rely on during the testimony period of this proceeding.

REQUEST FOR PRODUCTION NO. 75:

All non-attorney-client privileged documents in your files and records relating to your Marks.

REQUEST FOR PRODUCTION NO. 76:

All documents which evidence your contention that your Marks and HCCP's Mark are visually similar.

REQUEST FOR PRODUCTION NO. 77:

All documents which evidence your contention that your Marks and HCCP's Mark are

phonetically similar.

REQUEST FOR PRODUCTION NO. 78:

All documents which evidence your contention that your Marks and HCCP's Mark convey a similar commercial impression.

REQUEST FOR PRODUCTION NO. 79:

All documents which evidence your contention that your Marks and HCCP's Mark have a similar connotation.

REQUEST FOR PRODUCTION NO. 80:

All documents which evidence your opinion of the commercial impression conveyed by your Marks.

REQUEST FOR PRODUCTION NO. 81:

All documents which evidence your opinion of the commercial impression conveyed by HCCP's Mark.

REQUEST FOR PRODUCTION NO. 82:

All documents which evidence the types or classes of consumers, users, customers, and/or purchasers of any goods or services in connection with or under your Marks.

REQUEST FOR PRODUCTION NO. 83:

All documents which evidence your contention of the types or classes of consumers, users, customers, and/or purchasers of any goods in connection with or under HCCP's Mark.

REQUEST FOR PRODUCTION NO. 84:

All documents which evidence the level or degree of sophistication of the consumers, users, customers, and/or purchasers of any goods or services in connection with or under your Marks.

REQUEST FOR PRODUCTION NO. 85:

All documents which evidence your contention of the level or degree of sophistication of the consumers, users, customers, and/or purchasers of any goods in connection with or under HCCP's Mark.

REQUEST FOR PRODUCTION NO. 86:

All documents which evidence the purchasing conditions encountered by the consumers, users, customers, and/or purchasers of any goods or services in connection with or under your

Marks.

REQUEST FOR PRODUCTION NO. 87:

All documents which evidence your contention of the purchasing conditions encountered by the consumers, users, customers, and/or purchasers of any goods or services in connection with or under your Marks.

REQUEST FOR PRODUCTION NO. 88:

All press releases, newspaper articles, magazine, journalistic or other media stories or articles about your Marks that refer or relate to your Marks.

REQUEST FOR PRODUCTION NO. 89:

All documents concerning or related to your document retention policy.

REQUEST FOR PRODUCTION NO. 90:

All documents which evidence that when relevant consumers see your Marks they think of a single source or origin of the goods or services offered in connection with or under your Marks.

REQUEST FOR PRODUCTION NO. 91:

All written memoranda concerning any oral communications between you and HCCP.

REQUEST FOR PRODUCTION NO. 92:

All documents related to any proceeding before the TTAB or in any court in the U.S. that impacts your rights in your Marks.

REQUEST FOR PRODUCTION NO. 93:

All documents about or related to any third party trademarks or service marks you intend to rely on in this proceeding.

REQUEST FOR PRODUCTION NO. 94:

All documents related to any testimony you intend to rely on in this proceeding.

REQUEST FOR PRODUCTION NO. 95:

All written memoranda concerning any oral communications between you and any licensee, agent or distributor of each of your Marks concerning your Marks.

REQUEST FOR PRODUCTION NO. 96:

All written memoranda concerning any oral communications between you and any distributor of your goods in connection with or under your Marks.

REQUEST FOR PRODUCTION NO. 97:

All written communications and documents between you and Applicant, relating to your Marks.

REQUEST FOR PRODUCTION NO. 98:

All written communications and documents between you and any licensee of any of your Marks.

REQUEST FOR PRODUCTION NO. 99:

All written communications and documents between you and any licensee, agent or distributor of your goods in connection with or under your Marks.

REQUEST FOR PRODUCTION NO. 100:

All documents which evidence any claims and/or allegations that you have alleged or may allege against HCCP.

REQUEST FOR PRODUCTION NO. 101:

All documents that mention or make any reference whatsoever to HCCP's Mark.

REQUEST FOR PRODUCTION NO. 102:

All documents referring or relating to the basis for your allegations in paragraph 2 in your Amended Notice of Opposition.

REQUEST FOR PRODUCTION NO. 103:

All documents referring or relating to the basis for your allegations in paragraph 4 in your Amended Notice of Opposition.

REQUEST FOR PRODUCTION NO. 104:

All documents referring or relating to the basis for your allegations in paragraph 5 in your Amended Notice of Opposition.

REQUEST FOR PRODUCTION NO. 105:

All documents referring or relating to the basis for your allegations in paragraph 6 in your Amended Notice of Opposition.

REQUEST FOR PRODUCTION NO. 106:

All documents referring or relating to the basis for your allegations in paragraph 7 in your

Amended Notice of Opposition.

REQUEST FOR PRODUCTION NO. 107:

All documents referring or relating to the basis for your allegations in paragraph 8 in your Amended Notice of Opposition.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

DATED: July 1, 2010

By _____

Gary J. Nelson
Steven E. Lauridsen
Attorneys for Applicant & Counterclaimant
Post Office Box 7068
Pasadena, California 91109-7068
Phn: (626) 795-9900

SEL PAS758392.1-*-07/1/10 3:27 PM

EXHIBIT A
PAGE 23

TRADEMARK
Docket No. 110.2*2/H644
Opposition No. 91176065

CERTIFICATE OF TRANSMISSION AND SERVICE

I certify that on July 1, 2010, the foregoing **APPLICANT H. CO. COMPUTER PRODUCTS' FIRST REQUEST FOR PRODUCTION OF DOCUMENTS AND THINGS TO OPPOSER LENOVO (SINGAPORE) PTE. LTD.** is being served by mailing a copy thereof by first-class mail addressed to:

Stanley D. Ference III
FERENCE & ASSOCIATES
409 Broad Street
Pittsburgh, PA 15143
(412) 741-8400 (telephone)
(412) 741-9292 (facsimile)
uspto@ferencelaw.com

Attorneys for Opposer

By: _____
Roxanne Gaines
CHRISTIE, PARKER & HALE, LLP
P.O. Box 7068
Pasadena, CA 91109-7068
pto@cph.com

EXHIBIT A
PAGE 24

EXHIBIT B

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

LENOVO (SINGAPORE) PTE. LTD. Opposer, v. H. CO. COMPUTER PRODUCTS Applicant.	Opposition No. 91176065 Mark: THINKCP Serial No. 78/636,480 Filed: May 24, 2005
H. CO. COMPUTER PRODUCTS Counterclaimant, v. LENOVO (SINGAPORE) PTE. LTD. Counter-Respondent	

APPLICANT AND COUNTERCLAIMANT H. CO. COMPUTER PRODUCT'S FIRST SET OF INTERROGATORIES TO OPPOSER AND COUNTER-RESPONDENT LENOVO (SINGAPORE) PTE. LTD.

Applicant-Counterclaimant H. Co. Computer Products ("HCCP") requests that Opposer-Counter-Respondent Lenovo (Singapore) Pte. Ltd. ("Lenovo") answer each of the following interrogatories, separately and fully, in writing, under oath, within thirty days after service hereof, pursuant to and in accordance with Rule 33 of the Federal Rules of Civil Procedure and Rules 2.119(c) and 2.120 of the Trademark Rules of Practice.

DEFINITIONS AND INSTRUCTIONS

A. These interrogatories call for information (including any information contained in or on any document or writing as those terms are defined below) that is known or available to Opposer, including all information in the possession of or available to Opposer's attorneys, agents, or representatives, or any investigators or any other person acting on

EXHIBIT B
PAGE 26

behalf of Opposer or under the direction or control of Opposer or its attorneys or agents.

B. If Opposer cannot answer any interrogatory fully and completely after exercising due diligence to make inquiry and secure the information necessary to the fullest extent possible, specify the portion of such interrogatory that Opposer claims it is unable to answer fully and completely, state the facts upon which Opposer relies to support its contention that it is unable to answer the interrogatory fully and completely, and state what knowledge, information, and belief Opposer has concerning the unanswered portion of each such interrogatory.

C. "Lenovo," "Opposer," "you," or "your" shall mean Lenovo (Singapore) Pte. Ltd. and any director, agent, employee, individual, division, subsidiary, or entity acting for or on behalf of Lenovo (Singapore) Pte. Ltd.

D. "HCCP" or "Applicant" shall mean H. Co. Computer Products and any entity acting for or on behalf of H. Co. Computer Products.

E. "Identity" with respect to:

a. an individual, means to state his or her full name and present or last known address, telephone number, and position or business affiliation;

b. a corporation or partnership, means to state its full name, date of organization, state of organization, and present or last known address and telephone number;

c. a document, means to state the date, author, sender, recipient, type of document (e.g., a letter, memorandum, book, etc.) or some other means of identifying it and its present location or custodian and, in the case of a document within the possession, custody, or control of Opposer, whether Opposer will make it available to Applicant for inspection and/or copying. In the case of a document that was, but is no longer, in the possession, custody, or control of Opposer, state what disposition was made of the document, the reason for this disposition, and, if the Opposer knows, the

name and address of all persons now having possession, custody, or control of the document; and

d. an oral or other communication means to state the date, the communicator, the receiver of the communication, and the nature and substance of the communication.

F. The terms "person" and "persons" mean both natural persons and legal entities (i.e. corporations or other business entities).

G. References to any person, entity, or party herein includes his, her, or its agents, attorneys, employees, officers, directors, or others acting on behalf of said person, entity, or party.

H. The terms "writings," "recordings," or "documents" as used herein are used in their respect limiting the generality of the foregoing, all e-mail or electronically recorded messages.

I. If Opposer withholds information responsive, in whole or in part, to any interrogatory on the basis of privilege or immunity from discovery, please identify: 1) the privilege or immunity asserted; 2) all documents or things which contain or refer to the information; 3) all individuals having knowledge of the information; 4) the subject matter and general nature of the information; and 5) all facts which support the assertion of the privilege or immunity.

J. References to the terms "and" and "or" shall be interpreted in their broadest sense and shall include both the disjunctive and the conjunctive.

K. "License" refers to any grant, acknowledgment, or permission, oral or written, of the right to use a trademark.

L. The singular shall include the plural, and the plural shall include the singular.

M. "State" when used with reference to a particular subject matter means to declare and describe all facts that are known to you which refer or relate to that subject matter, to specify each such event, occurrence, or instance which refers or related to that subject matter and to identify all persons having knowledge of that subject matter.

N. "Refers or relates" or "referring or relating" means embodying, pertaining to, concerning, constituting, comprising, reflecting, discussing, mentioning, or having any logical or factual connection with the subject matter in question.

O. "Oral and written communications" means any transmission of information by one or more persons and/or between two or more persons by any means including, but not limited to, telephone conversations, letters, telegrams, teletypes, telexes, telecopies, fax, electronic mail messages, computer linkups, written memoranda, and face-to-face conversations.

P. The term "date" means the exact day, month, and year, if ascertainable; if not ascertainable, the closest approximation that can be made by means of relationship to other events, locations, or matters.

Q. "Opposer's Marks" and "Lenovo's Marks" shall mean the subject mark of U.S. Trademark Registration Nos. 1,738,861; 1,977,221; 2,194,267; 2,550,628; 2,633,094; 2,995,709; 2,934,258; 3,009,301; and 2,931,692.

R. "Opposer's Registrations," "Lenovo's Registrations," and "your Registrations" shall mean U.S. Trademark Registration Nos. 1,738,861; 1,977,221; 2,194,267; 2,550,628; 2,633,094; 2,995,709; 2,934,258; 3,009,301; and 2,931,692.

