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

Proceeding	91180460
Party	Plaintiff E. I. du Pont de Nemours and Company
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Date	06/16/2008
Attachments	Opposer's Response to Applicant's Supplemental Objections to Discovery.pdf (4 pages)(119452 bytes)

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

In the Matter of Application Serial No. 78/922,352
Published in the Official Gazette of July 17, 2007

E.I. DU PONT DE NEMOURS AND COMPANY,

Opposer,

v.

MELISSA J. TERZIS,

Applicant.

Opposition No. 91/180,460

Mark: **VELVET IN DUPONT**

**OPPOSER'S RESPONSE TO APPLICANT'S SUPPLEMENTAL
OBJECTIONS TO OPPOSER'S FIRST REQUESTS FOR ADMISSIONS**

Opposer, E.I. du Pont de Nemours and Company ("Opposer") submits this response to the "Supplemental Objections" of Melissa J. Terzis ("Applicant") to Opposer's First Requests For Admissions dated June 10, 2008 ("Supplemental Objections"). In these Supplemental Objections, Applicant: a) repeats prior Objections based on the demonstrably erroneous claim that Opposer's discovery was not timely; and b) adds a new and equally baseless claim that Applicant's Answer to the Notice of Opposition, which was served on December 3, 2007, somehow constitutes a proper response to Opposer's Request for Admissions, which were served six months later.

As previously stated in Opposer's Response to Applicant's Objections To Opposer's First Set of Interrogatories, First Request For Production And First Requests For Admissions, as noticed on June 10, 2008, Opposer undeniably served

its Discovery Requests in a timely manner.

Applicant makes no attempt to offer and can offer no argument of any kind that its Answer to the Notice of Opposition should be deemed to be a proper response to Opposer's First Request for Admissions. Indeed, such an argument is in direct contradiction to all known rules of practice and in particular to Federal Rule of Civil Procedure 36, which requires a separate written answer to each specific Request For Admission and contains no provision that would permit any statements made in prior pleadings to prospectively serve as responses to future Requests for Admissions. Fed. R. Civ. P. 36.

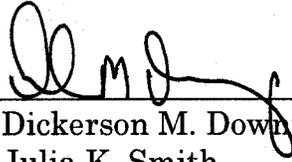
Accordingly, Opposer hereby respectfully requests that Applicant's Supplemental Objections and all related requests for relief be denied.

Opposer notes that Applicant's original Objections as well as its Supplemental Objections are patently devoid of any merit and appear to have been made in deliberate disregard of the applicable rules of practice before the Trademark Trial and Appeal Board. Opposer therefore reserves the right to seek appropriate sanctions in response to any further vexatious motion practice.

Dated: New York, New York
June 16, 2008

Respectfully submitted,

CROWELL & MORING LLP

By:  _____

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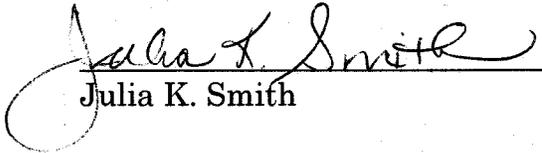
E.I. du Pont de Nemours and Company

CERTIFICATE OF SERVICE

I hereby certify that on the 16th day of June 2008, a true and correct copy of the foregoing document was served on counsel for the Applicant, by first class mail to:

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