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Filing date: **03/12/2015**

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

| | |
|------------------------|---|
| Proceeding | 91196299 |
| Party | Defendant Digitalmojo, Inc. |
| Correspondence Address | THOMAS W COOK 3030 BRIDGEWAY, SUITE 425 430 SAUSALITO, CA 94965 2810 UNITED STATES thomascooklaw@pacbell.net |
| Submission | Motion to Compel Discovery |
| Filer's Name | Thomas W. Cook |
| Filer's e-mail | kay@thomascooklaw.com |
| Signature | /Thomas W. Cook/ |
| Date | 03/12/2015 |
| Attachments | 2015 03 12 MTC as filed.pdf(90871 bytes) 2015 - Exhibit A.pdf(1522117 bytes) 2015 - Exhibit B.pdf(1184983 bytes) 2015 - Exhibit C.pdf(298157 bytes) 2015 - Exhibit D.pdf(767478 bytes) 2015 - Exhibit E.pdf(223863 bytes) 2015 - Exhibit F.pdf(110650 bytes) |

DigitalMojo also requests the Board order Connect to provide full and complete supplemental responses to these discovery requests, as served on Connect on March 12 and March 13, 2014.

DigitalMojo further requests the Board reset the discovery and trial schedule in these consolidated proceedings as necessary to allow service of these discovery requests (if necessary) by DigitalMojo, and responses to these discovery requests by Connect.

FACTS AND STATUS OF CASES

THOMAS W. COOK, counsel for DigitalMojo in these consolidated matters, hereby affirms under penalty of perjury:

A. Motions Filed in This Case

The following exposition does not recite all motions filed in these consolidated cases, but does recite relevant motions which have extended the time necessary to conduct these cases:

1. On August 22, 2011, DigitalMojo filed a Petition to Cancel the registration of the mark CONNECTPR, Reg. No. 2366850 (cancellation proceeding No. 92054395), and a Petition to Cancel the registration of the mark CONNECT PUBLIC RELATIONS, Reg. No. 2373504 (cancellation proceeding No. 91196299).
2. On August 26, 2011, DigitalMojo filed a Motion to Consolidate proceedings No. 92054395 and No. 91196299 into this opposition action.
3. Prior to filing answers to DigitalMojo's Petitions to cancel, Connect, on September 15, 2011, filed motions to dismiss the petitions to cancel as untimely compulsory counterclaims and for failure to state a claim under Fed. R. Civ. P. 12(b)(6).
4. Instead of waiting for the Board to decide its motions to dismiss, Connect, on October 25, 2011, filed a motion for partial summary judgment with regard to sixteen separate subsets of services in International Classes 35, 38, 42, and 45, and not for all of the services in those classes, based on likelihood of confusion with the CONNECT PUBLIC RELATIONS and CONNECTPR marks in its pleaded registrations. Following briefing of the motion for partial summary judgment, the Board, in a February 23, 2012 order, consolidated the above-captioned proceedings, indicating that it was treating the first motions for leave to file amended petitions to cancel as having been withdrawn, and it reset

time for remaining briefing on the amended motions for leave to file amended petitions to cancel. At the same time, the Board suspended proceedings herein “retroactive to August 26, 2011,” pending disposition of Connect's corrected motion for partial summary judgment in Opposition No. 91196299, and Digitalmojo's motions to dismiss, and the second motions for leave to file amended petitions to cancel in Cancellation Nos. 92054395 and 92054427.

5. On March 21, 2013, after further motions and responses, the Board resumed proceedings in this now consolidated action, and reset discovery and trial dates and, on August 14, 2013, after yet further motion practice, the Board resumed proceedings and reset discovery and trial dates.
6. On April 29, 2014, Connect filed its second Motion for Summary Judgment.
7. On May 22, 2014, DigitalMojo filed, and the Board denied, a Motion to Compel discovery responses necessary to respond to Connect’s April 29, 2014, Motion for Summary Judgment. While Connect’s Motion for Summary Judgment has been before the Board, these cases have been suspended.
8. On February 27, 2015, the Board decided Connect’s April 29, 2014, second Motion for Summary Judgment, granting Connect partial summary judgment based on the services identified in Connect’s international class 35 registration.

B. DigitalMojo’s Discovery in This Case

1. On January 10, 2011, DigitalMojo served on Connect Public Relations, Inc.¹:
 - a. APPLICANT’S INTERROGATORIES, SET ONE.
 - b. APPLICANT’S REQUEST FOR REQUEST FOR PRODUCTION OF DOCUMENTS AND THINGS, SET ONE.
 - c. APPLICANT’S REQUEST FOR ADMISSIONS, SET ONE.

¹ At the time of first serving discovery, and up until the time DigitalMojo filed its Petitions to Cancel two of Connect’s registrations on August 22, 2011, DigitalMojo was merely “Applicant” in these now consolidated actions, while Connect was merely “Opposer.”

2. On February 14, 2011, Connect, in response to DigitalMojo's January 10, 2011, discovery requests, served on DigitalMojo:
 - a. OPPOSER'S RESPONSES TO APPLICANT'S FIRST SET OF INTERROGATORIES.
 - b. OPPOSER'S RESPONSES TO APPLICANT'S FIRST SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS AND THINGS.
 - c. RESPONSES TO APPLICANT'S FIRST SET OF REQUESTS FOR ADMISSIONS.

DigitalMojo attaches to this Motion, as Exhibit A, copies of Opposer's responses to interrogatories and its responses to requests for admissions as served on DigitalMojo February 14, 2011.

3. On February 24, 2011, DigitalMojo served on Connect:
 - a. APPLICANT'S INTERROGATORIES, SET TWO.
 - b. APPLICANT'S REQUEST FOR REQUEST FOR PRODUCTION OF DOCUMENTS AND THINGS, SET TWO.

4. On September 4, 2011, DigitalMojo served on Connect:
 - a. APPLICANT'S INTERROGATORIES, SET THREE.
 - b. APPLICANT'S REQUEST FOR ADMISSIONS, SET TWO.

5. On December 5, 2011, Connect, in response to DigitalMojo's September 4, 2011, discovery requests, served on DigitalMojo:
 - a. OPPOSER'S RESPONSES TO APPLICANT'S THIRD SET OF INTERROGATORIES.
 - b. RESPONSES TO APPLICANT'S SECOND SET OF REQUESTS FOR ADMISSIONS.

DigitalMojo attaches to this Motion, as Exhibit B, copies of Opposer's responses to interrogatories and its responses to requests for admissions as served on DigitalMojo December 5, 2011.

6. On March 12, 2014, DigitalMojo served on Connect:
 - a. PETITIONER'S INTERROGATORIES, SET ONE.And on March 13, 2014, DigitalMojo served on Connect:

- b. PETITIONER’S INTERROGATORIES, SET TWO.
 - c. PETITIONER’S REQUESTS FOR ADMISSIONS, SET ONE.
 - d. PETITIONER’S REQUESTS FOR ADMISSIONS, SET TWO.
7. Consistent with the order of the Board dated August 14, 2013, discovery in these consolidated actions closed on March 13, 2014.
8. On April 21, 2014, Connect, in response to DigitalMojo’s March 12, 2014, discovery requests, served on DigitalMojo:
- a. RESPONDENT’S RESPONSES TO PETITIONER’S INTERROGATORIES, SETS ONE AND TWO.
 - b. RESPONDENT’S RESPONSES TO PETITIONER’S REQUESTS FOR ADMISSIONS, SETS ONE AND TWO.

DigitalMojo attaches to this Motion, as Exhibit C, copies of Opposer’s response to interrogatories and its responses to requests for admissions as served on DigitalMojo April 21, 2014.

9. On May 5, 2014, counsel for DigitalMojo contacted counsel for Connect by email and by regular post outlining DigitalMojo’s objections to Connect’s April 21, 2014, responses to DigitalMojo’s March 12, 2014, discovery requests, and requesting full and complete supplemental responses thereto. DigitalMojo attaches to this Motion, as Exhibit D, a copy of DigitalMojo’s request to “meet and confer,” dated May 3, 2014, about discovery issues, along with Digitalmojo’s email of May 3, 2014.
10. On May 13, 2014, on the date set by counsel for Connect and counsel for DigitalMojo, counsel for Connect contacted counsel for DigitalMojo by email and by regular post outlining Connect’s position on DigitalMojo’s discovery objections. DigitalMojo attaches to this Motion, as Exhibit E, a copy of Connect’s May 13, 2014, letter. On that same day, Connect agreed to supplement its responses to RESPONDENT’S RESPONSES TO PETITIONER’S REQUESTS FOR ADMISSIONS, SETS ONE AND TWO. Two days later, on May 15, counsel for Connect refused to provide supplemental responses to the

remainder of DigitalMojo's requests for admissions, and also refused to provide any supplemental responses to RESPONDENT'S RESPONSES TO PETITIONER'S INTERROGATORIES, SETS ONE AND TWO. Given the position set forth by Connect in its letter of May 13, 2014 (Exhibit E), DigitalMojo has not pressed the issue of Connect's discovery responses while Connect's Motion for Summary Judgment remained pending.