S. "Applicant's Mark" and "HCCP's Mark" shall mean the subject mark of U.S. Trademark Application Serial No. 78/636,480.

T. "Applicant's Application" and "HCCP's Application" shall mean the Application being opposed, i.e. U.S. Trademark Application No. 78,636,480.

U. The following interrogatories are deemed to be continuing pursuant to Federal Rule of Civil Procedure 26(e) so that with respect to any requests herein, or part thereof, as to which Opposer, after responding, discovers additional responsive information, Applicant requests that Opposer produce such information within thirty (30) days after acquiring knowledge of such information or advise Applicant in writing as to why such information cannot be produced within the specified time period.

EXHIBIT B
PAGE 28

INTERROGATORIES

INTERROGATORY NO. 1:

Identify all persons who had more than a clerical role and participated in any way in the preparation of the answers to these Interrogatories or in any search for documents in connection with these Interrogatories, HCCP's First Set of Requests for Production of Documents and Things, or HCCP's First Set of Requests for Admission, and describe the nature of the participation of each person.

INTERROGATORY NO. 2:

Explain the organization of the corporate structure of Lenovo, and provide details regarding connections to all affiliates of Lenovo.

INTERROGATORY NO. 3:

Identify each owner, co-owner, shareholder, director, officer, and managing agent of Lenovo and all of its subsidiaries, local chapters, and affiliates.

INTERROGATORY NO. 4:

Identify the goods and services provided by Lenovo or by any of its affiliates in association with the marks asserted in this proceeding.

INTERROGATORY NO. 5:

Describe the computer and computer-related products offered by Lenovo or any of its affiliates, and state which of the goods, if any, listed in Applicant's Application that Lenovo or any of its affiliates offers for sale.

INTERROGATORY NO. 6:

For each of the products identified in response to Interrogatory No. 5, provide the date of first use in the United States for that product and explain the rationale behind that date.

INTERROGATORY NO. 7:

Describe any product line expansions that Lenovo or any of its affiliates have undertaken in association with Lenovo's Marks, including but not limited to a description of the products added, the dates of such additions, the frequency of such additions, and any future product line

expansions planned or contemplated by Lenovo.

INTERROGATORY NO. 8:

Explain in detail how you conceived and arrived at the selection of each of Lenovo's Marks, including the timing of the process, the alternatives considered, and the factors used or considered in selecting the marks.

INTERROGATORY NO. 9:

Identify all persons, including any outside consultants or agencies, who contributed in any way to the origination, selection, and/or adoption of each of Lenovo's Marks, and describe in reasonable detail the contribution of each such person.

INTERROGATORY NO. 10:

Explain the meaning and connotations of each of Lenovo's Marks.

INTERROGATORY NO. 11:

Describe all rights, if any, Lenovo, or any of its affiliates, has in the marks associated with Lenovo's Registrations, including the geographic extent where any such rights may extend and the time period when any such rights exist.

INTERROGATORY NO. 12:

State who designed the specimen you provided to the United States Patent and Trademark Office in Lenovo's Registrations.

INTERROGATORY NO. 13:

Identify all geographic areas in which Lenovo currently uses or intends to use Lenovo's Marks.

INTERROGATORY NO. 14:

Identify each person who is or has ever been licensed or permitted by Lenovo to use Lenovo's Marks, identify any pertinent agreements, and explain how Lenovo controls the nature and quality of each such use.

INTERROGATORY NO. 15:

State whether any trademark search or investigation has ever been conducted for

Lenovo's Marks, and if so, state the name of the search or report, the person responsible for conducting and preparing such survey or report, and the results obtained.

INTERROGATORY NO. 16:

State whether any surveys, polls, or market research has been conducted with respect to Lenovo's Marks, or any goods or services offered in connection with Lenovo's Marks. If so, state the name of the survey, poll, or market research, the person responsible for each such survey, poll or market research, the date when each such survey, poll, or market research was conducted, and the results of each such survey, poll, or market research.

INTERROGATORY NO. 17:

Identify with particularity each type of goods or services Lenovo has sold or intends to sell under Lenovo's Marks in the United States that provide a basis for this opposition.

INTERROGATORY NO. 18:

For each good or service identified in response to Interrogatory No. 17, provide the date of first use of each of Lenovo's Marks anywhere in the United States, the date of first use in commerce in the United States, and the factual basis for these dates.

INTERROGATORY NO. 19:

For each good or service identified in response to Interrogatory No. 17, describe the classes or types of customers to whom Lenovo sells or intends to sell each product or service, and describe the purpose for which such customers typically use or will use such products or services.

INTERROGATORY NO. 20:

For each good or service identified in response to Interrogatory No. 17, explain in reasonable detail how, in which media, the good or service is advertised and/or promoted in association with Lenovo's Marks in the United States.

INTERROGATORY NO. 21:

For each good or service identified in response to Interrogatory No. 17, state the amount you have spent, if any, in dollars per month or quarter, on advertising and promoting the goods

or services in association with Lenovo's Marks in the United States.

INTERROGATORY NO. 22:

For each good or service identified in response to Interrogatory No. 17, state the dollar volume of sales in the Unites States.

INTERROGATORY NO. 23:

For each good or service identified in response to Interrogatory No. 17, state the amount of units sold or provided in the United States.

INTERROGATORY NO. 24:

For each good or service identified in response to Interrogatory No. 17, state the price in United States dollars of any individual unit or item of the goods in service.

INTERROGATORY NO. 25:

Identify and describe all goods and services which Lenovo plans to or may provide in the future in addition to or in substitution for the goods and services identified in response to Interrogatory No. 18.

INTERROGATORY NO. 26:

Provide the factual basis for your alleged date of first use of each of Lenovo's Marks.

INTERROGATORY NO. 27:

Identify the person(s) most knowledgeable about your use or proposed use of each of Lenovo's Marks, including use on or in connection with products, services, advertisements, and promotional materials.

INTERROGATORY NO. 28:

Identify the person(s) most knowledgeable about the products and services sold under Lenovo's Marks, including their manufacture, packaging, marketing, advertising, promotion, sale, distribution, and channels of trade.

INTERROGATORY NO. 29:

Identify the person(s) most knowledgeable about the prosecution and maintenance of Lenovo's Marks with the USPTO.

EXHIBIT B
PAGE 32

INTERROGATORY NO. 30:

State when you became aware of HCCP's Mark.

INTERROGATORY NO. 31:

State when you became aware of the existence of HCCP.

INTERROGATORY NO. 32:

State when you became aware of HCCP's use of the word THINK as a trademark, a service mark, or a trade name.

INTERROGATORY NO. 33:

State when you became aware of any products or services available under HCCP's Marks.

INTERROGATORY NO. 34:

State whether you have ever received any complaint of any kind relating to any of your products or services offered in association with any of your marks from any person, including, but not limited to, customers, vendors, distributors, sales representatives, or employees. If so, describe in reasonable detail the circumstances relating to each such complaint, identify all persons having knowledge of such complaint, and identify all documents relating to such complaint.

INTERROGATORY NO. 35:

Describe in reasonable detail each instance of actual or possible confusion of which you are aware between Lenovo and HCCP or between Lenovo's Marks and HCCP's Mark including but not limited to any instances where a person has asked whether any of your products or services are sponsored, approved, affiliated, associated, or in any way connected with HCCP or its products or services, or has otherwise indicated curiosity as to any possible relationship. In your description, include at least the date of the instance, the identity of the person(s) involved, how you became aware of the incident, and the identity of all documents referring or relating to the incident.

EXHIBIT B
PAGE 33

INTERROGATORY NO. 36:

State whether you have ever made any objection of any kind relating to another person or entity's use or registration of a mark that you believe is similar to any of your marks. If so, describe in reasonable detail the circumstances relating to each such objection, and identify each person(s) having knowledge of such objection and all documents relating to such objection.

INTERROGATORY NO. 37:

State whether you have ever received any objection of any kind relating to your use or registration of any of your marks, or any other marks that are similar. If so, describe in reasonable detail the circumstances relating to each such objection, and identify each person(s) having knowledge of such objection and documents relating to such objection.

INTERROGATORY NO. 38:

Describe any Internet site owned or operated by Lenovo, including the duration of ownership.

INTERROGATORY NO. 39:

Describe in reasonable detail the goods and services provided at any Internet site identified in response to Interrogatory No. 39.

INTERROGATORY NO. 40:

For each of the products and services identified in response to Interrogatory No. 40, state the dollar volume of sales made on the Internet site.

INTERROGATORY NO. 41:

Describe in reasonable detail the use of each of Lenovo's Marks on any Internet site identified in response to Interrogatory No. 39.

INTERROGATORY NO. 42:

Describe in reasonable detail the use of each of Lenovo's Marks on the goods and services provided at any Internet site identified in response to Interrogatory No. 39.

INTERROGATORY NO. 43:

State the number of pages on any Internet site identified in response to Interrogatory No.

39 that use or depict Lenovo's Marks.

INTERROGATORY NO. 44:

Describe the volume of web traffic that accesses any Internet site identified in response to Interrogatory No. 39, including, but not limited to, the number of hits the website receives per day and the number of visitors accessing the pages that depict Lenovo's Marks.

INTERROGATORY NO. 45:

Describe the classes or types of customers that visit any Internet site identified in response to Interrogatory No. 39 or that Lenovo intends to attract to that website.

INTERROGATORY NO. 46:

Identify all persons, including any outside consultants or agencies, who contributed in any way to the design, organization, and/or presentation of any Internet site identified in response to Interrogatory No. 39 and describe in reasonable detail the contribution of each such person.

INTERROGATORY NO. 47:

Identify all channels of trade, including all distributors and retail outlets, for all products or services bearing Lenovo's Marks.

INTERROGATORY NO. 48:

Identify all documents upon which Lenovo intends to rely in this proceeding.

INTERROGATORY NO. 49:

Identify all witnesses from whom Lenovo intends to present testimony in this proceeding.

INTERROGATORY NO. 50:

State each address from which your goods are available to the public in connection with or under any of Lenovo's Marks.

INTERROGATORY NO. 51:

Identify any and all agreements entered into by you in relation to any of Lenovo's Marks.

INTERROGATORY NO. 52:

State what you contend is the commercial impression each of Lenovo's Marks makes on

consumers.

INTERROGATORY NO. 53:

Identify any expert you have used or expect to use in connection with any matter pertaining to this proceeding.

INTERROGATORY NO. 54:

For each expert you have used or expect to use in connection with any matter pertaining to this proceeding, state: (a) the expert's field of specialization; (b) what the expert did for you or will do for you; (c) the nature of the testimony to be given; (d) all documents and things reviewed by and used by the expert; (f) the expert's qualifications to be designated an "expert;" and (g) a summary of the basis or grounds for each such fact and opinion.

INTERROGATORY NO. 55:

For each of HCCP's First Set of Requests for Admission denied by Lenovo, state in reasonable detail the basis for such denial.

INTERROGATORY NO. 56:

Identify all registrations of which you are aware for "THINK" formative marks.

