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Filing date: **07/21/2010**

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

Proceeding	91194544
Party	Plaintiff Bass Pro Intellectual Property, LLC and Bass Pro Outdoor World, LLC
Correspondence Address	ARIANA GALLISA PILLSBURY WINTHROP SHAW PITTMAN LLP P.O. BOX 7880 , CALENDAR/DOCKETING DEPT. SAN FRANCISCO, CA 94120-7880 UNITED STATES sftrademarks@pillsburylaw.com
Submission	Other Motions/Papers
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Signature	/Ariana Gallisa/
Date	07/21/2010
Attachments	Initial Disclosures - July 21 2010.pdf (5 pages)(163212 bytes)

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

Bass Pro Intellectual Property, LLC and Bass Pro Outdoor World, LLC ,)	
)	
Opposers,)	
)	OPPOSITION NO. 91194544
v.)	
)	
Wayne Lee Hauser, Jr.,)	
)	
Applicant.)	

Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

OPPOSERS' INITIAL DISCLOSURES

Pursuant to 37 CFR §2.120(a)(1) and Rule 26(a)(1)(A) of the Federal Rules of Civil Procedure, Opposers Bass Pro Intellectual Property, LLC and Bass Pro Outdoor World, LLC (“Bass Pro”), hereby provide the following Initial Disclosures to Applicant, Wayne Lee Hauser, Jr. (“Applicant”).

Bass Pro reserves the right to modify or supplement its disclosures as it deems necessary, and it will modify and supplement the disclosures to the extent required by FRCP 26(e) and the Trademark Rules of Practice. Nothing herein shall be construed or deemed an admission of the relevance of any information, testimony, documents or tangible things to any fact or issues that are, or will be, disputed or contested in this consolidated proceeding.

Bass Pro reserves the right to object to the identification, disclosure, or production of any information, testimony, documents or tangible things on the basis of attorney-client privilege, attorney work product immunity, or any other basis permitted to be asserted by Bass Pro under the Federal Rules of Civil Procedure, the Federal Rules of Evidence, the Trademark Rules of

Practice, and/or any other rule or law that may be applicable, including lack of relevance or that the relevance is outweighed by the burden or expense of production

Bass Pro notes that the disclosures required by Federal Rule 26(a)(1)(A)(iii) and (iv) are not applicable to this proceeding.

A. Disclosures Required Pursuant to Rule 26(a)(1)(A)(i)

Rule 26(a)(1)(A)(i) requires the disclosure of “the name and, if known, the address and telephone number of each individual likely to have discoverable information - along with the subjects of that information - that the disclosing party may use to support its claims or defenses, unless the use would be solely for impeachment.”

WITNESSES

Based on information currently available to Bass Pro, the persons likely to have discoverable information that Bass Pro may use to support its claims, their address and the subjects of the information believed to be known by the identified persons are as follows:

Individual & Title:

1. Dean Snelson, Divisional Merchandise Manager;
2. Tim Scott, Direct Marketing & Operations.

Address: c/o Ariana Gallisa, Esq., Pillsbury Winthrop Shaw Pittman LLP, 50 Fremont St. San Francisco, CA 94105-2228

Telephone: (415) 983 – 1784

Preliminary Subject Areas of Testimony: Bass Pro’s history, operations, businesses, distribution, advertising, promotion, marketing, merchandising, channels of trade and sale of those products; ownership, registrations, licensing, use, distinctiveness, and recognition, and documentation of the foregoing, of Bass Pro’s bass design (“Bass Logo”) shown here:



Additional witnesses may have information to support Bass Pro's claims. Bass Pro reserves the right to amend the foregoing list of witnesses by, among other things, adding and/or removing witnesses.

B. Disclosures Required Pursuant to Rule 26(a)(1)(A)(ii)

Rule 26(a)(1)(A)(ii) requires the disclosure of "a copy - or a description by category and location - of all documents, electronically stored information, and tangible things that the disclosing party has in its possession, custody, or control and may use to support its claims or defenses, unless the use would be solely for impeachment."

Bass Pro hereby provides the following description by category of the documents, electronically stored information, and/or tangible things in its possession, custody, or control that Bass Pro may use to support its claims:

1. Documents and digital media related to Bass Pro's website www.basspro.com which features the Bass Logo and photographic, audio, video and prose presentations and information regarding fishing, hunting and sporting.
2. Samples of materials bearing Bass Pro's Bass Logo design such as packaging, labels, signage, displays, point of purchase and other collateral materials, including photographs and digital images of same.
3. Documents and things related to Applicant's purchases at Bass Pro stores and receipt of Bass Pro marketing materials, including catalogs.

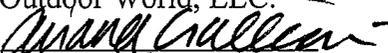
4. Documents and things relating to the advertising and promotion of Bass Pro's Bass Logo, products and/or services, including samples of advertising and promotional materials.

All documentation listed above are located on Bass Pro's website www.bassproshops.com, at Bass Pro's principal office at 2500 East Kearney Street Springfield, MO 65898 and/or at the office of its U.S. attorneys. Bass Pro reserves the right to supplement this disclosure.

Date: July 21, 2010

Respectfully submitted,

Attorneys for Bass Pro Intellectual Property, LLC and Bass Pro Outdoor World, LLC.

By: 

RICHARD KIRKPATRICK

ARIANA GALLISA

PILLSBURY WINTHROP SHAW PITTMAN LLP

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CERTIFICATE OF SERVICE

I, Ariana Gallisa, hereby certify that a true and complete copy of the foregoing **INITIAL DISCLOSURES** was served on Applicant by mailing said copy on July 21, 2010 via First Class Mail in a sealed envelope with postage thereon fully prepaid, addressed as follows:

Wayne Lee Hauser Jr.
150 Pinnacle Shores Drive
Mooreville, NC 28117

Executed: July 21, 2010


Ariana Gallisa

CERTIFICATE OF FILING

I, Ariana Gallisa, hereby certify that an electronic copy of Opposers' foregoing **INITIAL DISCLOSURES** was electronically filed on July 21, 2010 in the United States Patent and Trademark Office Before the Trademark Trial and Appeal Board Electronic Filing System.

Executed: July 21, 2010


Ariana Gallisa