

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

TTAB

STUSSY, INC.,

v.

JOHN SHUGART,

Opposition No. 91190164

Serial No. 77626926

**ANSWERS TO FIRST SET OF INTERROGATORIES (NOS 1-3) TO PLAINTIFF
STUSSY INCORPORATED**

The following is a response to Plaintiff, Stussy Inc.

INTERROGATORIES

Interrogatory No. 1:

The creation of the Shine Skateboarding Mark is artistically and graphically defined as the two letters, SS, formed to shape a heart in the center of the letters combined.

Interrogatory No. 2:

John Shugart is the creator of the Mark, and the official registrant of the pending trademark application through the USPTO, under the filing date December 4, 2008.

Interrogatory No. 3:

There is no likelihood of the Shine Skateboarding Mark and the Plaintiff Stussy Inc.'s products, as Stussy does not define any of their previous trademarks consisting of the letter "S" and a reverse letter "S", in that order, nor does any of their letters form the shape of a



09-25-2009

heart with the 2 letter S's combined.

I hereby certify that the above information is true and complete.

Sincerely,

A handwritten signature in cursive script, appearing to read "John Shugart".

John Shugart

CERTIFICATE OF SERVICE

I hereby certify that, on the date of execution of this certificate, a true copy of the foregoing
DEFENDANT, JOHN SHUGART'S FIRST SET OF ANSWERS INTERROGATORIES
(NOS 1to 3) TO PLAINTIFF STUSSY, INC.'S was served by depositing the same in the
mail, first class postage prepaid, addressed to:

John R. Sommer
Attorney for Stussy Inc.
17426 Daimler Street
Irvine, California 92614-5514

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
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STUSSY, INC.,

v.

JOHN SHUGART,

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**RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS AND THINGS
(NOS 1-9) FROM PLAINTIFF STUSSY INCORPORATED**

The following is a response to Plaintiff, Stussy Inc from Applicant, John, Shugart.

RESPONSE TO REQUEST FOR PRODUCTION

Response to Request No. 1:

Any and all documents relating to John Shugart's Shine Skateboarding pending trademark are attached and labeled as "Response to Request No. 1 and 4".

Response to Request No. 2:

Not applicable. There are no such documents to provide as to knowledge of Stussy prior to April 1, 2009 other than public awareness that Stussy Inc. exists.

Response to Request No. 3:

Not applicable. There is no documentation relating to John Shugart's knowledge of Stussy's marks prior to April 1, 2009.

Response to Request No. 4:

Document showing the official version of the SS Mark used by John Shugart is attached and labeled as "Response to Request No. 1 and 4"

Response to Request No. 5:

Not applicable. There are no documents relating to likelihood of confusion between Shine Skateboarding's Mark and Stussy Inc.

Response to Request No. 6:

Not applicable. There are no documents relating to any actual confusion between Shine Skateboarding's Mark and Stussy Inc.

Response to Request No.7:

Not applicable. There are no documents sufficient to show any similarities between Shine Skateboarding's Mark, with any Stussy Inc. mark.

Response to Request No.8:

Not applicable. There are no documents sufficient to show any Stussy Inc mark similar to Shine Skateboarding's Mark created and registered December 4, 2008 with the USPTO.

Response to Request No.9:

Not applicable. There are no documents created or registered by John Shugart, showing the use of Shine Skateboarding's pending trademark with a circle, which was registered December 4, 2008 with the USPTO.

I hereby certify that the above information is true and complete.

Sincerely,



John Shugart

CERTIFICATE OF SERVICE

I hereby certify that, on the date of execution of this certificate, a true copy of the foregoing
DEFENDANT, JOHN SHUGART'S RESPONSE TO REQUEST FOR PRODUCTION OF
DOCUMENTS AND THINGS (NOS 1-9) FROM PLAINTIFF STUSSY INCORPORATED
was served by depositing the same in the mail, first class postage prepaid, addressed to:

John R. Sommer
Attorney for Petitioner
Stussy Inc.
17426 Daimler Street
Irvine, California 92614-5514