INTERROGATORY NO. 57:

Identify all third-party uses of which you are aware for "THINK" formative marks.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

DATED: December 14, 2010

By _____

Gary J. Nelson
Steven E. Lauridsen
Attorneys for Applicant & Counterclaimant
Post Office Box 7068
Pasadena, California 91109-7068
Phn: (626) 795-9900

SEL PAS758052.1-*-12/14/10 2:05 PM

EXHIBIT B
PAGE 36

TRADEMARK
Docket No. 110.2*2/H644
Opposition No. 91176065

CERTIFICATE OF TRANSMISSION AND SERVICE

I certify that on December 14, 2010, the foregoing **APPLICANT AND COUNTERCLAIMANT H. CO. COMPUTER PRODUCT'S FIRST SET OF INTERROGATORIES TO OPPOSER AND COUNTER-RESPONDENT LENOVO (SINGPORE) PTE. LTD.** is being electronically filed with:

Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

It is further certified that on December 14, 2010, the foregoing **APPLICANT AND COUNTERCLAIMANT H. CO. COMPUTER PRODUCT'S FIRST SET OF INTERROGATORIES TO OPPOSER AND COUNTER-RESPONDENT LENOVO (SINGPORE) PTE. LTD.** is being served by mailing a copy thereof by first-class mail addressed to:

Stanley D. Ference III
FERENCE & ASSOCIATES
409 Broad Street
Pittsburgh, PA 15143
(412) 741-8400 (telephone)
(412) 741-9292 (facsimile)
uspto@ferencelaw.com

Attorneys for Opposer

By: _____
Roxanne Gaines
CHRISTIE, PARKER & HALE, LLP
P.O. Box 7068
Pasadena, CA 91109-7068
pto@cph.com

EXHIBIT B
PAGE 37

EXHIBIT C

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

In the matter of trademark application Serial No. 78/636,480
For the mark THINKCP
Published in the Official Gazette on November 7, 2006

Lenovo (Singapore) PTE Ltd. Opposer , vs. H. Co. Computer Products Applicant.	Opposition No. 91176065
H. Co. Computer Products Counterclaimant, vs. Lenovo (Singapore) PTE Ltd. Respondent.	

OPPOSER 'S RESPONSES TO ~~OPPOSER~~ [Applicant] 'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS AND THINGS

Introduction

Lenovo (Singapore) PTE Ltd. ("Opposer and/or Respondent"), by and through their undersigned counsel, hereby propound the following Responses to Applicant's First Request for Production of Documents.

Instructions and Definitions

GENERAL OBJECTIONS

EXHIBIT C
PAGE 39

1. **Relevance.** Opposer asserts a general objection to these Interrogatories as seeking information which is irrelevant, immaterial and unrelated to the subject matter of the litigation and which is not reasonably calculated to lead to discovery of admissible evidence in direct contravention of Rule 26(b)(1) of the Federal Rules of Civil Procedure.
2. **Unduly Burdensome and Oppressive.** Opposer asserts a general objection to these Interrogatories as being served by Applicant for the purpose of causing unreasonable annoyance, oppression, burden and expense to Opposer in direct contravention of Rule 26(b)(1) of the Federal Rules of Civil Procedure.
3. **Unreasonably Cumulative and Duplicative.** Opposer asserts a general objection to these Interrogatories as seeking information already in the possession of Applicant in direct contravention of Rule 26(b)(1) of the Federal Rules of Civil Procedure.
4. **Attorney-Client Privilege and/or Work Product.** Opposer asserts a general objection to these Interrogatories as seeking information protected by the attorney-client privilege and/or the work-product doctrine, and to the extent these Interrogatories require such documents and things they are objected to on the grounds of said privilege and doctrine.
5. **Inconsistent.** Opposer objects to the "Definitions and Instructions" recited in Applicant's Interrogatories to the extent that those "Definitions and Instructions" purport to impose obligations inconsistent with, or in excess of, those imposed by the Federal Rules of Civil Procedure.
6. **Place of Production.** Opposer objects to the location where Applicant has requested the documents be produced. The documents will be produced in a place, time, and manner mutually agreed upon by the parties.

7. **Specific Objections**. Opposer hereby incorporates each of these general objections into each of its specific responses, whether or not an express reference is made to these general objections in those responses.

Without waiving the foregoing objections, each of which is specifically incorporated into the below respective responses, Opposer responds as follows:

REQUEST FOR PRODUCTION NO. 1:

All documents used in preparing responses to any of Applicant's interrogatories.

RESPONSE TO REQUEST FOR PRODUCTION NO. 1:

Owing to the fact that Applicant did not propound Interrogatories directed to Opposer , there were no documents reviewed responsive to this request.

REQUEST FOR PRODUCTION NO.2:

All documents which evidence any web site on the internet where your goods in connection with or under your Marks are made available via advertising or marketing to the purchasing public.

RESPONSE TO REQUEST FOR PRODUCTION NO. 2:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections, Opposer is producing relevant, existing, non-privileged advertising exemplars at Exhibits LSP0001 to LSP0030. Further answering and subject to the preceding objections, Opposer directs Applicant's attention to Opposer 's website at

www.Lenovo.com and the tab entitled products; Applicant's attention is also directed to www.bestbuy.com for Lenovo products and www.cdw.com for Lenovo products.

REQUEST FOR PRODUCTION NO.3:

All documents which evidence any web site on the internet where your goods in connection with your Marks may be or are offered for sale, sold, displayed, marketed, licensed and/or distributed.

RESPONSE TO REQUEST FOR PRODUCTION NO. 3:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections, Opposer is producing relevant, existing, non-privileged advertising exemplars at Exhibits LSP0001 to LSP0030. Further answering and subject to the preceding objections, Opposer directs Applicant's attention to Opposer 's website at www.Lenovo.com and the tab entitled products; Applicant's attention is also directed to www.bestbuy.com for Lenovo products and www.cdw.com for Lenovo products.

REQUEST FOR PRODUCTION NO.4:

Representative documents which evidence your Marks's nature, purpose and function.

RESPONSE TO REQUEST FOR PRODUCTION NO.4::

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-

client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections, Opposer is producing relevant, existing, non-privileged advertising exemplars at Exhibits LSP0001 to LSP0030. Further answering and subject to the preceding objections, Opposer directs Applicant's attention to Opposer 's website at www.Lenovo.com and the tab entitled products; Applicant's attention is also directed to www.bestbuy.com for Lenovo products and www.cdw.com for Lenovo products.

REQUEST FOR PRODUCTION NO.5:

Representative documents which evidence each of the goods or services used, sold, marketed, offered for sale, displayed, distributed, licensed, made available, provided and/or rendered in connection with your Marks.

RESPONSE TO REQUEST FOR PRODUCTION NO. 5::

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections, Opposer is producing relevant, existing, non-privileged advertising exemplars at Exhibits LSP0001 to LSP0030. Further answering and subject to the preceding objections, Opposer directs Applicant's attention to Opposer 's website at www.Lenovo.com and the tab entitled products; Applicant's attention is also directed to www.bestbuy.com for Lenovo products and www.cdw.com for Lenovo products.

REQUEST FOR PRODUCTION NO. 6:

All documents which relate to any expert you have used or expect to use in connection with any matter pertaining to this proceeding, including all documents which relate to the qualifications, field of specialization and expert testimony of any expert retained or expected by you to be retained to act on your behalf in any matter relating to this proceeding.

RESPONSE TO REQUEST FOR PRODUCTION NO. 6:

Opposer objects this request to the extent it it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections, there are no documents responsive to this request.

REQUEST FOR PRODUCTION NO.7:

All documents that relate to any expert opinion(s) obtained or expected by you to be obtained relating to this proceeding.

RESPONSE TO REQUEST FOR PRODUCTION NO. 7:

Opposer objects this request to the extent it it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections, there are no documents responsive to this request.

REQUEST FOR PRODUCTION NO.8:

EXHIBIT C
PAGE 43

All documents which relate to any surveys, opinion polls, and/or market research conducted by or for you related to this proceeding.

RESPONSE TO REQUEST FOR PRODUCTION NO. 8:

Opposer objects this request to the extent it it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections, there are no documents responsive to this request

REQUEST FOR PRODUCTION NO.9:

All documents which relate to the dates you first became aware of HCCP's Mark.

RESPONSE TO REQUEST FOR PRODUCTION NO. 9:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections, Opposer will produce relevant, existing, non-privileged documents. Further, and without waiving the preceding objections, Opposer notes that it first became aware of the Applicant's use when Applicant's application to register the mark **THINKCP**, Serial No.: 78-636480 was identified in a Watch Notice derived from the USPTO electronic database during the opposition period. A copy of the Watch Notice is produced as Exhibit "LSP0031".

REQUEST FOR PRODUCTION NO. 10:

EXHIBIT C
PAGE 44

All documents which relate to the dates any persons acting on your behalf or in association with you first became aware of HCCP's Mark.

RESPONSE TO REQUEST FOR PRODUCTION NO. 10:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections, Opposer will produce relevant, existing, non-privileged documents. Further, and without waiving the preceding objections, Opposer notes that it first became aware of the Applicant's use when Applicant's application to register the mark **THINKCP**, Serial No.: 78-636480 was identified in a Watch Notice derived from the USPTO electronic database during the opposition period. A copy of the Watch Notice is produced as Exhibit "LSP0031".

REQUEST FOR PRODUCTION NO. 11:

Copies of the complete U.S. Patent and Trademark Office ("PTO") file history for your Marks.

RESPONSE TO REQUEST FOR PRODUCTION NO. 11

Opposer objects to this request as the majority of the file histories are available at the USPTO electronic database and the burden of obtaining them is equal for Opposer and Applicant. However, and without waiving this objection, Opposer previously produced its file histories contemporaneously with its Initial Disclosures.

EXHIBIT C
PAGE 45

REQUEST FOR PRODUCTION NO. 12:

All publications, whether printed or electronic, in which your goods in connection with or under your Marks have been used in commerce.

RESPONSE TO REQUEST FOR PRODUCTION NO. 12

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Without waiving these objections, Opposer will produce representative exemplars to the extent available and existing.

REQUEST FOR PRODUCTION NO. 13:

All documents related to what you contend is the meaning or connotation of the word mark THINKCP.

RESPONSE TO REQUEST FOR PRODUCTION NO. 13

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections, Opposer currently has none but discovery is continuing and this response will be supplemented as required by the Federal Rules of Civil Procedure and the Trademark Rules.

EXHIBIT C
PAGE 46

REQUEST FOR PRODUCTION NO. 14:

All documents related to what you contend is the meaning of each of each of your Marks.

RESPONSE TO REQUEST FOR PRODUCTION NO. 14

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections, Opposer currently has none but discovery is continuing and this response will be supplemented as required by the Federal Rules of Civil Procedure and the Trademark Rules.

REQUEST FOR PRODUCTION NO. 15:

All documents, including advertisements, which relate to how you market and advertise your Marks.

RESPONSE TO REQUEST FOR PRODUCTION NO. 15

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections, Opposer is producing relevant, existing, non-privileged advertising exemplars at Exhibits LSP0001 to LSP0030. Further answering and subject to the preceding objections, Opposer directs Applicant's attention to Opposer 's website at

www.Lenovo.com and the tab entitled products; Applicant's attention is also directed to www.bestbuy.com for Lenovo products and www.cdw.com for Lenovo products.

REQUEST FOR PRODUCTION NO. 16:

All documents which relate to your date of first use of each of your Marks anywhere.

RESPONSE TO REQUEST FOR PRODUCTION NO. 16

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections and to the extent such documents are available , Opposer will produce relevant, non-privileged documents relating to first use of the mark. Further answering subject to the preceding objections, please see the statements of use in the file histories already produced.

REQUEST FOR PRODUCTION NO. 17:

All documents which relate to your date of first use of each of your Marks in commerce in the United States.

RESPONSE TO REQUEST FOR PRODUCTION NO. 17

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence.

EXHIBIT C
PAGE 48

Subject to these objections and to the extent such documents are available , Opposer will produce relevant, non-privileged documents relating to first use of the mark. Further answering subject to the preceding objections, please see the statements of use in the file histories already produced.

REQUEST FOR PRODUCTION NO. 18:

All documents which relate to use of each of your Marks not being continuous since the date of first actual use.

