

ESTTA Tracking number: **ESTTA401681**

Filing date: **04/05/2011**

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

Proceeding	91194085
Party	Plaintiff Mothers Against Drunk Driving
Correspondence Address	REMY M DAVIS THOMPSON & KNIGHT LLP 1722 ROUTH STREET, SUITE 1500 DALLAS, TX 75206 UNITED STATES remy.davis@tklaw.com
Submission	Motion for Sanctions
Filer's Name	Deborah L. Lively
Filer's e-mail	deborah.lively@tklaw.com
Signature	/deborah l. lively/
Date	04/05/2011
Attachments	Motion for Sanctions (filed by MADD 4-5-11).pdf (3 pages)(86427 bytes)

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

MOTHERS AGAINST DRUNK DRIVING.

Opposer,

v.

CRAWFORD, YOLANDA RENEE DBA BABY
MAMAS AGAINST DEADBEAT DADDIES OR
B.M.A.D.D.,

Opposer.

OPPOSITION NO. 91194085

**OPPOSER'S MOTION FOR SANCTIONS FOR APPLICANT'S FAILURE TO
SERVE DISCOVERY RESPONSES**

Mothers Against Drunk Driving ("MADD") files its Motion for Sanctions for Applicant's Failure to Serve Discovery Responses ("Motion for Sanctions") and states:

1. MADD filed its Motion to Compel Discovery with the Trademark Trial and Appeal Board ("TTAB") on January 12, 2011, to which Applicant failed to respond.
2. On February 22, 2011, the TTAB granted MADD's Motion to Compel Discovery and ordered that within thirty (30) days, Applicant serve upon Opposer full and complete answers to all requests for interrogatories and all requests for documents and things, without objection except for those based on privilege.
3. The TTAB also ordered Applicant to provide MADD with a privilege log to the extent that Applicant objected to any of the interrogatories or documents requests based on privilege.
4. Under the TTAB's order compelling the service of discovery responses to MADD, Applicant should have served MADD with responses within thirty (30) days, which was March 24, 2011. In the event that Applicant failed to provide the ordered

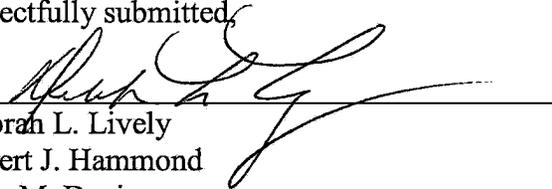
responses, the TTAB stated that it would entertain a motion for sanctions, under Trademark Rule 2.120(g)(1), in the form of entry of judgment sustaining the opposition.

5. Applicant failed to provide MADD with discovery responses within the required thirty-day period.
6. As of the date of this Motion for Sanctions, Applicant not served MADD with *any* discovery responses or privilege log.
7. Accordingly, Applicant has failed to comply with the TTAB's order compelling production.

Given the above facts and subject to Trademark Rule 1.20(g)(1) and Fed. R. Civ. P. 37(b)(2)(vi), MADD respectfully requests that the Board entertain this Motion for Sanctions and enter a default judgment in favor MADD sustaining the opposition.

Dated: April 5, 2011

Respectfully submitted,



Deborah L. Lively
Herbert J. Hammond
Remy M. Davis

Thompson & Knight LLP
1722 Routh Street, Suite 1500
Dallas, Texas 75201
(214) 969-1700
(214) 969-1751

ATTORNEYS FOR MOTHERS AGAINST DRUNK
DRIVING

CERTIFICATE OF SERVICE

On April 5, 2011, a copy of these disclosures was served by electronic mail, to be followed by service by certified mail on April 5, 2011, return receipt requested, to Applicant Yolanda Crawford, correspondent of record, at the following address:

Yolanda Renee Crawford
1335 Bradyville Pike, Apt. D206
Murfreesboro, Tennessee 37130


Deborah L. Lively