11. On March 3, 2015, DigitalMojo again contacted Connect by email to request Connect's responses to DigitalMojo's discovery (or suspension of these cases while Connect considers DigitalMojo's most recent settlement proposal), and to advise Connect's attorney that Connect's discovery responses (or such suspension) was necessary. DigitalMojo attaches to this Motion, as Exhibit F, a copy of its email of March 3, 2015, referring to copies of its letter dated May 13, 2014 (attached to Exhibit F), and CPR's letter dated May 13, 2014 (Exhibit E).
12. On March 4, 2015, Connect's counsel responded by email advising it would discuss the settlement proposal with its client, but has not responded to DigitalMojo's email of March 3, 2015, regarding discovery. Under the circumstances, DigitalMojo believes this Motion to Compel is necessary to secure responses to its reasonable discovery requests.

C. CONNECT'S RESPONSES TO DIGITALMOJO'S INTERROGATORIES, SETS ONE AND TWO

In Connect's responses to DigitalMojo's Interrogatories, Sets One and Two, Connect responded with two objections to DigitalMojo's discovery requests:

1. "Petitioner's Interrogatories Set One and Set Two exceed the limitation of 75 interrogatories set in the November 17, 2010, letter [between Petitioner and Respondent], because Petitioner has already previously served 75 interrogatories in the parent-opposition proceeding," and
2. "[T]he current interrogatories as captioned above, are directed to issues germane to the parent-opposition proceeding and not the child-cancellation proceedings, namely, Cancellation Nos. 92054395 and 92054427," and "Petitioner cannot use its interrogatories permitted in the cancellation proceedings to inquire into matters

germane solely to the parent-opposition proceeding and having no relevance whatsoever to the cancellation proceedings.”

Connect bases the first of these objections on the letter dated November 17, 2010 between counsel, in which the parties agreed to 75 interrogatories for the parent proceeding, namely, Opposition No. 91196299. Connect goes on to (correctly) say “Petitioner has previously served 75 interrogatories in the parent-opposition proceeding, “thus meeting the number of allowed interrogatories for that proceeding.” Connect has provided no rationale for the second objection.

The Board Order dated August 14, 2013 set forth the following discovery schedule:

Discovery opens in cancellation proceedings and

reopens in opposition proceeding: September 14, 2013

Initial disclosures in cancellation proceedings due: October 14, 2013

Expert disclosures in all proceedings due: February 11, 2014

Discovery closes: March 13, 2014

DigitalMojo takes from this schedule that its is entitled to propound discovery from September 14, 2013, until March 13, 2014. Since Connect has not alleged DigitalMojo’s discovery requests fall outside this date range, DigitalMojo believes Connect is required to respond to DigitalMojo’s discovery served March 12, 2014.

As to the November 17, 2010, agreement regarding discovery in the parent-opposition, this agreement was reached before DigitalMojo filed and consolidated DigitalMojo’s petitions to cancel into this opposition. Connect and DigitalMojo have no agreement about the number of interrogatories “the parties” may propound in the cancellation proceedings after they were consolidated, and DigitalMojo asserts consolidating these three actions does not eliminate its right to undertake further discovery, even beyond that agreed on November 17, 2010, and the Board discovery schedule implies DigitalMojo has just such a right.

Moreover, “a proceeding with multiple marks and/or a counterclaim may involve unusually numerous or complex issues, and these are factors that will be considered in determining a motion for leave to serve additional interrogatories.” TBMP 405.03(c). The filing and consolidation of DigitalMojo’s petitions to cancel into this opposition raises just such a “unusually numerous or complex issues” requiring additional interrogatories. A decision on the merits in these consolidated cases requires full and complete responses from Connect.

Further, DigitalMojo thinks Connect is not acting in good faith as it objects to all of

DigitalMojo's interrogatories by merely refusing to respond on the day agreed to exchange responses, and in its "responses." As Connect's attorney, counsel for Connect should have called counsel for DigitalMojo to voice objections to discovery requests long before these discovery responses were due (especially in light of the recent agreement to exchange discovery responses on the same day). Equity in these consolidated cases requires full and complete responses from Connect.

D. RESPONDENT'S RESPONSES TO PETITIONER'S REQUESTS FOR ADMISSIONS, SETS ONE AND TWO

As to Connect's responses to DigitalMojo's requests for admissions, Connect has responded to those requests with, essentially, two kinds of statements:

1. First, Connect has responded to requests for admissions numbers one (1) through four hundred three (403) with:

"Opposer objects to this request to the extent that it has been previously asked and answered."

The requests for which this response is supplied have been asked, but they have not been answered. Instead, DigitalMojo has received in the past responses which claim these requests are "irrelevant" or "vague," or for some other reason should not be, or cannot be, answered. Thus, in some responses in the past, Connect has responded with:

"Opposer objects to this request as irrelevant and therefore denies the same. The definiteness of the services listed in Opposer's registrations is not at issue in this opposition proceeding."

DigitalMojo first notes that the first of Connect's objections to DigitalMojo's requests for admissions is an objection to the extent requests for admissions 1 through 403 have been both asked and answered. Of course, a proper response ("answer") to a request for admission is (or includes) at least an admission or a denial, and Connect's objections on this basis extend by their terms to its responses which contain admissions or denials. However, many of Connect's responses to DigitalMojo's requests for admissions 1 through 403 neither admit nor deny. As to these requests for admissions, Connect has not in fact objected, because an objection to the extent a request has been asked and answered cannot extend to responses which have not been answered (admitted or denied). DigitalMojo believes it is entitled to admissions or denials.

DigitalMojo also notes that, while "relevancy" is a basis upon which Connect may

object, relevancy is not a basis upon which Connect may refuse to answer, and Connect's registrations are, in fact, now at issue in this opposition proceeding.

As to whether DigitalMojo's questions are "vague," DigitalMojo has provided guidance when responding to DigitalMojo's discovery, wherever Connect has (as it has in most places) objected on this basis to words or phrases placed in quotes. DigitalMojo has advised Connect that such words or phrases are in quotes because they are words used by Connect, either in its marketing materials, or as the words Connect has used to identify its services in the registrations upon which it is basing its opposition. DigitalMojo has also suggested Connect may use any dictionary of its choosing to determine the meaning of these words, and respond with full and complete answers with those meanings in mind.

2. Second, Connect has responded to requests for admissions number four hundred thirty-nine (439) through four hundred forty-two (442) with:

"Opposer objects to this request as seeking information not relevant to the subject matter of this proceeding and not calculated to lead to the discovery of admissible evidence."

DigitalMojo again notes that "relevancy" is a basis upon which Connect may object, but it is not a basis upon which Connect may refuse to answer. As to whether these questions are "not calculated to lead to the discovery of admissible evidence," DigitalMojo disagrees with Connect's unsupported conclusion on this question.

Connect is obligated to respond to discovery and, as responding party, it is Connect's burden to justify its objections or failure to provide a complete answer. Further, to avoid the conclusion that Connect's response is evasive, Connect may reasonably qualify its response to enable an answer. However, Connect has not "reasonably qualified" its lack of answers in these cases. A decision on the merits in these consolidated cases requires full and complete responses from Connect.

Connect is not acting in good faith as it objects and fails to fully respond to DigitalMojo's requests for admissions, for the first time, in its "responses." As Connect's attorney, counsel for Connect should have called counsel for DigitalMojo to voice Connect's view on this discovery long before these discovery responses were due, given the recent agreement to exchange discovery responses on the same day.

Equity in these consolidated cases requires full and complete responses from Connect.

CONCLUSION

Whereupon Applicant and Petitioner in these consolidated cases (“DigitalMojo”), hereby requests leave to serve (or re-serve) on Connect Public Relations, Inc., Opposer and Respondent in these consolidated cases (“Connect”), the following discovery requests:

- a. PETITIONER’S INTERROGATORIES, SET ONE.
- b. PETITIONER’S INTERROGATORIES, SET TWO.
- c. PETITIONER’S REQUESTS FOR ADMISSIONS, SET ONE.
- d. PETITIONER’S REQUESTS FOR ADMISSIONS, SET TWO.

DigitalMojo also requests the Board order Connect to provide full and complete supplemental responses to these discovery requests, as served on Connect on March 12 and March 13, 2014.

DigitalMojo further requests the Board suspend these proceedings, while it considers this motion, and reset the discovery and trial schedule in these consolidated proceedings as necessary to allow service of these discovery requests (if necessary) by DigitalMojo, and responses to these requests by Connect.