RESPONSE TO REQUEST FOR PRODUCTION NO. 18

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 19:

All documents which evidence use of each of your Marks being continuous since the date of first actual use.

RESPONSE TO REQUEST FOR PRODUCTION NO. 19

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Further answering, subject to the TTAB Standard Protective Order, and without waiver of

EXHIBIT C
PAGE 49

the preceding objections, please see Exhibit LSP0032 marked "Confidential Attorney's Eye's Only-Trade Secret."

REQUEST FOR PRODUCTION NO. 20:

All documents which evidence the approximate dollar value, and volume in units, of gross sales in commerce of each separate good and service which have been provided, distributed, licensed and/or sold in connection with or under your Marks.

RESPONSE TO REQUEST FOR PRODUCTION NO. 20

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Further answering, subject to the TTAB Standard Protective Order, and without waiver of the preceding objections, please see Exhibit LSP0032 marked "Confidential Attorney's Eye's Only-Trade Secret."

REQUEST FOR PRODUCTION NO. 21:

All documents which evidence the annual gross expenditures for advertising, marketing and promotion of each separate good and service provided, distributed, licensed and/or sold in connection with or under your Marks within the five years immediately preceding the filing of the Notice of Opposition.

RESPONSE TO REQUEST FOR PRODUCTION NO. 21

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-

client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Further answering, subject to the TTAB Standard Protective Order, and without waiver of the preceding objections, please see Exhibit LSP0032 marked "Confidential Attorney's Eye's Only-Trade Secret."

REQUEST FOR PRODUCTION NO. 22:

All documents which evidence the markets, outlets, and channels of trade in which each good and service provided in connection with or under each of your Marks are manufactured, sold, produced, offered for sale, used, distributed, delivered, licensed, used, advertised or otherwise marketed or promoted.

RESPONSE TO REQUEST FOR PRODUCTION NO. 22:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Further answering, subject to the TTAB Standard Protective Order, and without waiver of the preceding objections, please see Exhibit LSP0032 marked "Confidential Attorney's Eye's Only-Trade Secret."

REQUEST FOR PRODUCTION NO. 23:

Representative documents which evidence the name and address of each employee, officer, director or other person working for you, with you, or on your behalf who

EXHIBIT C
PAGE 51

have responsibility for the following activities and positions as respect the business of each of your Marks (or the equivalent supervisory responsibilities if different positions or titles are used by

you):

National sales;

National marketing;

President or Chief Executive Officer

Chief Financial Officer

Licensing, franchising and assignment of trademarks

Creation, adoption, use and registration of trademarks National advertising; and

National customer service.

RESPONSE TO REQUEST FOR PRODUCTION NO. 23:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Without waiving these objections, please see the "About Lenovo", "Our Company", "Management" tabs at www.Lenovo.com.

REQUEST FOR PRODUCTION NO. 24:

All documents provided to you at any time by any advertising agency and/or advertising consultant that have been used by you, may be used by you or considered by you relating to your Marks.

EXHIBIT C
PAGE 52

RESPONSE TO REQUEST FOR PRODUCTION NO. 24:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections, Opposer is producing relevant, existing, non-privileged advertising exemplars at Exhibits LSP0001 to LSP0030. Further answering and subject to the preceding objections, Opposer directs Applicant's attention to Opposer 's website at www.Lenovo.com and the tab entitled products; Applicant's attention is also directed to www.bestbuy.com for Lenovo products and www.cdw.com for Lenovo products.

REQUEST FOR PRODUCTION NO. 25:

All documents provided to you at any time by any business consulting and/or management consulting firm used by you in which HCCP is mentioned or referenced.

RESPONSE TO REQUEST FOR PRODUCTION NO. 25:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections, Opposer currently has none but discovery is continuing and this response will be supplemented as required by the Federal Rules of Civil Procedure and the Trademark Rules.

REQUEST FOR PRODUCTION NO. 26:

All documents created by you or by others acting on your behalf in which HCCP is mentioned or referenced.

RESPONSE TO REQUEST FOR PRODUCTION NO. 26:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections, Opposer currently has none but discovery is continuing and this response will be supplemented as required by the Federal Rules of Civil Procedure and the Trademark Rules.

REQUEST FOR PRODUCTION NO. 27:

All past and/or current licenses related to each of your Marks.

RESPONSE TO REQUEST FOR PRODUCTION NO. 27:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections, Opposer does license to TARGUS for carry cases.

REQUEST FOR PRODUCTION NO. 28:

All past and/or current agreements related to each of your Marks.

EXHIBIT C
PAGE 54

RESPONSE TO REQUEST FOR PRODUCTION NO. 28

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 29:

All past and/or current settlement agreements, co-existence agreements, or other agreements and contracts related to or about your Marks.

RESPONSE TO REQUEST FOR PRODUCTION NO. 29:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 30:

Representative documents which evidence the classes or types of purchasers or customers to whom you sell, distribute, or render goods or services under your Marks.

RESPONSE TO REQUEST FOR PRODUCTION NO. 30:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in

EXHIBIT C
PAGE 55

this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Further answering, subject to the TTAB Standard Protective Order, and without waiver of the preceding objections, please see Exhibit LSP0032 marked "Confidential Attorney's Eye's Only-Trade Secret."

REQUEST FOR PRODUCTION NO. 31:

Representative documents referring to or relating to your past, present, and planned marketing, promotion, and advertising of your goods in connection with and under each of your Marks, including but not limited to, marketing plans, advertising plans, business plans, and market research reports. Further answering, subject to the TTAB Standard Protective Order, and without waiver of the preceding objections, please see Exhibit LSP0032 marked "Confidential Attorney's Eye's Only-Trade Secret."

RESPONSE TO REQUEST FOR PRODUCTION NO. 31:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Further answering, subject to the TTAB Standard Protective Order, and without waiver of the preceding objections, please see Exhibit LSP0032 marked "Confidential Attorney's Eye's Only-Trade Secret."

REQUEST FOR PRODUCTION NO. 32:

All documents which relate to any investigation of HCCP relating to HCCP's Mark, and/or relating to any goods or services of HCCP.

EXHIBIT C
PAGE 56

RESPONSE TO REQUEST FOR PRODUCTION NO. 32:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 33:

All documents which evidence your attendance at each trade show where your Marks have been displayed, advertised or promoted.

RESPONSE TO REQUEST FOR PRODUCTION NO. 33:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Further answering, subject to the TTAB Standard Protective Order, and without waiver of the preceding objections, please see Exhibit LSP0032 marked "Confidential Attorney's Eye's Only-Trade Secret."

REQUEST FOR PRODUCTION NO. 34:

All documents which evidence how your Marks were displayed, advertised or promoted at any trade show.

RESPONSE TO REQUEST FOR PRODUCTION NO. 34:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. . Subject to these objections, Opposer is producing relevant, existing, non-privileged advertising exemplars at Exhibits LSP0001 to LSP0030. Further answering and subject to the preceding objections, Opposer directs Applicant's attention to Opposer 's website at www.Lenovo.com and the tab entitled products; Applicant's attention is also directed to www.bestbuy.com for Lenovo products and www.cdw.com for Lenovo products.

REQUEST FOR PRODUCTION NO. 35:

All documents which relate to any instances or occurrences of actual confusion between the use of HCCP's Mark and the use of each of your Marks, and vice versa

RESPONSE TO REQUEST FOR PRODUCTION NO. 35:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Without waiving these objections, Opposer is aware of no instances of confusion. Further answering, discovery is continuing. This response will be supplemented in accordance with the Federal Rules of Civil Procedure and the Trademark Rules.

REQUEST FOR PRODUCTION NO. 36:

EXHIBIT C
PAGE 58

All documents referring or relating to any third party objections to your use and/or registration of any name, mark, or designation comprised of or containing your Marks or a derivation of each of your Marks.

RESPONSE TO REQUEST FOR PRODUCTION NO. 36:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Without waiving these objections, Opposer directsApplicant to the TTAB data base for non-privileged relevant documents responsive to this request.

REQUEST FOR PRODUCTION NO. 37:

All documents referring or relating to any objections you have made to any third party use of any name, mark or designation comprised of or containing your Marks or a derivation of each of your Marks.

RESPONSE TO REQUEST FOR PRODUCTION NO. 37:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Without waiving these objections, Opposer directsApplicant to the TTAB data base for non-privileged relevant documents responsive to this request.

REQUEST FOR PRODUCTION NO. 38:

All documents referring or relating to inquiries or comments on the relationship between you and/or your Marks and HCCP and/or HCCP's Mark.

RESPONSE TO REQUEST FOR PRODUCTION NO. 38:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Further, Opposer objects to this request as unintelligible.

REQUEST FOR PRODUCTION NO. 39:

Representative documents which evidence the selling prices you, your agents, distributors and/or licensees charge for each of the separate goods and services used, distributed, provided or sold in connection with or under your Marks.

RESPONSE TO REQUEST FOR PRODUCTION NO. 39:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiver of the preceding objections, see the Advertising Exemplars produced at (Exhibits LSP0001 to LSP0030). Further answering and subject to the preceding objections, Opposer directs Applicant's attention to Opposer 's website at

www.Lenovo.com and the tab entitled products; Applicant's attention is also directed to www.bestbuy.com for Lenovo products and www.cdw.com for Lenovo products.

REQUEST FOR PRODUCTION NO. 40:

All documents which relate to any written or unwritten plans you have to expand the line of goods or services sold, distributed, licensed, used, or provided under your Marks.

RESPONSE TO REQUEST FOR PRODUCTION NO. 40:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 41:

Representative documents which evidence all of the physical locations where your goods in connection with or under your Marks are available to the public.

RESPONSE TO REQUEST FOR PRODUCTION NO. 41:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Further answering, subject to the TTAB Standard Protective Order, and without waiver of the preceding objections, please see Exhibit LSP0032 marked "Confidential Attorney's

Eye's Only-Trade Secret."

REQUEST FOR PRODUCTION NO. 42:

All documents which evidence the geographic regions or areas where your Marks is marketed and promoted.

RESPONSE TO REQUEST FOR PRODUCTION NO. 42:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiver of the preceding objections, see the Advertising Exemplars produced at (Exhibits LSP0001 to LSP0030). Further answering and subject to the preceding objections, Opposer directs Applicant's attention to Opposer 's website at www.Lenovo.com and the tab entitled products; Applicant's attention is also directed to www.bestbuy.com for Lenovo products and www.cdw.com for Lenovo products. Further answering, subject to the TTAB Standard Protective Order, and without waiver of the preceding objections, please see Exhibit LSP0032 marked "Confidential Attorney's Eye's Only-Trade Secret."

REQUEST FOR PRODUCTION NO. 43:

All documents which evidence the state(s) of the United States in which you or your licensees and distributors, do business under your Marks.

RESPONSE TO REQUEST FOR PRODUCTION NO. 43:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiver of the preceding objections, see the Advertising Exemplars produced at (Exhibits LSP0001 to LSP0030). Further answering and subject to the preceding objections, Opposer directs Applicant's attention to Opposer 's website at www.Lenovo.com and the tab entitled products; Applicant's attention is also directed to www.bestbuy.com for Lenovo products and www.cdw.com for Lenovo products. Further answering, subject to the TTAB Standard Protective Order, and without waiver of the preceding objections, please see Exhibit LSP0032 marked "Confidential Attorney's Eye's Only-Trade Secret."

REQUEST FOR PRODUCTION NO. 44:

All documents relating to surveys, public opinion polls, market research studies, and consultant opinions conducted by or for the benefit of you related to this proceeding.

RESPONSE TO REQUEST FOR PRODUCTION NO. 44:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections, Opposer currently has none but discovery is continuing and

this response will be supplemented as required by the Federal Rules of Civil Procedure and the Trademark Rules.

