

ESTTA Tracking number: **ESTTA376066**

Filing date: **10/31/2010**

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

Proceeding	91190169
Party	Defendant Susino USA, LLC
Correspondence Address	Todd Nadrich Susino USA, Ltd. PO BOX 1013 LOXAHATCHEE, FL 33470-1013 UNITED STATES tnadrich@stsource.com
Submission	Other Motions/Papers
Filer's Name	Todd Nadrich
Filer's e-mail	tnadrich@stsource.com
Signature	/Todd Nadrich/
Date	10/31/2010
Attachments	Resposne to motion to strike.pdf (3 pages)(18788 bytes)

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

In The Matter of App. Ser. No. 77/355,544)	
)	
)	
SUSINO UMBRELLA CO., LTD.)	
)	
Opposer,)	
)	
v.)	Opposition No. 91190169
)	
SUSINO USA, LLC)	
)	
Applicant,)	

APPLICANTS RESPONSE TO MOTION TO STRIKE DECLARATION OF TODD NADRICH

Opposer states in it’s motion to strike “the central fact remains that Opposer was not served and was unaware of Applicant’s discovery and its motion for summary judgment” While Opposer would like the Board to rely on this as the central fact and sole determining factor for their Motion for Relief of Judgment. This is a fabrication by Opposer in attempt to meet its’ burden for granting their Motion for Relief of Judgment.

The facts are:

- 1) Opposer initiated this opposition action almost two years ago.
- 2) Opposer had authorized and retained the firm of Vidas, Arrett, & Steinkraus to represent them in this opposition proceeding and now denies this representation.
- 3) Opposers own admission never denies they were aware of Applicants trademark application at any time.
- 4) Opposer has never been diligent and on the contrary has continuously neglected and ignored Board procedures and Orders
- 5) The Board mailed various orders directly to Opposer, to the attention of Mr. Anbang Wang.

- 6) Applicant has always been diligent in its efforts to defend its' trademark application in this opposition proceeding.
- 7) Opposer offered several declarations in Response to Applicants Objections and Motion to Strike that hardly ever address the now contrite "central fact" offered by Opposer.
- 8) The central facts are Opposer was at all times aware of these proceedings and did receive Applicants discovery requests, Motion for Summary Judgment, and TTAB Board Orders and notices during the course of this proceeding.
- 9) Opposer maintains a standard that Opposer is some how immune to TTAB Orders, Notices, and exempt from following Board Ordered procedures and can simply put forth a deluge of false statements of their own all contrary to the documented true facts presented by Applicant.

WHEREFORE, Susino USA, Applicant, request this Board to deny Opposers' Motion for Relief of Judgment and deny Motion to Strike Declaration of Todd Nadrich.

Respectfully Submitted:

By: /s/ /Todd Nadrich/

Todd Nadrich
Susino USA, Ltd
PO Box 1013
Loxahatchee, Fl. 33470
Telephone: 954-252-3911
Fax: 954-252-3911

Certificate of Service

I hereby certified that the above and forgoing this Notice of Consent for Extension of Time by depositing a copy of same in the United States Mail and by e-mail to davidsilverman@dwt.com, first class postage prepaid, on this 31st day of October, 2010, addressed to:

David Silverman
Davis Wright Tremaine LLP
1919 Pennsylvania Avenue NW, Suite 800
Washington, DC 20006-3401
Attorney for Opposers

/s/ /Todd Nadrich/
Todd Nadrich