Date: March 11, 2015



Thomas W. Cook, Reg. No. 38,849

CERTIFICATE OF ELECTRONIC FILING

I hereby certify that this document is today being submitted via electronic filing utilizing the ESTTA system on:

Date: March 12, 2015



Kay Horne

CERTIFICATE OF SERVICE

This is to certify that on this date, a true copy of the foregoing

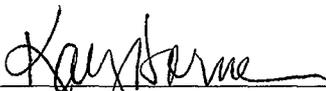
MOTION TO COMPEL SUPPLEMENTAL RESPONSES TO:

- 1. PETITIONER'S INTERROGATORIES, SET ONE AND SET TWO, AND**
 - 2. PETITIONER'S REQUESTS FOR ADMISSIONS, SETS ONE AND TWO**
- NECESSARY FOR RESPONSE TO OPPOSER'S MOTION FOR SUMMARY JUDGEMENT Fed. R. Civ. P. 56(f) AND FOR LEAVE TO SERVE ADDITIONAL DISCOVERY**

is being served, by U.S. mail, postage prepaid, addressed to the following:

Karl R. Cannon
CLAYTON, HOWARTH & CANNON, P.C.
P.O. Box 1909
Sandy, Utah 84091-1909

Date: March 12, 2015



Kay Horne

Exhibit A

Opposer's Responses to Interrogatories and
its Responses to Requests for Admissions
as Served on DigitalMojo February 14, 2011

1 KARL R. CANNON (Registration No. 36,468)
BRETT J. DAVIS (Registration No. 46,655)
2 **CLAYTON, HOWARTH & CANNON, P.C.**
6965 Union Park Center, Suite 400
3 Cottonwood Heights, Utah 84047
P.O. Box 1909
4 Sandy, Utah 84091-1909
Telephone: (801) 255-5335
5 Facsimile: (801) 255-5338

6 Attorneys for Connect Public Relations, Inc.

7 **Opposed Mark: CONNECT**
U.S. Trademark Application Serial Number: 77/714,693
8 **Published: March 2, 2010**

9
10 **IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**
11 **BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

12 CONNECT PUBLIC RELATIONS, INC., a Utah
13 corporation,

14 Opposer

15 v.

16 DIGITALMOJO, INC., a California corporation,

17 Applicant.

18
19 **OPPOSER'S RESPONSES TO**
APPLICANT'S FIRST SET OF
INTERROGATORIES

20 Opposition No. 91196299

19 Pursuant to Federal Rules of Civil Procedure, Rule 33, Connect Public Relations,
20 Inc. (hereinafter "Responding Party" or "Opposer") responds and objects to Digitalmojo
21 Inc.'s (hereinafter "Propounding Party" or "Applicant") First Set of Interrogatories
22 propounded on Responding Party as follows:
23
24
25
26
27
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1 understanding it has of the terminology employed by Propounding Party in the
2 interrogatories.

3
4 6. To the extent, Responding Party responds as set forth herein, Responding
5 Party responses (the "Response(s)") are provided in an effort to expedite discovery in this
6 action and nothing in these Responses should be construed as waiving rights or objections
7 which otherwise might be available to Responding Party. Nor should Responding Party's
8 answering any of these interrogatories be deemed an admission of relevancy, materiality
9 or admissibility in evidence of the interrogatories or the Responses thereto.
10

11 7. To the extent that Responding Party responds by offering to produce
12 documents in lieu of identifying them or compiling information from them, Responding
13 Party will produce such documents as they exist, can be located and are not subject to the
14 attorney/client privilege, work-product immunity, or any other objection.
15

16 8. These General Objections apply all of Responding Party's Responses. To
17 the extend that specific objections are cited in a specific Response, those specific citations
18 are provided because they are believed to be particularly applicable to the specific
19 requests and are not to be construed as waiver of any other General Objections applicable
20 to information falling with the scope of the interrogatory.
21

22 9. The following Responses reflect Responding Party's present knowledge,
23 information and belief, and may be subject to change or modification based on Responding
24 Party's further discovery, or on facts or circumstances which may come to Responding
25 Party's knowledge.
26
27
28

1 INTERROGATORY NO. 1

2 Describe how Opposer selected and adopted Opposer's Marks for its business activities.

3 RESPONSE:

4 Opposer objects to this Interrogatory as vague, indefinite, unduly burdensome, irrelevant, and
5 as seeking information that is protected by the attorney-client privilege and/or the work product
6 doctrine.
7

8 Consistent with and without waiving its foregoing objections, Opposer responds that the
9 Opposer's marks were selected and adopted after it looked at its market, clients and prospects, and
10 after it considered a wide range of other possible marks.
11

12
13 INTERROGATORY NO. 2

14 Identify the person who made the decision to adopt Opposer's Marks for Opposer's business.

15 RESPONSE:

16 Opposer responds that Neil Myers, the founder and current President of Opposer, made the
17 decision to adopt Opposer's Marks for Opposer's business.
18

19
20 INTERROGATORY NO. 3

21 State whether Opposer conducted a trademark search prior to adopting Opposer's Marks for
22 its business activities, and whether Opposer has conducted a trademark search since such adoption.
23

24 RESPONSE:

25 Opposer objects to this Interrogatory as vague, indefinite, unduly burdensome, irrelevant, and
26 as seeking information that is protected by the attorney-client privilege and/or the work product
27 doctrine.
28

Consistent with and without waiving its foregoing objections, the Opposer responds that

1 Opposer conducted a trademark search prior to adopting Opposer's Marks and Opposer has
2 conducted a trademark search since such adoption.
3

4
5 INTERROGATORY NO. 4

6 State the number of records appearing in Opposer's trademark searches, if any, which refer
7 to trademarks or service marks which contain the word "connect."

8 RESPONSE:

9 Opposer objects to this Interrogatory as irrelevant, vague, indefinite, unduly burdensome,
10 and as seeking information that is protected by the attorney-client privilege and/or the work product
11 doctrine.
12

13
14 INTERROGATORY NO. 5

15 Identify the persons or firms which have conducted trademark searches, if any, for Opposer.

16
17 RESPONSE:

18 Opposer objects to this Interrogatory as vague, indefinite, unduly burdensome, and irrelevant.

19 Consistent with and without waiving its foregoing objections, the Opposer responds that
20 the law firms of Clayton, Howarth & Cannon, P.C., Thompson CompuMark and Thorpe North &
21 Western, LLP have conducted trademark searches for Opposer.
22

23
24 INTERROGATORY NO. 6

25 Identify the service Opposer provides to its customers which are most closely related to the
26 International Class 9 services found in Applicant's application Serial No. 77714693 for the mark
27 CONNECT, namely:
28

1 IC 009 - audio recordings featuring music; video recordings featuring music;
2 downloadable audio and video recordings featuring music; prerecorded music on CD,
3 DVD and other media.
4

5 RESPONSE:

6 Opposer objects to this Interrogatory as vague, indefinite, unduly burdensome, and irrelevant.

7 Consistent with and without waiving its foregoing objections, the Opposer responds that it
8 prepares audio recordings featuring music, video recordings featuring music, downloadable audio
9 and video recordings featuring music, prerecorded music on CD, DVD and other media.
10

11
12 INTERROGATORY NO. 7

13 Describe how Opposer identifies individuals or businesses as being within Opposer's market
14 for the service Opposer has identified in Interrogatory No. 6.
15

16 RESPONSE:

17 Opposer objects to this Interrogatory as vague, indefinite, unduly burdensome, and irrelevant.

18 Consistent with and without waiving its foregoing objections, the Opposer responds that it
19 identifies the following individuals or businesses as being within Opposer's market for the service
20 Opposer has identified in Interrogatory No. 6 as follows: Any businesses and individuals with need
21 for marketing, public relations, editorial support, market research, consulting, media relations, sales
22 promotion, strategic marketing planning, development of market position and messaging, and
23 seminar creation and operation.
24
25
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1 INTERROGATORY NO. 8

2 State how Opposer describes the market comprising those individuals or businesses who have
3 used Opposer's service that Opposer has identified in Interrogatory No. 6.
4

5 RESPONSE:

6 Opposer objects to this Interrogatory as vague, indefinite, unduly burdensome, and irrelevant.

7 Consistent with and without waiving its foregoing objections, the Opposer responds that it
8 describes the market comprising those individuals or businesses who have used Opposer's service
9 that Opposer has identified in Interrogatory No. 6 as follows: Businesses with need for marketing,
10 public relations, advertising, market research, editorial support, consulting, media relations, sales
11 promotion, strategic marketing planning, development of market position and messaging, and
12 seminar creation and operation.
13
14

15 INTERROGATORY NO. 9

16 Describe each means or method used by Opposer, by which Opposer informs its customers
17 or potential customers that Opposer can supply the service Opposer has identified in Interrogatory
18 No. 6.
19

20 RESPONSE:

21 Opposer objects to this Interrogatory as vague, indefinite, unduly burdensome, and irrelevant.

22 Consistent with and without waiving its foregoing objections, the Opposer responds that it
23 uses the following means or method to inform its customers or potential customers that Opposer can
24 supply the service Opposer has identified in Interrogatory No. 6: By posting information on
25 computer networks, such as the Internet, e.g., www.connectpr.com, electronic communications,
26
27

1 printed materials, publications and proposals, direct solicitation, tradeshows and face-to-face
2 meetings.

3
4
5 INTERROGATORY NO. 10

6 Describe how customers or potential customers became or may become aware of Opposer's
7 ability to supply the service Opposer has identified in Interrogatory No. 6.

8 RESPONSE:

9 Opposer objects to this Interrogatory as vague, indefinite, unduly burdensome, and irrelevant.

10
11 Consistent with and without waiving its foregoing objections, the Opposer responds that
12 customers or potential customers become or may become aware of Opposer's ability to supply the
13 services Opposer has identified in Interrogatory No. 6 as follows: Through computer networks, such
14 as the Internet, e.g., www.connectpr.com, through referral, electronic communications, printed
15 materials, publications and proposals, directories, direct solicitation, tradeshows and face-to-face
16 meetings.
17

18
19 INTERROGATORY NO. 11

20 State how Opposer's service identified in Interrogatory No. 6 is promoted, marketed, and
21 advertised under Opposer's Marks.