REQUEST FOR PRODUCTION NO. 45:

All documents relating to surveys, public opinion polls, market research studies, and consultant opinions conducted by or for the benefit of you related to this proceeding to be used by you in this Proceeding.

RESPONSE TO REQUEST FOR PRODUCTION NO. 45:

See Response to Request for Production No.44.

REQUEST FOR PRODUCTION NO. 46:

All documents which evidence that your Marks are presently distinctive of your goods.

RESPONSE TO REQUEST FOR PRODUCTION NO. 46:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Further answering and subject to the preceding objections, Applicant's attention is directed to the USPTO electronic database for review of relevant statements, specimens, and affidavits.

REQUEST FOR PRODUCTION NO. 47:

All documents which evidence that relevant purchasers of your goods in connection with or under your Marks associate the Marks with you alone.

RESPONSE TO REQUEST FOR PRODUCTION NO. 47:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections, Opposer currently has none but discovery is continuing and this response will be supplemented as required by the Federal Rules of Civil Procedure and the Trademark Rules.

REQUEST FOR PRODUCTION NO. 48:

All documents relating to your incorporation, legal organization, and chartering (including any amendments thereto).

RESPONSE TO REQUEST FOR PRODUCTION NO. 48:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections and further answering ,please see http://www.Lenovo.com/ww/Lenovo/annual_interim_report.html

REQUEST FOR PRODUCTION NO. 49:

All documents relating to the incorporation, legal organization, and chartering (including any amendments thereto) of past and current licensees, agents and distributors related to your Marks.

EXHIBIT C
PAGE 65

RESPONSE TO REQUEST FOR PRODUCTION NO. 49:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 50:

Representative documents which evidence your former principals, officers and directors within the last ten (10) years.

RESPONSE TO REQUEST FOR PRODUCTION NO. 50:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections and further answering ,please see http://www.Lenovo.com/ww/Lenovo/annual_interim_report.html.

REQUEST FOR PRODUCTION NO. 51:

Representative documents which evidence the principals, owners, officers and directors of each licensee, agent or distributor of each of your Marks, within the last ten (10) years.

RESPONSE TO REQUEST FOR PRODUCTION NO. 51:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-

EXHIBIT C
PAGE 66

client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 52:

Representative documents which evidence your current principals, officers and directors.

RESPONSE TO REQUEST FOR PRODUCTION NO. 52:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Without waiving these objections, please see the "About Lenovo", "Our Company", "Management" tabs at www.Lenovo.com. and further answering ,please see http://www.Lenovo.com/ww/Lenovo/annual_interim_report.html.

REQUEST FOR PRODUCTION NO. 53:

Representative documents which evidence your agents, licensees, or distributors that are used by you in any way in connection with your Marks.

RESPONSE TO REQUEST FOR PRODUCTION NO. 53:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 54:

Representative documents which evidence any licensees of each of your Marks.

RESPONSE TO REQUEST FOR PRODUCTION NO. 54:

See response to Request for Production No. 27.

REQUEST FOR PRODUCTION NO. 55:

Representative documents which evidence current and former advertising agencies and/or advertising consultants used by you in connection with your Marks.

RESPONSE TO REQUEST FOR PRODUCTION NO. 55:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 56:

All documents, things, materials, literature and advertisements (including, but not limited to, radio, newspaper, magazine, print, television, cable, and internet advertisements) related to the advertising, marketing, and/or promotion of each of your Marks.

RESPONSE TO REQUEST FOR PRODUCTION NO. 56:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence.

Subject to and without waiver of the preceding objections, see the Advertising Exemplars produced at (Exhibits LSP0001 to LSP0030). Further answering and subject to the preceding objections, Opposer directs Applicant's attention to Opposer 's website at www.Lenovo.com and the tab entitled products; Applicant's attention is also directed to www.bestbuy.com for Lenovo products and www.cdw.com for Lenovo products. Further answering, subject to the TTAB Standard Protective Order, and without waiver of the preceding objections, please see Exhibit LSP0032 marked "Confidential Attorney's Eye's Only-Trade Secret."

Further answering,subject to the preceding objections, please see http://news.Lenovo.com/news/.

REQUEST FOR PRODUCTION NO. 57:

A sample of each good sold, distributed, licensed, used, or rendered under your Marks.

RESPONSE TO REQUEST FOR PRODUCTION NO. 57:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 58:

A sample of the marketing or advertising material for each service sold, distributed, licensed, used, or rendered under your Marks.

RESPONSE TO REQUEST FOR PRODUCTION NO. 58:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive.

Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiver of the preceding objections, see the Advertising Exemplars produced at (Exhibits LSP0001 to LSP0030). Further answering and subject to the preceding objections, Opposer directs Applicant's attention to Opposer 's website at www.Lenovo.com and the tab entitled products; Applicant's attention is also directed to www.bestbuy.com for Lenovo products and www.cdw.com for Lenovo products.

REQUEST FOR PRODUCTION NO. 59:

A sample of each catalog, price list, merchandising offer, and/or other publication or document where the availability of any good or service in connection with or under your Marks has been advertised or made known.

RESPONSE TO REQUEST FOR PRODUCTION NO. 59:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiver of the preceding objections, see the Advertising Exemplars produced at (Exhibits LSP0001 to LSP0030). Further answering and subject to the preceding objections, Opposer directs Applicant's attention to Opposer 's website at www.Lenovo.com and the tab entitled products; Applicant's attention is also directed to

www.bestbuy.com for Lenovo products and www.cdw.com for Lenovo products.

REQUEST FOR PRODUCTION NO. 60:

Representative documents which evidence any and all ways in which your Marks has been and is currently being used.

RESPONSE TO REQUEST FOR PRODUCTION NO. 60:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Subject to and without waiver of the preceding objections, see the Advertising Exemplars produced at (Exhibits LSP0001 to LSP0030). Further answering and subject to the preceding objections, Opposer directs Applicant's attention to Opposer 's website at www.Lenovo.com and the tab entitled products; Applicant's attention is also directed to www.bestbuy.com for Lenovo products and www.cdw.com for Lenovo products.

REQUEST FOR PRODUCTION NO.61:

All documents related to any customers of HCCP who mistakenly contacted you or any of your agents, distributors or licensees.

RESPONSE TO REQUEST FOR PRODUCTION NO. 61:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in

this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections, Opposer currently has none but discovery is continuing and this response will be supplemented as required by the Federal Rules of Civil Procedure and the Trademark Rules.

REQUEST FOR PRODUCTION NO. 62:

All trademark searches performed in relation to HCCP's Mark.

RESPONSE TO REQUEST FOR PRODUCTION NO. 62:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections, Opposer currently has none but discovery is continuing and this response will be supplemented as required by the Federal Rules of Civil Procedure and the Trademark Rules.

REQUEST FOR PRODUCTION NO. 63:

All documents which relate to any trademark searches performed in connection with HCCP's Mark.

RESPONSE TO REQUEST FOR PRODUCTION NO. 63:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in

this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections, Opposer currently has none but discovery is continuing and this response will be supplemented as required by the Federal Rules of Civil Procedure and the Trademark Rules.

REQUEST FOR PRODUCTION NO. 64:

All documents which refer to or relate to your discovery, knowledge or awareness of HCCP's Mark.

RESPONSE TO REQUEST FOR PRODUCTION NO. 64:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections, Opposer will produce relevant, existing, non-privileged documents. Further, and without waiving the preceding objections, Opposer notes that it first became aware of the Applicant's use when Applicant's application to register the mark **THINKCP**, Serial No.: 78-636480 was identified in a Watch Notice derived from the USPTO electronic database during the opposition period. A copy of the Watch Notice is produced as Exhibit "LSP0031".

REQUEST FOR PRODUCTION NO. 65:

All cease and desist letters and other correspondence sent by you in connection with your Marks to any persons or entities.

RESPONSE TO REQUEST FOR PRODUCTION NO. 65:

EXHIBIT C
PAGE 73

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 66:

All correspondence received by you in connection with your Marks sent by any persons or entities including, but not limited to, HCCP.

RESPONSE TO REQUEST FOR PRODUCTION NO. 66:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 67:

All Complaints, all Notices of Opposition, all Petitions for Cancellation, and all other pleadings, filed by you at the Trademark Trial and Appeal Board or in any court, against any person or entity, in connection with each of your Marks.

RESPONSE TO REQUEST FOR PRODUCTION NO. 67:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in

this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections, Opposer directs Applicant's attention to the electronic database at the TTAB web site.

REQUEST FOR PRODUCTION NO. 68:

All Complaints, all Notices of Opposition, and all other pleadings, filed against you at the Trademark Trial and Appeal Board (TTAB) or in any court, by any person or entity, in connection with your Marks.

RESPONSE TO REQUEST FOR PRODUCTION NO. 68:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections, Opposer directs Applicant's attention to the electronic database at the TTAB web site.

REQUEST FOR PRODUCTION NO. 69:

All written discovery requests served on you by any person or entity in any proceedings before the TTAB or in any court in connection with your Marks.

RESPONSE TO REQUEST FOR PRODUCTION NO. 69:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in

this action nor is it reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 70:

All of your responses to any written discovery requests served on you by any person or entity in any proceeding before the TTAB or in any court in connection with your Marks.

RESPONSE TO REQUEST FOR PRODUCTION NO. 70:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 71:

All transcripts of any discovery depositions taken in any proceeding before the TTAB or in any court in connection with your Marks.

RESPONSE TO REQUEST FOR PRODUCTION NO. 71:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 72:

All transcripts of any testimony depositions taken in any proceeding before the TTAB.

RESPONSE TO REQUEST FOR PRODUCTION NO. 72:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive.

Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 73:

All transcripts of any court and/or TTAB proceeding in connection with your Marks.

RESPONSE TO REQUEST FOR PRODUCTION NO. 73:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 74:

All documents you intend to rely on during the testimony period of this proceeding.

RESPONSE TO REQUEST FOR PRODUCTION NO. 74:

Opposer objects to this request because discovery is continuing. Any documents responsive to this request will be produced in accordance with the Federal Rules of Civil Procedure and the Trademark Rules. Further, answering, to the extent this request seeks documents to be included in a Notice of Reliance or discussed in Opposer 's depositions, please see documents already produced contemporaneously with the Initial Disclosure and with this Response.

REQUEST FOR PRODUCTION NO. 75:

All non-attorney-client privileged documents in your files and records relating to your

Marks.

RESPONSE TO REQUEST FOR PRODUCTION NO. 75:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 76:

All documents which evidence your contention that your Marks and HCCP's Mark are visually similar.

RESPONSE TO REQUEST FOR PRODUCTION NO. 76:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Opposer is producing relevant, existing, non-privileged advertising exemplars at Exhibits LSP0001 to LSP0030. Further answering and subject to the preceding objections, Opposer directs Applicant's attention to Opposer 's website at www.Lenovo.com and the tab entitled products; Applicant's attention is also directed to www.bestbuy.com for Lenovo products and www.cdw.com for Lenovo products.

REQUEST FOR PRODUCTION NO. 77:

All documents which evidence your contention that your Marks and HCCP's Mark are phonetically similar.

RESPONSE TO REQUEST FOR PRODUCTION NO. 77:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-

client privilege or the work-product doctrine. Subject to these objections, Opposer will produce relevant, existing, non-privileged documents.

REQUEST FOR PRODUCTION NO. 78:

All documents which evidence your contention that your Marks and HCCP's Mark convey a similar commercial impression.

RESPONSE TO REQUEST FOR PRODUCTION NO. 78:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections, Opposer will produce relevant, existing, non-privileged documents.

