

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

-----X
Borghese Trademarks, Inc.

Opposition No.: 91189629

Opposer,

Mark: PRINCE LORENZO
BORGHESE'S LA DOLCE VITA

v.

Multi Media Exposure, Inc.

Appl. Serial No.: 77/435,171

Applicant.

-----X

**APPLICANT'S OPPOSITION TO
OPPOSER'S MOTION TO COMPEL DISCOVERY**

Applicant Multi Media Exposure, Inc. ("Applicant" or "MME") submits this Memorandum of Law in opposition to Opposer's Motion to Compel Discovery ("Motion"). As stated in Opposer's Motion, Applicant's attorney believed that, in the absence of any directive from the Trademark Trial and Appeal Board ("TTAB" or the "Board") in its June 16, 2010 order addressing outstanding discovery, Applicant's remaining responses to Opposer's discovery requests were to be served within thirty days of that order. The basis for counsel's good-faith belief was previous experience before the TTAB, where the Board usually sets a deadline of thirty days after the resumption of a previously suspended proceeding for the service of any outstanding discovery. (Attached hereto as Exhibit A are several examples evidencing this practice.) Opposer's Motion sets forth Applicant's conciliatory efforts to resolve this matter



07-16-2010

amicably, as is encouraged by the TTAB; Applicant is not motivated by malice nor any desire to delay the proceeding.

In any event, Applicant has responded to all outstanding discovery responses – by the July 16, 2010 deadline believed in good faith by Applicant to be the appropriate due date. (See Exhibit B.) Opposer's motion is thus moot and should be denied in its entirety.

Respectfully submitted,

Dated: New York, New York
July 16, 2010

QUINN EMANUEL URQUHART
& SULLIVAN, LLP

By: Claudia T. Bogdanos

Robert Raskopf
robertraskopf@quinnemanuel.com
Claudia Bogdanos
claudiabogdanos@quinnemanuel.com
Jolie Apicella
jolie.apicella@quinnemanuel.com

51 Madison Avenue, 22nd Floor
New York, New York 10010-1601
(212) 849-7000

Attorneys for Applicant Multimedia Exposure, Inc.

EXHIBIT A

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

October 30, 2008

PROCEEDING NO. 91182560
Lance Armstrong Foundation

v.

AMERICAN INTERNATIONAL
GROUP, INC.

MOTION TO SUSPEND GRANTED

AMERICAN INTERNATIONAL GROUP, INC.'s motion filed, Oct 30, 2008, to suspend this proceeding is granted.

Accordingly, proceedings herein are suspended through Nov 29, 2008, subject to the right of either party to request resumption at any time. During the suspension period, the parties shall notify the Board of any change of address for either the parties or their counsel.

Unless the parties sooner request resumption, upon conclusion of the suspension period, proceedings shall resume without further notice or order from the Board, upon the schedule set out in the motion. If an answer has not been filed, the defendant is allowed the time set forth in the motion in which to file an answer. The parties are allowed THIRTY DAYS from resumption in which to serve responses to any outstanding discovery requests.

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

June 18, 2010

PROCEEDING NO. 91192374
Seattle Pacific Industries,
Inc.

v.

Major League Soccer, LLC

MOTION TO SUSPEND GRANTED

Major League Soccer, LLC's motion filed, Jun 18, 2010, to suspend this proceeding is granted. Accordingly, proceedings herein are suspended through Jul 18, 2010, subject to the right of either party to request resumption at any time. During the suspension period, the parties shall notify the Board of any change of address for either the parties or their counsel.

Unless the parties sooner request resumption, upon conclusion of the suspension period, proceedings shall resume without further notice or order from the Board, upon the schedule set out in the motion. If an answer has not been filed, the defendant is allowed the time set forth in the motion in which to file an answer. The parties are allowed THIRTY DAYS from resumption in which to serve responses to any outstanding discovery requests.

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

August 3, 2007

PROCEEDING NO. 91178128
Dallas Cowboys Football
Club, Ltd., NFL Properties
LLC

v.

FAIRTEX EQUIPMENT COMPANY
LIMITED

MOTION TO SUSPEND GRANTED

FAIRTEX EQUIPMENT COMPANY LIMITED's motion filed, Aug 02, 2007, to suspend this proceeding is granted. Accordingly, proceedings herein are suspended through Jan 29, 2008, subject to the right of either party to request resumption at any time. During the suspension period, the parties shall notify the Board of any change of address for either the parties or their counsel.

Unless the parties sooner request resumption, upon conclusion of the suspension period, proceedings shall resume without further notice or order from the Board, upon the schedule set out in the motion. If an answer has not been filed, the defendant is allowed until thirty days from the date of resumption to file an answer. The parties are allowed THIRTY DAYS from resumption in which to serve responses to any outstanding discovery requests.

Opposition No. 91166902

.oOo.

EXHIBIT B

CERTIFICATE OF SERVICE

I, Jolie Apicella, certify that on July 16, 2010, a copy of

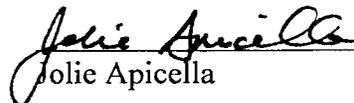
(1) APPLICANT'S RESPONSES TO REQUEST NOS. 1-8 AND 11-17 OF OPPOSER'S FIRST SET OF REQUESTS FOR ADMISSION TO APPLICANT;

(2) APPLICANT'S RESPONSES TO REQUEST NOS. 1-3, 6-8, 12-13 OF OPPOSER'S FIRST SET OF INTERROGATORIES TO APPLICANT; and

(3) APPLICANT'S RESPONSES TO REQUEST NOS. 1, 4-7, AND 10-12 OF OPPOSER'S FIRST SET OF REQUESTS FOR THE PRODUCTION OF DOCUMENTS AND THINGS TO APPLICANT

in *Borghese Trademarks, Inc. v. MultiMedia Exposure, Inc.* was served on counsel by first-class mail to:

Stephen L. Baker
Maira J. Selinka
BAKER and RANNELLS, PA
575 Route 28, Suite 102
Raritan, N.J. 08869



Jolie Apicella

CERTIFICATE OF EXPRESS MAILING

I, Jolie Apicella, certify that on July 16, 2010, a copy of Applicant's Opposition to Opposer's Motion to Compel Discovery in *Borghese Trademarks, Inc. v. MultiMedia Exposure, Inc.* (No. 91189629) was filed with the Trademark Trial and Appeal Board by U.S. Express Mail to:

United States Patent and Trademark Office
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA
22313-1451



Jolie Apicella

CERTIFICATE OF SERVICE

I, Jolie Apicella, certify that on July 16, 2010, a copy of Applicant's Opposition to Opposer's Motion to Compel Discovery in *Borghese Trademarks, Inc. v. MultiMedia Exposure, Inc.* (No. 91189629) was served on counsel by First Class U.S. mail to:

Stephen L. Baker
Moira J. Selinka
BAKER and RANNELLS, PA
575 Route 28, Suite 102
Raritan, N.J. 08869



Jolie Apicella