22 RESPONSE:

23 Opposer objects to this Interrogatory as vague, indefinite, unduly burdensome, and irrelevant.

24 Consistent with and without waiving its foregoing objections, please see Opposer's responses
25 to Interrogatories No. 9 and 10.
26
27

1
2 INTERROGATORY NO. 12

3 Identify the four services Opposer provides to its customers which are most closely related
4 to the International Class 35 services found in Applicant's application Serial No. 77714693 for the
5 mark CONNECT, namely:
6

7 IC 035 - Business marketing services in the nature of agency representation of companies
8 marketing a variety of services to home owners and renters, namely, utility hook-ups,
9 telecommunication services, home security services, home warranties, home and yard
10 maintenance, furniture and appliance rental; comparative marketing and advertising services
11 for providers of residential and business telecommunications services, namely, for providers
12 of broadband cable, DSL, fiber-optic and satellite Internet access services, cable and satellite
13 television, voice over IP, and long-distance telephone services; operation of telephone call
14 centers for others; marketing of high speed telephone, Internet, and wireless access, and
15 directing consumers to access providers; providing an online directory information service
16 featuring information regarding, and in the nature of, classifieds; advertising and information
17 distribution services, namely, providing classified advertising space via the global computer
18 network; promoting the goods and services of others over the Internet; providing online
19 computer databases and on-line searchable databases featuring classified listings and want
20 ads; online business networking services; providing telephone directory information via
21 global communications networks; providing an online interactive website obtaining users
22 comments concerning business organizations, service providers, and other resources;
23 providing information, namely, compilations, rankings, ratings, reviews, referrals and
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25
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1 recommendations relating to business organizations, service providers, and other resources
2 using a global computer network; providing telephone directory information via global
3 communications networks; arranging for others the initiation and termination of
4 telecommunication services and utility services in the nature of water, gas and electricity and
5 consultation rendered in connection therewith
6

7
8 RESPONSE:

9 Opposer objects to this Interrogatory as vague, indefinite, unduly burdensome, and irrelevant.
10

11 Consistent with and without waiving its foregoing objections, the Opposer responds that it
12 provides: Marketing and market research and consulting services; public and media relations services
13 and sales promotion services; Providing printed publications, namely, reports, brochures and press
14 kits comprised of brochures, flyers, and press releases, in the fields of market research and
15 consulting, public and media relations, sales promotion, strategic marketing planning, development
16 of market positioning and messaging, background editorial support of sales promotion materials, and
17 contributing to seminar creation and operation; Communications services, namely, delivery of
18 messages by electronic transmission; Providing prerecorded audio recordings, prerecorded video
19 recordings, and prerecorded audio-visual recordings featuring topics in the fields of marketing and
20 market research and consulting services, public and media relations services and sales promotion
21 services; Providing electronic publications featuring topics in the fields of marketing and market
22 research and consulting services, public and media relations services and sales promotion services
23 on computer discs and CD-ROMs.
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28

1 INTERROGATORY NO. 13

2 Describe how Opposer identifies individuals or businesses as being within Opposer's market
3 for the services Opposer has identified in Interrogatory No. 12.

4 RESPONSE:

5 Opposer objects to this Interrogatory as vague, indefinite, unduly burdensome, and irrelevant.

6 Consistent with and without waiving its foregoing objections, the Opposer responds that it
7 identifies the following individuals or businesses as being within Opposer's market for the service
8 Opposer has identified in Interrogatory No. 12 as follows: Any businesses and individuals with need
9 for marketing, public relations, advertising, editorial support, market research, consulting, media
10 relations, sales promotion, strategic marketing planning, development of market position and
11 messaging, and seminar creation and operation.
12
13

14
15 INTERROGATORY NO. 14

16 State how Opposer describes the market comprising those individuals or businesses who have
17 used Opposer's services that Opposer has identified in Interrogatory No. 12.

18 RESPONSE:

19 Opposer objects to this Interrogatory as vague, indefinite, unduly burdensome, and irrelevant.

20 Consistent with and without waiving its foregoing objections, the Opposer responds that it
21 describes the market comprising those individuals or businesses who have used Opposer's services
22 that Opposer has identified in Interrogatory No. 12 as follows: Businesses with need for marketing,
23 public relations, advertising, editorial support, market research, consulting, media relations, sales
24
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26
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1 promotion, strategic marketing planning, development of market position and messaging, and
2 seminar creation and operation.
3

4
5 INTERROGATORY NO. 15

6 Describe each means or method used by Opposer, by which Opposer informs its customers
7 or potential customers that Opposer can supply the services Opposer has identified in Interrogatory
8 No. 12.
9

10 RESPONSE:

11 Opposer objects to this Interrogatory as vague, indefinite, unduly burdensome, and irrelevant.

12 Consistent with and without waiving its foregoing objections, the Opposer responds that it
13 uses the following means or method to inform its customers or potential customers that Opposer can
14 supply the service Opposer has identified in Interrogatory No. 12: By posting information on
15 computer networks, such as the Internet, e.g., www.connectpr.com, electronic communications,
16 printed materials, publications and proposals, direct solicitation, tradeshow and face-to-face
17 meetings.
18

19
20 INTERROGATORY NO. 16

21 Describe how customers or potential customers became or may become aware of Opposer's
22 ability to supply the services Opposer has identified in Interrogatory No. 12.
23

24 RESPONSE:

25 Opposer objects to this Interrogatory as vague, indefinite, unduly burdensome, and irrelevant.
26
27

1 Consistent with and without waiving its foregoing objections, the Opposer responds that
2 customers or potential customers become or may become aware of Opposer's ability to supply the
3 services Opposer has identified in Interrogatory No. 12 as follows: Through computer networks,
4 such as the Internet, e.g., www.connectpr.com, through referral, electronic communications, printed
5 materials, publications and proposals, directories, direct solicitation, tradeshow and face-to-face
6 meetings.
7

8
9 INTERROGATORY NO. 17

10 State how Opposer's services identified in Interrogatory No. 12 are promoted, marketed, and
11 advertised under Opposer's Marks.
12

13 RESPONSE:

14 Opposer objects to this Interrogatory as vague, indefinite, unduly burdensome, and irrelevant.

15 Consistent with and without waiving its foregoing objections, please see Opposer's responses
16 to Interrogatories No. 15 and 16.
17

18
19 INTERROGATORY NO. 18

20 Identify the service Opposer provides to its customers which are most closely related to the
21 International Class 38 services found in Applicant's application Serial No. 77714693 for the mark
22 CONNECT, namely:
23
24
25
26
27

1 IC 038 - providing online chat rooms for registered users for transmission of messages
2 concerning classifieds, virtual community and social networking; providing on-line chat
3 rooms and electronic bulletin boards for transmission of messages among users in the field
4 of general interest; providing email and instant messaging services
5

6 RESPONSE:

7 Opposer objects to this Interrogatory as vague, indefinite, unduly burdensome, and irrelevant.

8 Consistent with and without waiving its foregoing objections, the Opposer responds that it
9 provides: Marketing and market research and consulting services; public and media relations services
10 and sales promotion services; Communications services, namely, delivery of messages by electronic
11 transmission; Providing electronic publications featuring topics in the fields of marketing and market
12 research and consulting services, public and media relations services and sales promotion services
13 on computer discs and CD-ROMs; Online community and networking services; website design
14 services, online content production, online forum creation, social media message development
15 services, blogger relationship development services, online information services, business
16 networking development services, search engine optimization services, and social networking
17 development services; Computer services in the nature of designing web page layouts; Computer
18 services in the nature of designing online marketing programs for social networking websites and
19 business networking websites.
20
21
22

23
24 INTERROGATORY NO. 19

25 Describe how Opposer identifies individuals or businesses as being within Opposer's market
26 for the service Opposer has identified in Interrogatory No. 18.
27

1
2 RESPONSE:

3 Opposer objects to this Interrogatory as vague, indefinite, unduly burdensome, and irrelevant.

4
5 Consistent with and without waiving its foregoing objections, the Opposer responds that it
6 identifies the following individuals or businesses as being within Opposer's market for the service
7 Opposer has identified in Interrogatory No. 18 as follows: Any businesses and individuals with need
8 for marketing, public relations, advertising, editorial support, market research, consulting, media
9 relations, sales promotion, strategic marketing planning, development of market position and
10 messaging, and seminar creation and operation.
11

12
13 INTERROGATORY NO. 20

14 State how Opposer describes the market comprising those individuals or businesses who have
15 used Opposer's service that Opposer has identified in Interrogatory No. 18.
16

17 RESPONSE:

18 Opposer objects to this Interrogatory as vague, indefinite, unduly burdensome, and irrelevant.

19 Consistent with and without waiving its foregoing objections, the Opposer responds that it
20 describes the market comprising those individuals or businesses who have used Opposer's services
21 that Opposer has identified in Interrogatory No. 18 as follows: Businesses with need for marketing,
22 public relations, advertising, editorial support, market research, consulting, media relations, sales
23 promotion, strategic marketing planning, development of market position and messaging, and
24 seminar creation and operation.
25
26
27
28

1 INTERROGATORY NO. 21

2 Describe each means or method used by Opposer, by which Opposer informs its customers
3 or potential customers that Opposer can supply the service Opposer has identified in Interrogatory
4 No. 18.
5

6 RESPONSE:

7 Opposer objects to this Interrogatory as vague, indefinite, unduly burdensome, and irrelevant.

8 Consistent with and without waiving its foregoing objections, the Opposer responds that it
9 uses the following means or method to inform its customers or potential customers that Opposer can
10 supply the service Opposer has identified in Interrogatory No. 18: By posting information on
11 computer networks, such as the Internet, e.g., www.connectpr.com, electronic communications,
12 printed materials, publications and proposals, direct solicitation, tradeshow and face-to-face
13 meetings.
14
15
16

17 INTERROGATORY NO. 22

18 Describe how customers or potential customers became or may become aware of Opposer's
19 ability to supply the service Opposer has identified in Interrogatory No. 18.