REQUEST FOR PRODUCTION NO. 79:

All documents which evidence your contention that your Marks and HCCP's Mark have a similar connotation.

RESPONSE TO REQUEST FOR PRODUCTION NO. 79:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections, Opposer will produce relevant, existing, non-privileged

documents.

REQUEST FOR PRODUCTION NO. 80:

All documents which evidence your opinion of the commercial impression conveyed by your Marks.

RESPONSE TO REQUEST FOR PRODUCTION NO. 80:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 81:

All documents which evidence your opinion of the commercial impression conveyed by HCCP's Mark.

RESPONSE TO REQUEST FOR PRODUCTION NO. 81:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 82:

All documents which evidence the types or classes of consumers, users, customers, and/or purchasers of any goods or services in connection with or under your Marks.

RESPONSE TO REQUEST FOR PRODUCTION NO. 82:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Further answering, and without waiving the preceding objections, Opposer will produce relevant existing documents sufficient to ascertain the types of classes of consumers. Subject to and without waiver of the preceding objections, see the Advertising Exemplars produced at (Exhibits LSP0001 to LSP0030). Further answering and subject to the preceding objections, Opposer directs Applicant's attention to Opposer 's website at www.Lenovo.com and the tab entitled products; Applicant's attention is also directed to www.bestbuy.com for Lenovo products and www.cdw.com for Lenovo products. Further answering, subject to the TTAB Standard Protective Order, and without waiver of the preceding objections, please see Exhibit LSP0032 marked "Confidential Attorney's Eye's Only-Trade Secret."

REQUEST FOR PRODUCTION NO. 83:

All documents which evidence your contention of the types or classes of consumers, users, customers, and/or purchasers of any goods in connection with or under HCCP's Mark.

RESPONSE TO REQUEST FOR PRODUCTION NO. 83

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in

this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Further answering, subject to the TTAB Standard Protective Order, and without waiver of the preceding objections, please see Exhibit LSP0032 marked "Confidential Attorney's Eye's Only-Trade Secret." Further, discovery is continuing and this response will be supplemented as required by the Federal Rules of Civil Procedure and the Trademark Rules.

REQUEST FOR PRODUCTION NO. 84:

All documents which evidence the level or degree of sophistication of the consumers, users, customers, and/or purchasers of any goods or services in connection with or under your Marks.

RESPONSE TO REQUEST FOR PRODUCTION NO. 84

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections, Opposer currently has none but discovery is continuing and this response will be supplemented as required by the Federal Rules of Civil Procedure and the Trademark Rules.

REQUEST FOR PRODUCTION NO. 85:

All documents which evidence your contention of the level or degree of sophistication of the consumers, users, customers, and/or purchasers of any goods in connection with or

under HCCP's Mark.

RESPONSE TO REQUEST FOR PRODUCTION NO. 85

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections, Opposer currently has none but discovery is continuing and this response will be supplemented as required by the Federal Rules of Civil Procedure and the Trademark Rules.

REQUEST FOR PRODUCTION NO. 86:

All documents which evidence the purchasing conditions encountered by the consumers, users, customers, and/or purchasers of any goods or services in connection with or under your Marks.

RESPONSE TO REQUEST FOR PRODUCTION NO. 86

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Opposer is unable to ascertain the meaning of "purchasing conditions encountered". Subject to these objections, Opposer currently has none but discovery is continuing and this response will be supplemented as required by the Federal Rules of Civil Procedure and

the Trademark Rules.

REQUEST FOR PRODUCTION NO. 87:

All documents which evidence your contention of the purchasing conditions encountered by the consumers, users, customers, and/or purchasers of any goods or services in connection with or under your Marks.

RESPONSE TO REQUEST FOR PRODUCTION NO. 87

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Opposer is unable to ascertain the meaning of "purchasing conditions encountered". Subject to these objections, Opposer currently has none but discovery is continuing and this response will be supplemented as required by the Federal Rules of Civil Procedure and the Trademark Rules.

REQUEST FOR PRODUCTION NO. 88:

All press releases, newspaper articles, magazine, journalistic or other media stories or articles about your Marks that refer or relate to your Marks.

RESPONSE TO REQUEST FOR PRODUCTION NO. 88:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in

this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections, please see http://news.Lenovo.com/news/.

REQUEST FOR PRODUCTION NO. 89:

All documents concerning or related to your document retention policy.

RESPONSE TO REQUEST FOR PRODUCTION NO. 89:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 90:

All documents which evidence that when relevant consumers see your Marks they think of a single source or origin of the goods or services offered in connection with or under your Marks.

RESPONSE TO REQUEST FOR PRODUCTION NO. 90

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections, Opposer currently has none but discovery is continuing and this response will be supplemented as required by the Federal Rules of Civil Procedure and the Trademark Rules.

REQUEST FOR PRODUCTION NO. 91:

All written memoranda concerning any oral communications between you and HCCP.

RESPONSE TO REQUEST FOR PRODUCTION NO. 91

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections, Opposer currently has none but discovery is continuing and this response will be supplemented as required by the Federal Rules of Civil Procedure and the Trademark Rules.

REQUEST FOR PRODUCTION NO. 92:

All documents related to any proceeding before the TTAB or in any court in the U.S. that impacts your rights in your Marks.

RESPONSE TO REQUEST FOR PRODUCTION NO. 92:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 93:

All documents about or related to any third party trademarks or service marks you intend to rely on in this proceeding.

RESPONSE TO REQUEST FOR PRODUCTION NO. 93

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections, Opposer currently has none but discovery is continuing and this response will be supplemented as required by the Federal Rules of Civil Procedure and the Trademark Rules.

REQUEST FOR PRODUCTION NO. 94:

All documents related to any testimony you intend to rely on in this proceeding.

RESPONSE TO REQUEST FOR PRODUCTION NO. 94:

Opposer objects to this request because discovery is continuing. Any documents responsive to this request will be produced in accordance with the Federal Rules of Civil Procedure and the Trademark Rules. Further, answering, to the extent this request seeks documents to be included in a Notice of Reliance or discussed in Opposer 's depositions, please see documents already produced contemporaneously with the Initial Disclosure and with this Response.

REQUEST FOR PRODUCTION NO. 95:

All written memoranda concerning any oral communications between you and any licensee, agent or distributor of each of your Marks concerning your Marks.

RESPONSE TO REQUEST FOR PRODUCTION NO. 95

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive.

Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 96:

All written memoranda concerning any oral communications between you and any distributor of your goods in connection with or under your Marks.

RESPONSE TO REQUEST FOR PRODUCTION NO. 96

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 97:

All written communications and documents between you and Applicant, relating to your Marks.

RESPONSE TO REQUEST FOR PRODUCTION NO. 97

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Further answering, and without waiving the preceding objections, Applicant and its

counsel already have any such communications and the burden of production is equal for both Applicant and Opposer so Opposer will not be producing them again.

REQUEST FOR PRODUCTION NO. 98:

All written communications and documents between you and any licensee of any of your Marks.

RESPONSE TO REQUEST FOR PRODUCTION NO. 98

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 99:

All written communications and documents between you and any licensee, agent or distributor of your goods in connection with or under your Marks.

RESPONSE TO REQUEST FOR PRODUCTION NO. 99

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 100:

All documents which evidence any claims and/or allegations that you have alleged or may allege against HCCP.

RESPONSE TO REQUEST FOR PRODUCTION NO. 100:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 101:

All documents that mention or make any reference whatsoever to HCCP's Mark.

RESPONSE TO REQUEST FOR PRODUCTION NO. 101:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR PRODUCTION NO. 102:

All documents referring or relating to the basis for your allegations in paragraph 2 in your Amended Notice of Opposition.

RESPONSE TO REQUEST FOR PRODUCTION NO. 102:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence.

Subject to these objections, Opposer will produce relevant, existing, non-privileged documents.

REQUEST FOR PRODUCTION NO. 103:

All documents referring or relating to the basis for your allegations in paragraph 4 in your Amended Notice of Opposition.

RESPONSE TO REQUEST FOR PRODUCTION NO. 103:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections, and to the extent not already produced, Opposer will produce relevant, existing, non-privileged documents.

REQUEST FOR PRODUCTION NO. 104:

All documents referring or relating to the basis for your allegations in paragraph 5 in your Amended Notice of Opposition.

RESPONSE TO REQUEST FOR PRODUCTION NO. 104:

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections, and to the extent no already produced, Opposer will produce

relevant, existing, non-privileged documents.

REQUEST FOR PRODUCTION NO. 105:

All documents referring or relating to the basis for your allegations in paragraph 6 in your Amended Notice of Opposition.

RESPONSE TO REQUEST FOR PRODUCTION NO. 105

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections, Opposer currently has none but discovery is continuing and this response will be supplemented as required by the Federal Rules of Civil Procedure and the Trademark Rules.

REQUEST FOR PRODUCTION NO. 106:

All documents referring or relating to the basis for your allegations in paragraph 7 in your Amended Notice of Opposition.

RESPONSE TO REQUEST FOR PRODUCTION NO. 106

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections, Opposer currently has none but discovery is continuing and

this response will be supplemented as required by the Federal Rules of Civil Procedure and the Trademark Rules.

REQUEST FOR PRODUCTION NO. 107:

All documents referring or relating to the basis for your allegations in paragraph 8 in your Amended Notice of Opposition.

RESPONSE TO REQUEST FOR PRODUCTION NO. 107

Opposer objects to this request as overly broad, burdensome, harassing, and oppressive. Opposer objects to this request to the extent it calls for documents subject to the attorney-client privilege or the work-product doctrine. Further Opposer objects to this request to the extent it seeks information that is neither relevant to the claim or defense of any party in this action nor is it reasonably calculated to lead to the discovery of admissible evidence. Subject to these objections, Opposer currently has none but discovery is continuing and this response will be supplemented as required by the Federal Rules of Civil Procedure and the Trademark Rules.

/

FERENCE & ASSOCIATES LLC

Dated: 12/17/2010

By: _____

Stanley D. Ference III
Registration No. 33,879

FERENCE & ASSOCIATES LLC
409 Broad Street
Pittsburgh, PA 15143
(412) 741-8400
(412) 741-9292 – Facsimile

Attorneys for Opposer

EXHIBIT C
PAGE 93

CERTIFICATE OF SERVICE

I certify that the foregoing ***Opposer 's Responses to Applicant's First Request for Production of Documents*** is being served via first-FedEx, postage pre-paid, to:

Raymond R. Tabandeh
Christie, Parker & Hale, LLP
350 West Colorado Blvd., Suite 500
P.O. Box 7068
Pasadena, CA 91109-7068

Attorneys for Applicant

This 17th, day of Dec, 2010.

By: _____
Stanley D. Ference III

EXHIBIT C
PAGE 94

EXHIBIT D

CHRISTIE | PARKER | HALE LLP
Leaders in Intellectual Property Law & Complex Litigation

PASADENA OFFICE
350 W. Colorado Blvd., Suite 500
Pasadena, CA 91105
Post Office Box 7068
Pasadena, CA 91109-7068
E-mail: info@cph.com
Tel: (626) 795-9900 · Fax: (626) 577-8800

James B. Christie (1904-1959)
Robert L. Parker (1920-1980)
C. Russell Hale (1916-2004)

D. Bruce Prout
Walter G. Maxwell
David A. Dillard
Thomas J. Daly
Edward R. Schwartz
John D. Carpenter
Wesley W. Monroe
David A. Plumley
Gregory S. Lampert
Mark Garscia
Syed A. Hasan
Robert A. Green
Howard A. Kroll
Michael J. MacDermott
Anne Wang
Constantine Marantidis
Gary J. Nelson
Raymond R. Tabandeh
Josephine E. Chang
Jun-Young E. Jeon
Brian K. Brookey
David J. Steele
Gary S. Dukarich
Peter C. Hsueh
Oliver S. Bajracharya
Lauren E. Schneider
Saeid Mirsafian, Ph.D.
G. Warren Bleeker
Gabriel Fitch
Tiffany A. Parcher
Steven E. Lauridsen
Patrick J. Orme
Nikki M. Dossman
Derek W. Yeung
Jason C. Martone
Jeffrey T. Burgess
Uyen N. Tang
Joshua T. Chu
Anne F. Bradley
Joseph J. Mellema
Daniel L. Essig
Danielle M. Criona
David W. Klinger
Bruce A. Wagar, Ph.D.