· STUSSY, INC.,

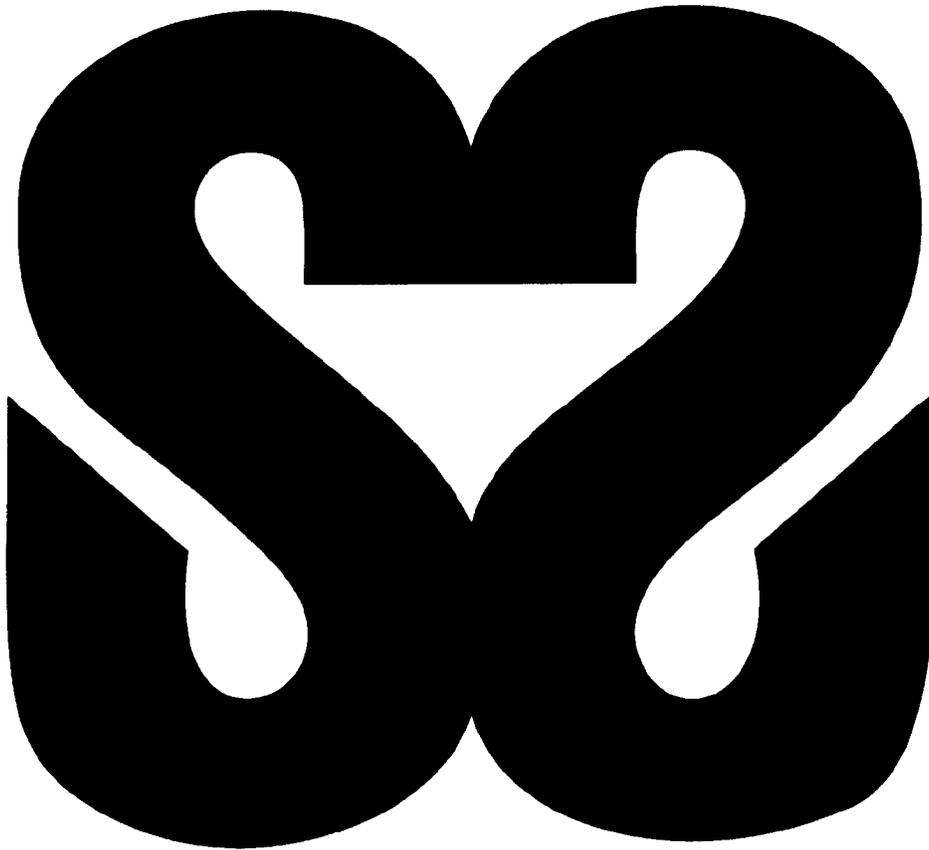
v.

JOHN SHUGART,

Opposition No. 91190164

Serial No. 77626926

RESPONSE TO REQUEST NO. 1 AND 4:



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

STUSSY, INC.,

v.

JOHN SHUGART,

Opposition No. 91190164

Serial No. 77626926

ADMISSION TO A REQUEST FOR ADMISSIONS (NOS 1-6) BY PLAINTIFF

STUSSY INCORPORATED

The following is a response to Plaintiff, Stussy Inc from Applicant, John, Shugart.

ADMISSION TO A REQUEST FOR ADMISSIONS

Admission No. 1:

The USPTO Shine Skateboarding logo, registered December 4, 2008, has not been placed in goods consisting of the Mark inside a circle.

Admission No. 2:

The USPTO Shine Skateboarding logo, registered December 4, 2008, has not been used in connection with the promotion of products consisting of the Mark inside a circle.

Admission No. 3:

John Shugart was aware of the Stussy brand prior to filing his Mark.

Admission No. 4:

John Shugart was aware of the Stussy SS Mark prior to filing his Mark.

Admission No. 5:

There is no likelihood of confusion between the Shine Skateboarding Mark and Stussy's SS mark.

Admission No. 6:

Application No. 77626926 should not be refused registration.

I hereby certify that the above information is true and complete.

Sincerely,

A handwritten signature in black ink, appearing to read "John Shugart", with a stylized flourish at the end.

John Shugart

CERTIFICATE OF SERVICE

I hereby certify that, on the date of execution of this certificate, a true copy of the foregoing
DEFENDANT, JOHN SHUGART'S ADMISSION TO A REQUEST FOR ADMISSIONS
(NOS 1-6) BY PLAINTIFF STUSSY INC. was served by depositing the same in the mail,
first class postage prepaid, addressed to:

John R. Sommer
Attorney for Petitioner
Stussy Inc.
17426 Daimler Street
Irvine, California 92614-5514