20 RESPONSE:

21 Opposer objects to this Interrogatory as vague, indefinite, unduly burdensome, and irrelevant.

22 Consistent with and without waiving its foregoing objections, the Opposer responds that
23 customers or potential customers become or may become aware of Opposer's ability to supply the
24 services Opposer has identified in Interrogatory No. 18 as follows: Through computer networks,
25 such as the Internet, e.g., www.connectpr.com, through referral, electronic communications, printed
26
27

1 materials, publications and proposals, directories, direct solicitation, tradeshows and face-to-face
2 meetings.

3
4
5 INTERROGATORY NO. 23

6 State how Opposer's service identified in Interrogatory No. 18 is promoted, marketed, and
7 advertised under Opposer's Marks.

8 RESPONSE:

9 Opposer objects to this Interrogatory as vague, indefinite, unduly burdensome, and irrelevant.

10 Consistent with and without waiving its foregoing objections, please see Opposer's responses
11 to Interrogatories No. 21 and 22.
12

13
14 INTERROGATORY NO. 24

15 Identify the two services Opposer provides to its customers which is most closely related to
16 the International Class 42 services found in Applicant's application Serial No. 77714693 for the
17 mark CONNECT, namely:
18

19 IC 042 - computer services, namely, creating an on-line community for registered users to
20 participate in discussions, get feedback from their peers, form virtual communities, and
21 engage in social networking; computer software development; application service provider
22 (ASP) featuring software to enable uploading, posting, showing, displaying, tagging,
23 blogging, sharing or otherwise providing electronic media or information over the Internet
24 or other communications network; providing temporary use of non-downloadable software
25 applications for classifieds, virtual community, social networking, photo sharing, video
26
27

1 sharing, and transmission of photographic images; computer services, namely, hosting online
2 web facilities for others for organizing and conducting online meetings, gatherings, and
3 interactive discussions; computer services in the nature of customized web pages featuring
4 user-defined information, personal profiles and information
5

6
7 RESPONSE:

8 Opposer objects to this Interrogatory as vague, indefinite, unduly burdensome, and irrelevant.

9
10 Consistent with and without waiving its foregoing objections, the Opposer responds that it
11 provides: Communications services, namely, delivery of messages by electronic transmission;
12 Providing electronic publications featuring topics in the fields of marketing and market research and
13 consulting services, public and media relations services and sales promotion services on computer
14 discs and CD-ROMs; Organizing social media campaigns, such as Twitter, Facebook, and LinkedIn;
15 Computer services in the nature of designing web page layouts; Computer services in the nature of
16 designing online marketing programs for social networking websites and business networking
17 websites.
18

19
20 INTERROGATORY NO. 25

21 Describe how Opposer identifies individuals or businesses as being within Opposer's market
22 for the services Opposer has identified in Interrogatory No. 18.
23
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1 RESPONSE:

2 Opposer objects to this Interrogatory as vague, indefinite, unduly burdensome, and irrelevant.

3 Consistent with and without waiving its foregoing objections, please see Opposer's response
4 to Interrogatory 19.
5

6
7 INTERROGATORY NO. 26

8 State how Opposer describes the market comprising those individuals or businesses who have
9 used Opposer's services that Opposer has identified in Interrogatory No. 18.
10

11 RESPONSE:

12 Opposer objects to this Interrogatory as vague, indefinite, unduly burdensome, and irrelevant.

13 Consistent with and without waiving its foregoing objections, please see Opposer's response
14 to Interrogatory 20.
15

16
17 INTERROGATORY NO. 27

18 Describe each means or method used by Opposer, by which Opposer informs its customers
19 or potential customers that Opposer can supply the service Opposer has identified in Interrogatory
20 No. 18.
21

22 RESPONSE:

23 Opposer objects to this Interrogatory as vague, indefinite, unduly burdensome, and irrelevant.

24 Consistent with and without waiving its foregoing objections, please see Opposer's response
25 to Interrogatory 21.
26
27

1 INTERROGATORY NO. 28

2 Describe how customers or potential customers became or may become aware of Opposer's
3 ability to supply the services Opposer has identified in Interrogatory No. 18.
4

5 RESPONSE:

6 Opposer objects to this Interrogatory as vague, indefinite, unduly burdensome, and irrelevant.
7 Consistent with and without waiving its foregoing objections, please see Opposer's responses
8 to Interrogatory 22.
9
10

11 INTERROGATORY NO. 29

12 State how Opposer's services identified in Interrogatory No. 18 are promoted, marketed, and
13 advertised under Opposer's Marks.

14 RESPONSE:

15 Opposer objects to this Interrogatory as vague, indefinite, unduly burdensome, and irrelevant.
16 Consistent with and without waiving its foregoing objections please see Opposer's response
17 to Interrogatory 23.
18
19

20 INTERROGATORY NO. 30

21 Identify the service Opposer provides to its customers which are most closely related to the
22 International Class 45 services found in Applicant's application Serial No. 77714693 for the mark
23 CONNECT, namely:
24

25 IC 045 - on-line social networking services; internet based dating, introduction and social
26 networking services
27

1 RESPONSE:

2 Opposer objects to this Interrogatory as vague, indefinite, unduly burdensome, and irrelevant.

3 Consistent with and without waiving its foregoing objections, Opposer responds that it offers:

4 Communications services, namely, delivery of messages by electronic transmission; Providing
5 electronic publications featuring topics in the fields of marketing and market research and consulting
6 services, public and media relations services and sales promotion services on computer discs and
7 CD-ROMs; Organizing social media campaigns, such as Twitter, Facebook, and LinkedIn; and
8 Creating on-line communities.
9
10

11
12 INTERROGATORY NO. 31

13 Describe how Opposer identifies individuals or businesses as being within Opposer's market
14 for the service Opposer has identified in Interrogatory No. 30.

15 RESPONSE:

16 Opposer objects to this Interrogatory as vague, indefinite, unduly burdensome, and irrelevant.

17 Consistent with and without waiving its foregoing objections, the Opposer responds that it
18 identifies the following individuals or businesses as being within Opposer's market for the service
19 Opposer has identified in Interrogatory No. 30 as follows: Any businesses and individuals with need
20 for marketing, public relations, advertising, editorial support, market research, consulting, media
21 relations, sales promotion, strategic marketing planning, development of market position and
22 messaging, and seminar creation and operation.
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1 INTERROGATORY NO. 32

2 State how Opposer describes the market comprising those individuals or businesses who have
3 used Opposer's service that Opposer has identified in Interrogatory No. 31.
4

5 RESPONSE:

6 Opposer objects to this Interrogatory as incomprehensible, vague, indefinite, unduly
7 burdensome, and irrelevant.
8

9 INTERROGATORY NO. 33

10 Describe each means or method used by Opposer, by which Opposer informs its customers
11 or potential customers that Opposer can supply the service Opposer has identified in Interrogatory
12 No. 30.
13

14 RESPONSE:

15 Opposer objects to this Interrogatory as vague, indefinite, unduly burdensome, and irrelevant.
16

17 Consistent with and without waiving its foregoing objections, the Opposer responds that it
18 uses the following means or method to inform its customers or potential customers that Opposer can
19 supply the service Opposer has identified in Interrogatory No. 30: By posting information on
20 computer networks, such as the Internet, e.g., www.connectpr.com, electronic communications,
21 printed materials, publications and proposals, direct solicitation, tradeshow and face-to-face
22 meetings.
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1 INTERROGATORY NO. 34

2 Describe how customers or potential customers became or may become aware of Opposer's
3 ability to supply the service Opposer has identified in Interrogatory No. 30.

4 RESPONSE:

5 Opposer objects to this Interrogatory as vague, indefinite, unduly burdensome, and irrelevant.

6 Consistent with and without waiving its foregoing objections, the Opposer responds that
7 customers or potential customers become or may become aware of Opposer's ability to supply the
8 services Opposer has identified in Interrogatory No. 30 as follows: Through computer networks,
9 such as the Internet, e.g., www.connectpr.com, through referral, electronic communications, printed
10 materials, publications and proposals, directories, direct solicitation, tradeshow and face-to-face
11 meetings.
12
13
14

15 INTERROGATORY NO. 35

16 State how Opposer's service identified in Interrogatory No. 30 is promoted, marketed, and
17 advertised under Opposer's Marks.