Of Counsel
Hayden A. Carney
Richard J. Ward, Jr.
Richard A. Wallen
Daniel R. Kimbell

January 10, 2011

Via Email With Confirmation by Mail
uspto@ferencelaw.com

Stanley D. Ference III
FERENCE & ASSOCIATES, LLC
409 Broad Street
Pittsburgh, Pennsylvania 15143

Re: Lenovo v. H. Co. Computer Products
Opposition No. 91176065
United States Application Serial No. 78/636,480
for THINKCP
CPH Ref. H644:110.2*2

Dear Mr. Ference:

I write pursuant to Trademark Rule 2.120(e) in anticipation of , but also in the hope of obviating the need for, Applicant's motion to compel production of documents.

First, Opposer's responses were not served until December 17, 2010. Although the parties agreed to some extensions in the past, we could find no record of any agreed upon extension to December 17. Accordingly, Opposer served its responses late, and all objections, save those for privilege, are waived. We therefore demand that Opposer supplement its responses and its production without objection.

Second, in response to many of Applicant's requests (*e.g.*, 4, 5, 23, 24, 42, 43, 48, etc.), Opposer refers Applicant to Opposer's website, a third-party website, or the USPTO electronic records. This is improper. Internet content is dynamic, and it is possible that at even from the time Opposer served its written responses that the documents it references as they exist online have changed. Accordingly, if Opposer intends to rely on documents available online, it must produce actual copies of those documents. It is not sufficient for Opposer to merely tell Applicant where it can find the information it seeks in discovery. This is particularly true in the instances where Opposer refers Applicant to Opposer's own website. We therefore demand that Opposer supplement its production with the actual documents to which it refers in its written responses.

Third, in response to a number of requests (*e.g.*, 27, 41, 54, etc.), Opposer provided written answers containing the information rather than actual documents. Similarly, Document No. LSP0032, to which Opposer refers frequently, appears to have been generated by Opposer's attorney rather than by Opposer. Opposer must supplement with actual documents in Opposer's possession custody or control containing the information requested. Moreover, this document is not responsive to number of requests (*e.g.*, 19, 20, 21, 22, 32, etc.), yet Opposer refer to it in its written responses to those requests. While the requests at issue are readily apparent, when we meet and confer, we can further discuss in detail the written requests to which we are referring if you need clarification.

Fourth, in response to Request No. 1, which call for all documents upon which Opposer relied in preparing responses to Applicant's interrogatories, Opposer states that there are no responsive documents because Applicant did not propound interrogatories directed at Opposer. Opposer has propounded interrogatories since propounding its document requests, so please supplement this response in accordance with Rule 26(e) of the Federal Rules of Civil Procedure.

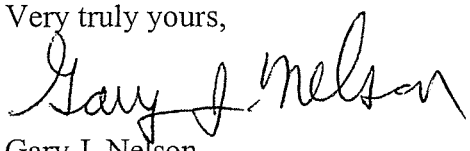
Fifth, for a number of requests, Opposer responded that it would produce relevant, non-privileged documents in addition to those which it has already produced and identified as LSP0001-32. Please let us know when we can expect to receive these documents.

Finally, in response to numerous requests, Opposer objected on the basis of relevance (*e.g.*, 18, 40, 50, 57, 65, 69-73, 80-81, 89, 92, 100, etc.). These requests seek documents pertaining to, among other things, Opposer's use of the asserted marks, legal adjudications affecting Opposer's rights concerning the asserted marks, and various *DuPont* factors. Opposer cannot serious contend that these documents are not relevant. We therefore demand that Opposer supplement all such responses and provide responsive documents.

We request a telephone conference where we can discuss these issues in detail. Please let us know when you are available for such a conference.

In the meantime, Opposer's continued failure to meaningfully cooperate in discovery has delayed this case and prejudiced Applicant's ability to prepare for trial. We therefore request a one-month extension of the current January 14, 2011 discovery deadline while the parties attempt to informally resolve this dispute without Board intervention. Please let us know if you would be amenable to such an extension. We look forward to hearing from you on these issues.

Very truly yours,



Gary J. Nelson

SEL PAS938132.1-*-01/10/11 4:16 PM

cph CHRISTIE|PARKER|HALE LLP
Leaders in Intellectual Property Law & Complex Litigation

EXHIBIT E

LAW OFFICES
FERENCE & ASSOCIATES LLC
409 BROAD STREET
PITTSBURGH, PENNSYLVANIA 15143
WWW.FERENCELAW.COM

PATENTS,
TRADEMARKS,
COPYRIGHTS
AND RELATED MATTERS

TELEPHONE
(412) 741-8400
FACSIMILE
(412) 741-9292

February 14, 2011

VIA FedEx

RECEIVED
FEB 15 2011
Christie, Parker & Hale LLP

Gary J. Nelson
Christie, Parker Hale, LLP
350 West Colorado Blvd., Suite 500
P.O. Box 7068
Pasadena, CA 91109-7068

Re: Lenovo v. H.Co. Computer Products
Opp. No. 91176065
U.S. Appl. Ser. No. 78/636,480
Our File No. 740.043 THINKCP

Dear Mr. Nelson,

This letter will serve to supplement our earlier discovery production. As you know, we have now extended discovery for 60 days in order to respond to all outstanding discovery issues. The consent motion ensures that all discovery enclosed is timely served.

Accordingly, enclosed please find a USB Pen Drive containing all of our document production to date. We also enclose Opposer's Objections and Responses to Applicant's First Request for Admissions and Opposer's Opposer's Objections and Responses to Applicant's Second Set of Requests for Production.

We note that we have checked our correspondence files both soft and hard as well as e-mail and have no evidence that you served us with Interrogatories. Nonetheless, we feel that our responses and documents are sufficient and comply with all the rules of discovery, including the Trademark Rules, in particular TBMP §414.

You will note that Bates Numbers LSP-00001-000030 are substitute color copies of the original black and white exhibits bearing the same numbers. Also, in response to your discovery requests, we have produced the following:

Copy of Watch Notice for THINKCP (LSP00031);

Copies of File Wrappers of the relevant marks (LSP-000033 – 001114);

USPTO records of the relevant marks (LSP-001115-002103);

Selected Copies of Applicant's Web Site Pages (LSP-002238-002241);

Printout from Internet Archive (LSP-002242);

Results from Search of WHOIS database (LSP-002243-002245);

Exemplars of Search results for various THINK products on LENOVO's web site (LSP-002249-002317);

Selected Documents from Opposition No. 125,553 (LSP-009248-009942);

Selected Third Party Write Ups for THINK products (LSP-010102-010147);

Selected Results from Search on Google for various THINK products (LSP-002161-002237);

Lenovo Company History (LSP-002246-002248);

CONFIDENTIAL -TRADE SECRET-COMMERCIALLY SENSITIVE-ATTORNEY EYES comprising 2006 to 2011 Watch Notices (LSP-002319-009064);

Print-Out of Trademark Trial and Appeal Board Docket for Lenovo's opposition of THINK marks (LSP-009065-009068);

CONFIDENTIAL -TRADE SECRET-COMMERCIALLY SENSITIVE-ATTORNEY EYES comprising Settlement Agreements and Amendments (LSP-009117-009247);

Selected Results of Searches (with price lists) for various THINK products on selected Lenovo's Retail Partner's web sites (LSP-009943-010101).

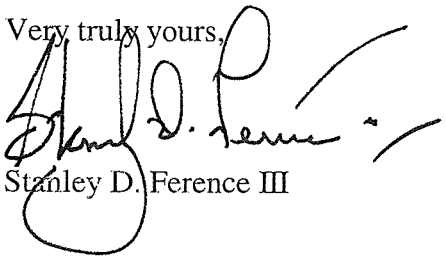
Lenovo's Products and Prices Lists for Government purchasers (LSP-0100149-010166).

We have also produced CONFIDENTIAL -TRADE SECRET-COMMERCIALLY SENSITIVE-ATTORNEY EYES ONLY data.(LSP-0032 and LSP-010148)

Please understand that we continue to reserve the right to continue to supplement our production in accordance with the Rules.

We trust that we have fairly met all of the issues you raised in your prior letter. We continue to look forward to receiving the documents you have promised to produce.

Very truly yours,



Stanley D. Ference III

EXHIBIT F

CHRISTIE | PARKER | HALE LLP
Leaders in Intellectual Property Law & Complex Litigation

PASADENA OFFICE
350 W. Colorado Blvd., Suite 500
Pasadena, CA 91105
Post Office Box 7068
Pasadena, CA 91109-7068
E-mail: info@cph.com
Tel: (626) 795-9900 · Fax: (626) 577-8800

James B. Christie (1904-1959)
Robert L. Parker (1920-1980)
C. Russell Hale (1916-2004)

David A. Dillard
Thomas J. Daly
Edward R. Schwartz
John D. Carpenter
Wesley W. Monroe
David A. Plumley
Gregory S. Lampert
Mark Garscia
Syed A. Hasan
Robert A. Green
Howard A. Kroll
Michael J. MacDermott
Anne Wang
Constantine Marantidis
Gary J. Nelson
Raymond R. Tabandeh
Josephine E. Chang
Jun-Young E. Jeon
Brian K. Brookey
David J. Steele
Peter C. Hsueh
Oliver S. Bajracharya
Lauren E. Schneider
Daniel R. Kimbell
Gary S. Dukarich
G. Warren Bleeker
Gabriel Fitch
Tiffany A. Parcher
Steven E. Lauridsen
Patrick J. Orme
Nikki M. Dossman
Derek W. Yeung
Jason C. Martone
Joshua T. Chu
David W. Klinger
Bruce A. Wagar, Ph.D.
Phyllis C. Simon
Justin O. Ehresmann, Ph.D.
Shaun P. Lee
Joseph E. Reed
Ryan M. Swank*
Faustina Y. Lee

Of Counsel
Hayden A. Carney
Richard J. Ward, Jr.
Walter G. Maxwell
Richard A. Wallen

Patent Agents
Nicole Ballew Chang, Ph.D.

*Admitted only in AZ

March 2, 2011

Via Email With Confirmation by Mail
uspto@ferencelaw.com

Stanley D. Ference III
FERENCE & ASSOCIATES, LLC
409 Broad Street
Pittsburgh, Pennsylvania 15143

Re: Lenovo v. H. Co. Computer Products
Opposition No. 91176065
United States Application Serial No. 78/636,480
for THINKCP
CPH Ref. H644:110.2*2

Dear Mr. Ference:

We have received your February 14, 2011 letter and the enclosed documents. We will review these and get back to you in due course.

In the meantime, we noted in your letter that stated you have no record of having received interrogatories from Applicant. Applicant served the attached interrogatories, and we therefore request that Opposer respond to them within 30 days of the date on this letter. If Opposer will not do so, Applicant will have no choice but to file a motion to compel.

If you any questions, please do not hesitate to contact me.

Very truly yours,

Steven E. Lauridsen

cc: Gary J. Nelson, Esq.

SEL PAS946309.1-*-03/2/11 1:26 PM

CHRISTIE | PARKER | HALE LLP
Leaders in Intellectual Property Law & Complex Litigation

EXHIBIT G

LAW OFFICES
FERENCE & ASSOCIATES LLC
409 BROAD STREET
PITTSBURGH, PENNSYLVANIA 15143
WWW.FERENCELAW.COM

PATENTS,
TRADEMARKS,
COPYRIGHTS
AND RELATED MATTERS

TELEPHONE
(412) 741-8400
FACSIMILE
(412) 741-9292

March 22, 2011

VIA OVERNIGHT DELIVERY

Gary J. Nelson, Esq.
Christie, Parker & Hale LLP
350 West Colorado Blvd., Suite 500
Pasadena, CA 91105-1836

RECEIVED
MAR 23 2011
CHRISTIE, PARKER, HALE, LLP

Re: Lenovo v. H.Co. Computer Products
Opp. No. 91176065
U.S. Appl. Ser. No. 78/636,480
Our File No. 740.043 THINKCP

Dear Mr. Nelson,

I am writing in response to your most recent correspondence of March 2, 2011 and in anticipation of our upcoming telephone conference. We were never timely served Interrogatories from Applicant. We have checked all of our records, both electronic and paper and are prepared to produce affidavits attesting to this fact.

A review of the Certificate of Transmission and Service that accompanies Applicant's First Request for Production of Documents reveals that the service date is July 1, 2010. Since Applicant's Request for Production No. 1 seeks all documents upon which Opposer relied in preparing responses to Applicant's Interrogatories, if you had served such Interrogatories, it would have been simultaneously with Applicant's First Request for Production of Documents. However, the Certificate of Transmission and Service for the Interrogatories enclosed with your letter of March 2, 2011 certifies a date of December 14, 2010. Had you served the Interrogatories as you state, the date of service should logically be July 1, 2010.

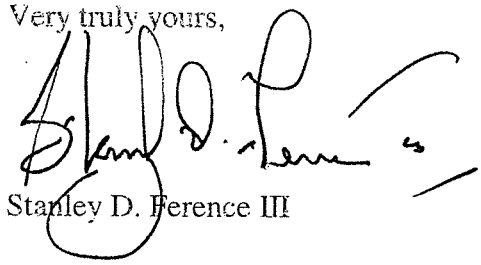
Further, we have checked the records of the Trademark Trial and Appeal Board for any filings in this Opposition on December 14, 2010. The electronic records do not include a December 14, 2010 filing and are not consistent with your Certificate of Transmission and Service. Also, I am not certain why if you served the Interrogatories on December 14, 2010, you would be writing to us on January 10, 2011 (less than 30 days before the answers would be due) to complain that you served them and did not receive answers. Indeed, no place in your letter of January 10, 2011 do you make any assertion as to the date the Interrogatories were served.

Even if we were to consider the Interrogatories as timely served (which we do not), the number of Interrogatories and subparts exceed the maximum of 75. *See* 37 C.F.R. §2.120 (d)(1); *Jan Bell Marketing, Inc. v. Terk Technologies Corp.*, 16 U.S.P.Q.2d 2055, 2056 (TTAB 1990). Indeed, Interrogatory No. 55 has more than 40 subparts that are generated by Opposer's denials of Applicant's First Set of Requests for Admissions. When adding the 40 subparts to the 57 Interrogatories, the maximum of 75 is easily exceeded and that is just one example of subparts included in Applicant's Interrogatories. There are other such Interrogatories that include multiple subparts.

As of this writing H.Co. has not produced a single responsive document in this case. In contrast, Lenovo has produced tens of thousands of pages of responsive documents with scrupulous attention to TBMP Chapter 414. As you know, as a condition for the last extension for discovery deadlines, our client required that the extension would only apply to outstanding discovery. Since, based upon our review of the facts, this set of Interrogatories did not get served until March 2, 2011, we are not going to respond to them. To do so, would severely prejudice our client since the conditional extension was agreed upon based upon the notion that no additional discovery would be served.

We continue to await your production of responsive documents promised almost six months ago.

Very truly yours,



Stanley D. Ference III

EXHIBIT G
PAGE 102

TRADEMARK
Docket No. 110.2*2/H644
Opposition No. 91176065

CERTIFICATE OF TRANSMISSION AND SERVICE

I certify that on September 23, 2011, the foregoing **APPLICANT'S MOTION TO COMPEL RESPONSES TO INTERROGATORIES FROM OPPOSER AND FOR PRODUCTION OF FURTHER DOCUMENTS** is being electronically filed with:

Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

It is further certified that on September 23, 2011, the foregoing **APPLICANT'S MOTION TO COMPEL RESPONSES TO INTERROGATORIES FROM OPPOSER AND FOR PRODUCTION OF FURTHER DOCUMENTS** is being served by mailing a copy thereof by first-class mail addressed to:

Stanley D. Ference III
FERENCE & ASSOCIATES
409 Broad Street
Pittsburgh, PA 15143
(412) 741-8400 (telephone)
(412) 741-9292 (facsimile)
uspto@ferencelaw.com

Attorneys for Opposer

By: _____
Roxanne Gaines
CHRISTIE, PARKER & HALE, LLP
P.O. Box 7068
Pasadena, CA 91109-7068
pto@cph.com

TRADEMARK
Docket No. 110.2-2/H644

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

Lenovo (Singapore) PTE Ltd. Opposer, v. H. Co. Computer Products Applicant.	Opposition No. 91176065 DECLARATION OF STEVEN E. LAURIDSEN IN SUPPORT OF APPLICANT'S MOTION TO COMPEL RESPONSES TO INTERROGATORIES FROM OPPOSER AND FOR PRODUCTION OF FURTHER DOCUMENTS
AND RELATED COUNTERCLAIM	

I, Steven E. Lauridsen, declare:

1. I am an associate at Christie, Parker & Hale, LLP, attorneys of record for H. Co. Computer Products ("HCCP"), the Applicant and Petitioner in this proceeding. I make this declaration of my personal knowledge, and if called as a witness, could testify competently to each of the following facts.

2. On July 1, 2010, HCCP propounded its first set of requests for production. A copy of HCCP's first set of requests for production is attached as Exhibit A.

3. On December 14, 2010, HCCP served its first set of interrogatories. A copy of those interrogatories is attached as Exhibit B.

4. A copy of Lenovo (Singapore) PTE Ltd. ("Lenovo") responses to Applicant's first set of requests for production is attached as Exhibit C.

5. Attached as Exhibit D is a letter Christie, Parker & Hale, LLP sent to Lenovo's counsel on January 10, 2011.

6. Attached as Exhibit E is a February 14, 2011 letter that Christie, Parker & Hale, LLP received from Lenovo's counsel.

7. Attached as Exhibit F is a copy of the March 2, 2011 letter Christie, Parker & Hale, LLP sent to Lenovo's counsel. The attached copy does not include the attachment that accompanied the original letter because that attachment is the same as Exhibit B.

8. Attached as Exhibit G is a copy of the March 22, 2011 letter Christie, Parker & Hale, LLP received from Lenovo's counsel.

9. Since March 22, 2011, I have met and conferred by telephone several times with Lenovo's counsel regarding this discovery dispute and directed Lenovo's counsel to the appropriate portions of the TBMP (and the authorities cited therein) in support of my position; however, we were unable to reach a resolution.

10. During the parties' meet and confer, I suggested that the parties attempt to agree upon a revised set of interrogatories; however, Lenovo's counsel refused to do so.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that this declaration was executed on September 23, 2011 in Pasadena, California.

Steven E. Lauridsen

SEL PAS1139400.1-*-09/23/11 1:22 PM

TRADEMARK
Docket No. 110.2*2/H644
Opposition No. 91176065

CERTIFICATE OF TRANSMISSION AND SERVICE

I certify that on September 23, 2011, the foregoing **DECLARATION OF STEVEN E. LAURIDSEN IN SUPPORT OF APPLICANT'S MOTION TO COMPEL RESPONSES TO INTERROGATORIES FROM OPPOSER AND FOR PRODUCTION OF FURTHER DOCUMENTS** is being electronically filed with:

Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

It is further certified that on September 23, 2011, the foregoing **DECLARATION OF STEVEN E. LAURIDSEN IN SUPPORT OF APPLICANT'S MOTION TO COMPEL RESPONSES TO INTERROGATORIES FROM OPPOSER AND FOR PRODUCTION OF FURTHER DOCUMENTS** is being served by mailing a copy thereof by first-class mail addressed to:

Stanley D. Ference III
FERENCE & ASSOCIATES
409 Broad Street
Pittsburgh, PA 15143
(412) 741-8400 (telephone)
(412) 741-9292 (facsimile)
uspto@ferencelaw.com

Attorneys for Opposer

By: _____
Roxanne Gaines
CHRISTIE, PARKER & HALE, LLP
P.O. Box 7068
Pasadena, CA 91109-7068
pto@cph.com

TRADEMARK
Docket No. 110.2-2/H644

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

Lenovo (Singapore) PTE Ltd. Opposer, v. H. Co. Computer Products Applicant.	Opposition No. 91176065 DECLARATION OF ROXANNE GAINES IN SUPPORT OF APPLICANT'S MOTION TO COMPEL RESPONSES TO INTERROGATORIES FROM OPPOSER AND FOR PRODUCTION OF FURTHER DOCUMENTS
AND RELATED COUNTERCLAIM	

I, Roxanne Gaines, declare:

1. I am a Senior Legal Assistant at Christie, Parker & Hale, LLP, attorneys of record for H. Co. Computer Products ("HCCP"), the Applicant and Petitioner in this proceeding. I make this declaration of my personal knowledge, and if called as a witness, could testify competently to each of the following facts.

2. On December 14, 2010, I completed a certificate of service for HCCP's first set of interrogatories. I also completed a certificate of service for HCCP's first set of requests for admission. I placed these documents together in a single envelope addressed to Ference & Associates LLC, 409 Broad Street, Pittsburgh, PA 15143. That day, I placed this envelope in the outgoing mail box at Christie, Parker & Hale, LLP, which, according to standard operating procedure, is picked up every weekday evening by a United States Postal Service employee.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that this declaration was executed on September 23, 2011 in

Pasadena, California.

Roxanne Gaines

SEL PAS1139419.1-*-09/23/11 1:32 PM

TRADEMARK
Docket No. 110.2*2/H644
Opposition No. 91176065

CERTIFICATE OF TRANSMISSION AND SERVICE

I certify that on September 23, 2011, the foregoing **DECLARATION OF ROXANNE GAINES IN SUPPORT OF APPLICANT'S MOTION TO COMPEL RESPONSES TO INTERROGATORIES FROM OPPOSER AND FOR PRODUCTION OF FURTHER DOCUMENTS** is being electronically filed with:

Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

It is further certified that on September 23, 2011, the foregoing **DECLARATION OF ROXANNE GAINES IN SUPPORT OF APPLICANT'S MOTION TO COMPEL RESPONSES TO INTERROGATORIES FROM OPPOSER AND FOR PRODUCTION OF FURTHER DOCUMENTS** is being served by mailing a copy thereof by first-class mail addressed to:

Stanley D. Ference III
FERENCE & ASSOCIATES
409 Broad Street
Pittsburgh, PA 15143
(412) 741-8400 (telephone)
(412) 741-9292 (facsimile)
uspto@ferencelaw.com

Attorneys for Opposer

By: _____
Roxanne Gaines
CHRISTIE, PARKER & HALE, LLP
P.O. Box 7068
Pasadena, CA 91109-7068
pto@cph.com