18 RESPONSE:

19 Opposer objects to this Interrogatory as vague, indefinite, unduly burdensome, and irrelevant.

20 Consistent with and without waiving its foregoing objections, please see Opposer's responses
21 to Interrogatories No. 33 and 34.
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1 INTERROGATORY NO. 36

2 Identify all judicial proceedings, arbitrations, meditations, and oppositions about trade or
3 service marks in which Opposer has been involved.
4

5 RESPONSE:

6 Opposer objects to this Interrogatory as vague, indefinite, unduly burdensome, and irrelevant.
7 Consistent with and without waiving its foregoing objections, Opposer states that there are
8 none.
9

10
11 INTERROGATORY NO. 37

12 Identify all licenses to use Opposer's Marks.

13 RESPONSE:

14 Opposer objects to this Interrogatory as vague, indefinite, unduly burdensome, and irrelevant.
15 Consistent with and without waiving its foregoing objections, Opposer states that there are
16 none.
17

18
19 INTERROGATORY NO. 38

20 Identify each person who has contributed to the responses to these APPLICANT'S
21 INTERROGATORIES, SET ONE, and contributed to responses to APPLICANT'S REQUEST FOR
22 REQUEST FOR PRODUCTION OF DOCUMENTS AND THINGS, SET ONE served herewith,
23 and contributed to responses to APPLICANT'S REQUEST FOR ADMISSIONS, SET ONE served
24 herewith, and state to which responses each such person contributed.
25
26
27

1 RESPONSE:

2 Opposer objects to this Interrogatory as vague, indefinite, unduly burdensome, and irrelevant.

3 Consistent with and without waiving its foregoing objections, Opposer states that Neil Myers
4 and Janeen Bullock contributed to these responses.
5

6
7 INTERROGATORY NO. 39

8 Identify the persons Opposer expects to call as expert witnesses or as fact witnesses in this
9 proceeding, and identify the subject matter about which each such witness is expected to testify.
10

11 RESPONSE:

12 Opposer objects to this Interrogatory as vague, indefinite, unduly burdensome, and irrelevant.

13 Consistent with and without waiving its foregoing objections, Opposer states that its
14 investigation into this matter is ongoing and that it has not yet determined expert witnesses and fact
15 witnesses at this early state in the opposition. Opposer will supplement this response once, and if,
16 additional information becomes available. Opposer states that it may call Neil Myers as a fact
17 witness regarding the matters set forth in Opposer's Notice of Opposition.
18

19
20 INTERROGATORY NO. 40

21 Identify each person Opposer expects to call as an expert witness or as a fact witness in this
22 proceeding, and identify the subject matter about which each such witness is expected to testify.
23
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1 RESPONSE:

2 Opposer objects to this Interrogatory as vague, indefinite, unduly burdensome, and irrelevant.

3 Consistent with and without waiving its foregoing objections, please see Opposer's response
4 to Interrogatory No. 39.
5

6
7 INTERROGATORY NO. 41

8 Identify each exchange in which Opposer has made any demand or request on any other
9 entity, which entity is or was using the word "CONNECT," or a mark which contains that word, to
10 identify the source of its services, the date of such demands or requests, the entities upon which such
11 demands or requests were made, and the results of such exchanges.
12

13
14 RESPONSE:

15 Opposer objects to this Interrogatory as vague, indefinite, unduly burdensome, and irrelevant.

16 Consistent with and without waiving its foregoing objections, Opposer responds as follows.
17

18 On November 5, 1999, Opposer sent Davis-Marrin Communications, Inc. a request to cease
19 using the connected-pr.com domain name. Use of the domain name was discontinued.

20 On June 11, 2010, Opposer sent Hill & Knowlton, Inc. a notice to not use the term "connect"
21 in association with the launch of a new endeavor. This matter remains in progress.
22

23 On June 11, 2010, Opposer sent Connect2 Communications, Inc. a request to cease using the
24 term "connect." Opposer received a letter from Connect2 Communications, Inc. on June 30, 2010.
25 This matter remains in progress.
26
27

1 INTERROGATORY NO. 42

2 State the amount of Opposer's advertising expenditures relating to Opposer's Marks for each
3 of the individual years 1996 through 2009.

4 RESPONSE:

5 Opposer objects to this Interrogatory as vague, indefinite, unduly burdensome, and irrelevant.
6
7 Opposer further objects that this information is confidential, a trade secret, or commercially
8 sensitive.

9 Consistent with and without waiving its foregoing objections, Opposer states that it will
10 provide this information upon the entry of a mutually acceptable protective order.

11
12
13 INTERROGATORY NO. 43

14 Identify all documents and physical exhibits which Opposer expects to introduce into
15 evidence in this proceeding.

16 RESPONSE:

17 Opposer objects to this Interrogatory as vague, indefinite, unduly burdensome, and irrelevant.

18 Consistent with and without waiving its foregoing objections, Opposer states that its
19 investigation into this matter is ongoing and that it has not yet determined the documents and
20 physical exhibits which Opposer expects to introduce into evidence in this proceeding. Opposer
21 states that it intends to introduce at least those documents produced in response to Applicant's
22 requests for production in this proceeding. Opposer also intends to introduce some or all of the
23 documents produced by Applicant in response to Opposer's requests for production.
24
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1 INTERROGATORY NO. 44

2 Identify all documents and physical exhibits which Opposer expects to introduce into
3 evidence in this proceeding presently in Opposer's possession or control.
4

5 RESPONSE:

6 Opposer objects to this Interrogatory as vague, indefinite, unduly burdensome, and irrelevant.

7 Consistent with and without waiving its foregoing objections, Opposer states that its
8 investigation into this matter is ongoing and that it has not yet determined the documents and
9 physical exhibits which Opposer expects to introduce into evidence in this proceeding. Opposer
10 states that it intends to introduce at least those documents produced in response to Applicant's
11 requests for production in this proceeding.
12

13
14 INTERROGATORY NO. 45

15 Describe the method by which Opposer intends to provide documents in response to
16 Applicant's Requests for Documents and Things in this opposition.
17

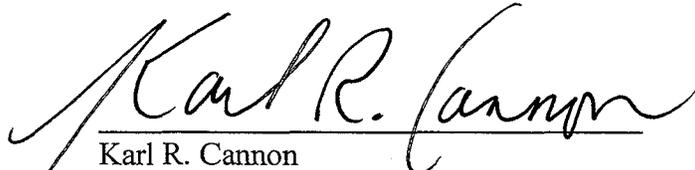
18 RESPONSE:

19 Opposer objects to this Interrogatory as vague, indefinite, unduly burdensome, and irrelevant.

20 Consistent with and without waiving its foregoing objections, Opposer states that it will
21 provide the documents in response to Applicant's Requests for Documents and Things in accordance
22 with the Federal Rules of Civil Procedure and the applicable TTAB rules.
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1 DATED this 14th day of February, 2011.

2 Respectfully submitted, as to the objections contained herein, pursuant to Rule 33 of the
3 Federal Rules of Civil Procedure, and Section 405.04(c) of the Trademark Trial and Appeal Board
4 Manual of Procedure.
5

6
7 
8 Karl R. Cannon
Brett J. Davis

9
10 **CLAYTON, HOWARTH & CANNON, P.C.**
11 P.O. Box 1909
12 Sandy, Utah 84091-1909
Telephone: (801) 255-5335
Facsimile: (801) 255-5338

13 Attorneys for Opposer
14 Connect Public Relations, Inc.

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Pursuant to Rule 33 of the Federal Rules of Civil Procedure, and Section 405.04(c) of the Trademark Trial and Appeal Board Manual of Procedure, the undersigned hereby answers for the Opposer, a corporation, the above interrogatories, to the best of the knowledge available to Opposer at the present time.


Neil Myers, President
Connect Public Relations, Inc.

1 KARL R. CANNON (Registration No. 36,468)
BRETT J. DAVIS (Registration No. 46,655)
2 **CLAYTON, HOWARTH & CANNON, P.C.**
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6 Attorneys for Connect Public Relations, Inc.

7 **Opposed Mark: CONNECT**
U.S. Trademark Application Serial Number: 77/714,693
8 **Published: March 2, 2010**

9
10 **IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**
11 **BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

12 CONNECT PUBLIC RELATIONS, INC., a
13 Utah corporation,

14 Opposer

15 v.

16 DIGITALMOJO, INC., a California
17 corporation,

18 Applicant.

**OPPOSER'S RESPONSES TO
APPLICANT'S FIRST SET OF
REQUESTS FOR ADMISSION**

Opposition No. 91196299

19
20 Pursuant to Federal Rules of Civil Procedure, Rule 36, Connect Public Relations, Inc.
21 ("Opposer") responds and objects to Applicant's First Set of Requests for Admissions.

22 General Objections

23 1. Opposer hereby incorporates by reference the General Objections set forth in
24 Opposer's Responses to Applicant's First Set of Interrogatories.

1 REQUEST FOR ADMISSION NO. 1

2 1. Admit Opposer has no knowledge of Applicant's ownership of Applicant's Mark shown
3 in the Application.

4 Response: After a reasonable inquiry, the information known to Opposer, or that it can
5 readily obtain, is insufficient to enable Opposer to admit or deny this Request for Admission.

6 Opposer admits that Digitalmojo, Inc. is listed as the applicant in the Application, and claims to
7 own the mark it seeks to register.

8
9 REQUEST FOR ADMISSION NO. 2

10 2. Admit Applicant is the proper owner of Applicant's Mark shown in the Application.

11 Response: After a reasonable inquiry, the information known to Opposer, or that it can
12 readily obtain, is insufficient to enable Opposer to admit or deny this Request for Admission.

13 Opposer admits that Digitalmojo, Inc. is listed as the applicant in the Application, and claims to
14 own the mark it seeks to register.

15
16 REQUEST FOR ADMISSION NO. 3

17 3. Admit more disputes are settled without licenses than they are with licenses.

18 Response: After a reasonable inquiry, the information known to Opposer, or that it can
19 readily obtain, is insufficient to enable Opposer to admit or deny that more disputes are settled
20 without licenses than they are with licenses.

21
22 REQUEST FOR ADMISSION NO. 4

23 4. Admit the Application should not be denied registration under Section 1 of the
24 Trademark Act, 15 U.S.C. Section 1051.

25 Response: Denied.
26
27

1 REQUEST FOR ADMISSION NO. 5

2 5. Admit any use of Applicant's Mark by Applicant should not benefit Opposer.

3 Response: Denied. The question calls in part for future unknown facts, such as whether
4 the application would be appropriated amended, abandoned or treated with a final refusal, and
5 whether Opposer would agree to grant a license to Applicant, among other future facts.

6
7 REQUEST FOR ADMISSION NO. 6.

8 6. Admit Opposer is not the owner of superior right and title to Applicant's Mark.

9 Response: Denied. Applicant is either using, or intend to use, Opposer's Mark.

10
11 REQUEST FOR ADMISSION NO. 7

12 7. Admit Applicant's Mark is not confusingly similar to Opposer's Marks.

13 Response: Denied.

14
15 REQUEST OR ADMISSION NO. 8

16 8. Admit the word "connect" is a commonly used English word.

17 Response: Admitted.

18
19 REQUEST OR ADMISSION NO. 9

20 9. Admit the word "connect" may be used to describe ingredients, qualities, characteristics,
21 functions, features, purposes and uses within the English language.

22 Response: Opposer admits the general proposition, with the understanding that anyone
23 may describe or define a word in whatever manner they wish, regardless of the accuracy or
24 inaccuracy of any such description or definition. Opposer otherwise denies the stated proposition
25 as an absolute, and adds that after a reasonable inquiry, the information known to Opposer; or
26 that it can readily obtain, is insufficient to enable Opposer to absolutely admit or absolutely deny
27 this Request for Admission.

1 REQUEST OR ADMISSION NO. 10

2 10. Admit the word “connect” may be defined in at least one of the following ways: (1) to
3 join or fasten, or (2) to show or think of as related, or (3) to provide with a circuit for
4 communicating by telephone, or (4) to plug into an electrical circuit, or (5) to be related in
5 some way.

6 Response: Opposer admits the general proposition, with the understanding that anyone
7 may describe or define a word in whatever manner they wish, regardless of the accuracy or
8 inaccuracy of any such description or definition. Opposer otherwise denies the stated proposition
9 as an absolute, and adds that after a reasonable inquiry, the information known to Opposer, or
10 that it can readily obtain, is insufficient to enable Opposer to absolutely admit or absolutely deny
11 this Request for Admission.

12
13 REQUEST OR ADMISSION NO. 11

14 11. Admit the words “join” and “fasten” may be use to describe “initiation and termination of
15 services with utility providers.”

16 Response: Opposer admits the general proposition, with the understanding that anyone
17 may describe or define a word in whatever manner they wish, regardless of the accuracy or
18 inaccuracy of any such description or definition. Opposer otherwise denies the stated proposition
19 as an absolute, and adds that after a reasonable inquiry, the information known to Opposer, or
20 that it can readily obtain, is insufficient to enable Opposer to absolutely admit or absolutely deny
21 this Request for Admission.

22
23 REQUEST OR ADMISSION NO. 12

24 12. Admit the words “to provide with a circuit” may be use to describe “the initiation and
25 termination of services with telecommunication providers.”

26 Response: Opposer admits the general proposition, with the understanding that anyone
27 may describe or define a word in whatever manner they wish, regardless of the accuracy or
28 inaccuracy of any such description or definition. Opposer otherwise denies the stated proposition

1 as an absolute, and adds that after a reasonable inquiry, the information known to Opposer, or
2 that it can readily obtain, is insufficient to enable Opposer to absolutely admit or absolutely deny
3 this Request for Admission.

4
5 REQUEST FOR ADMISSION NO. 13

6 13. Admit the word “connect,” as a commonly used English word, describes an ingredient,
7 quality, characteristic, function, feature, purpose, or use of at least one of the services
8 identified in Applicant’s application serial number 77714693.

9 Response: Opposer admits the general proposition, with the understanding that anyone
10 may describe or define a word in whatever manner they wish, regardless of the accuracy or
11 inaccuracy of any such description or definition. Opposer otherwise denies the stated proposition
12 as an absolute, and adds that after a reasonable inquiry, the information known to Opposer, or
13 that it can readily obtain, is insufficient to enable Opposer to absolutely admit or absolutely deny
14 this Request for Admission.

15
16 REQUEST FOR ADMISSION NO. 14

17 14. Admit the word “connect,” as a commonly used English word, describes an ingredient,
18 quality, characteristic, function, feature, purpose, or use of “utility services consultations
19 rendered to Consumers in the nature of the initiation and termination of services with
20 utility providers.”

21 Response: Opposer admits the general proposition, with the understanding that anyone
22 may describe or define a word in whatever manner they wish, regardless of the accuracy or
23 inaccuracy of any such description or definition. Opposer otherwise denies the stated proposition
24 as an absolute, and adds that after a reasonable inquiry, the information known to Opposer, or
25 that it can readily obtain, is insufficient to enable Opposer to absolutely admit or absolutely deny
26 this Request for Admission.

27
28 REQUEST FOR ADMISSION NO. 15

1 15. Admit the word "connect," as a commonly used English word, describes an ingredient,
2 quality, characteristic, function, feature, purpose, or use of "telecommunications
3 consultations rendered to Consumers in the nature of the initiation and termination of
4 services with telecommunication providers."

5 Response: Opposer admits the general proposition, with the understanding that anyone
6 may describe or define a word in whatever manner they wish, regardless of the accuracy or
7 inaccuracy of any such description or definition. Opposer otherwise denies the stated proposition
8 as an absolute, and adds that after a reasonable inquiry, the information known to Opposer, or
9 that it can readily obtain, is insufficient to enable Opposer to absolutely admit or absolutely deny
10 this Request for Admission.

11
12 REQUEST OR ADMISSION NO. 16

13 16. Admit the word "public" is a commonly used English word.

14 Response: Admitted.
15

16 REQUEST OR ADMISSION NO. 17

17 17. Admit the word "public" may be used to describe ingredients, qualities, characteristics,
18 functions, features, purposes, and uses within the English language.

19 Response: Opposer admits the general proposition, with the understanding that anyone
20 may use a word to describe or define a word in whatever manner they wish, regardless of the
21 accuracy or inaccuracy of any such description. Opposer otherwise denies the stated proposition
22 as an absolute, and adds that after a reasonable inquiry, the information known to Opposer, or
23 that it can readily obtain, is insufficient to enable Opposer to absolutely admit or absolutely deny
24 this Request for Admission.
25
26
27
28

1 REQUEST OR ADMISSION NO. 18

2 18. Admit the word "public" may be defined in at least one of the following ways: (1)of,
3 belonging to, or concerning the people as a whole, or (2) for the use or benefit of all, or
4 (3) as regards community, rather than private, affairs, or (4) acting in an official capacity
5 on behalf of the people as a whole, or (5) known by, or open to the knowledge of, all or
6 most people, or (6) owned by shareholders whose shares can be freely traded, as on an
7 exchange.

8 Response: Opposer admits the general proposition, with the understanding that anyone
9 may describe or define a word in whatever manner they wish, regardless of the accuracy or
10 inaccuracy of any such description or definition. Opposer otherwise denies the stated proposition
11 as an absolute, and adds that after a reasonable inquiry, the information known to Opposer, or
12 that it can readily obtain, is insufficient to enable Opposer to absolutely admit or absolutely deny
13 this Request for Admission.

14
15 REQUEST OR ADMISSION NO. 19

16 19. Admit the word "relations" is a commonly used English word.

17 Response: Opposer admits that the word "relations" is an English word. After a
18 reasonable inquiry, the information known to Opposer, or that it can readily obtain, is insufficient
19 to enable Opposer to admit or deny this Request for Admission.

20
21 REQUEST OR ADMISSION NO. 20

22 20. Admit the word "relations" may be used to describe ingredients, qualities, characteristics,
23 functions, features, purposes, and uses within the English language.

24 Response: Opposer admits the general proposition, with the understanding that anyone
25 may describe or define a word in whatever manner they wish, regardless of the accuracy or
26 inaccuracy of any such description or definition. Opposer otherwise denies the stated proposition
27 as an absolute, and adds that after a reasonable inquiry, the information known to Opposer, or
28

1 that it can readily obtain, is insufficient to enable Opposer to absolutely admit or absolutely deny
2 this Request for Admission.

3
4 REQUEST OR ADMISSION NO. 21

5 21. Admit the word "relations" may be defined in at least one of the following ways: (1) a
6 narrating, recounting, or telling, or (2) what is being narrated or told, or (3) connection or
7 manner of being connected or related, as in thought, meaning, etc., or (4) connection of
8 persons by blood, marriage, etc.; kinship, or (5) persons connected with another or others
9 by blood, marriage, etc.; members of the same family; relatives, or (6) the connections or
10 dealings between or among persons in business or private affairs.

11 Response: Opposer admits the general proposition, with the understanding that anyone
12 may describe or define a word in whatever manner they wish, regardless of the accuracy or
13 inaccuracy of any such description or definition. Opposer otherwise denies the stated proposition
14 as an absolute, and adds that after a reasonable inquiry, the information known to Opposer, or
15 that it can readily obtain, is insufficient to enable Opposer to absolutely admit or absolutely deny
16 this Request for Admission.

17
18 REQUEST OR ADMISSION NO. 22

19 22. Admit the words "connect" and "public" and "relations," when used together, may denote
20 or connote concepts which stem from the definitions of, or understanding of the meaning
21 of, the words "connect" and "public" and "relations."

22 Response: Denied, to the extent Opposer understands this Request, with the
23 understanding that anyone may describe or define a word or set of words in whatever manner
24 they wish, regardless of the accuracy or inaccuracy of any such description or definition.
25 Opposer otherwise denies the stated proposition as an absolute, and adds that after a reasonable
26 inquiry, the information known to Opposer, or that it can readily obtain, is insufficient to enable
27 Opposer to absolutely admit or absolutely deny this Request for Admission.

1 REQUEST OR ADMISSION NO. 23

2 23. Admit services provided to businesses may be unrelated to services provided to
3 Consumers.

4 Response: Denied as to some possibly previously asserted and/or adjudicated cases, and
5 admitted as to other possibly previously asserted and/or adjudicated cases.

6
7 REQUEST OR ADMISSION NO. 24

8 24. Admit services provided to businesses may be unrelated to services provided to
9 Consumers, even when provided under the same mark.

10 Response: Denied as to some possibly previously asserted and/or adjudicated cases, and
11 admitted as to other possibly previously asserted and/or adjudicated cases.

12
13 REQUEST FOR ADMISSION NO. 25

14 25. Admit marks used to provide services to businesses may not be confusingly similar to
15 marks used to provide services to Consumers, if the services so provided to businesses
16 are unrelated to the services so provided to Consumers.

17 Response: To the extent the Request is understood, it is denied as to some possibly
18 previously asserted and/or adjudicated cases, and admitted as to other possibly previously
19 asserted and/or adjudicated cases.

20
21 REQUEST FOR ADMISSION NO. 26

22 26. Admit a mark used to provide services to businesses may be identical to a mark used to
23 provide services to Consumers if the services so provided to businesses are unrelated to
24 the services so provided to Consumers.

25 Response: Denied as to some possibly previously asserted and/or adjudicated cases, and
26 admitted as to other possibly previously asserted and/or adjudicated cases.

1 REQUEST FOR ADMISSION NO. 27

2 27. Admit Opposer's Mark CONNECTPR, when used to provide services to businesses, may
3 be confusingly similar to Applicant's Mark CONNECT, when used to provide services to
4 Consumers if the services so provided to businesses are unrelated to the services so
5 provided to Consumers.

6
7 Response: Opposer admits that Applicant's Mark CONNECT is confusingly similar to
8 Opposer Mark CONNECTPR.

9
10 REQUEST FOR ADMISSION NO. 28

11 28. Admit the word "connect," as a commonly used English word, describes an ingredient,
12 quality, characteristic, function, feature, purpose, or use of at least one of Applicant's
13 identified services.

14 Response: After a reasonable inquiry, the information known to Opposer, or that it can
15 readily obtain, is insufficient to enable Opposer to admit or deny this Request for Admission.

16
17 REQUEST FOR ADMISSION NO. 29

18 29. Admit the word "connect," as a commonly used English word, describes an ingredient,
19 quality, characteristic, function, feature, purpose, or use of many of Applicant's identified
20 services.

21 Response: After a reasonable inquiry, the information known to Opposer, or that it can
22 readily obtain, is insufficient to enable Opposer to admit or deny this Request for Admission.

23
24 REQUEST FOR ADMISSION NO. 30

25 30. Admit the word "connect," as a commonly used English word, describes a quality,
26 characteristic, function, feature, purpose, or use of at least one of Opposer's services.

27 Response: Denied.

1 REQUEST FOR ADMISSION NO. 31

2 31. Admit the word “connect,” as a commonly used English word, describes an ingredient,
3 quality, characteristic, function, feature, purpose, or use of many of Applicant’s identified
4 services.

5
6 Response: After a reasonable inquiry, the information known to Opposer, or that it can
7 readily obtain, is insufficient to enable Opposer to admit or deny this Request for Admission.
8

9 REQUEST FOR ADMISSION NO. 32

10 32. Admit words which are commonly used in an industry are considered less distinctive than
11 words which are not commonly used in an industry.

12 Response: Denied.
13

14 REQUEST FOR ADMISSION NO. 33

15 33. Admit words which are commonly used in an industry are considered non-distinctive in
16 such industry.

17 Response: Denied.
18

19 REQUEST FOR ADMISSION NO. 34

20 34. Admit the words “connect” and “public” and “relations” as three individually commonly
21 used English words, describes ingredients, qualities, characteristics, functions, features,
22 purposes, or uses of the services provided by Opposer.

23 Response: Denied.
24

25 REQUEST FOR ADMISSION NO. 35

26 35. Admit descriptive terms found within service marks are accorded less weight when
27 comparing two marks said to infringe than are terms which are distinctive.
28

1 REQUEST FOR ADMISSION NO. 47

2 47. Admit a mark used by a businesses which presents its mark only to other businesses may
3 not be confusingly similar to a mark used by a business which supplies services only to
4 Consumers.

5 Response: To the extent the Request is understood, it is denied as to some possibly
6 previously asserted and/or adjudicated cases, and admitted as to other possibly previously
7 asserted and/or adjudicated cases.

8
9 REQUEST FOR ADMISSION NO. 48

10 48. Admit Opposer supplies its services only to other businesses.

11 Response: Admitted.

12
13 REQUEST FOR ADMISSION NO. 49

14 49. Admit Opposer supplies some of its services only to other businesses.

15 Response: Admitted.

16
17 REQUEST FOR ADMISSION NO. 50

18 50. Admit Opposer's mark may be used in a different market from that served by Applicant,
19 if Opposer supplies its services only to other businesses, while Applicant supplies its
20 services only to Consumers.

21 Response: Denied.

22
23 REQUEST FOR ADMISSION NO. 51

24 51. Admit Opposer's mark must be seen by different customers and potential customers from
25 those served by Applicant, if Opposer supplies its services only to other businesses, while
26 Applicant supplies its services only to Consumers.

27 Response: Denied.

1 REQUEST FOR ADMISSION NO. 52

2 52. Admit Opposer's mark is not confusingly similar to Applicant's mark if Opposer supplies
3 its services only to other businesses, while Applicant supplies its services only to
4 Consumers.

5 Response: Denied.

6
7 REQUEST FOR ADMISSION NO. 53

8
9 53. Admit Opposer provides some services to Consumers.

10 Response: Denied.

11
12 REQUEST FOR ADMISSION NO. 54

13 54. Admit Opposer's Marks are merely descriptive.

14 Response: Denied.

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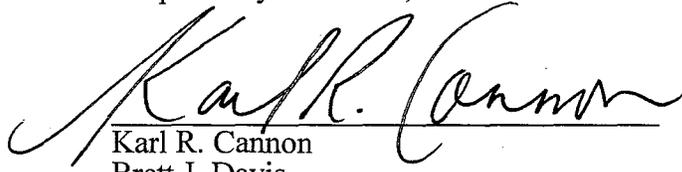
1 REQUEST FOR ADMISSION NO. 55

2 55. Admit Opposer's Marks are generic.

3 Response: Denied.

4
5 DATED this 14th day of February, 2011.

6
7 Respectfully submitted,

8 
9
10 Karl R. Cannon
Brett J. Davis

11 **CLAYTON, HOWARTH & CANNON, P.C.**

12 P.O. Box 1909

13 Sandy, Utah 84091-1909

14 Telephone: (801) 255-5335

15 Facsimile: (801) 255-5338

16 Attorneys for Opposer

17 Connect Public Relations, Inc.

1 CERTIFICATE OF SERVICE

2

3 I hereby certify that I caused a true and correct copy of the foregoing **OPPOSER'S**

4 **RESPONSES TO APPLICANT'S FIRST SET OF REQUESTS FOR ADMISSION** to be

5 served, via first class mail, postage prepaid, on this 14 day of February, 2011, to:

6 Thomas W. Cook, Esq.
7 Thomas Cook Intellectual Property Attorneys
8 3030 Bridgeway, Suite 425-430
9 Sausalito, California 94965-2810

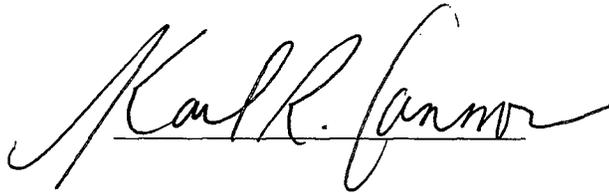
10 

Exhibit B

Opposer's Responses to Interrogatories and
its Responses to Requests for Admissions
as Served on DigitalMojo December 5, 2011

1 KARL R. CANNON (Registration No. 36,468)
BRETT J. DAVIS (Registration No. 46,655)
2 **CLAYTON, HOWARTH & CANNON, P.C.**
6965 Union Park Center, Suite 400
3 Cottonwood Heights, Utah 84047
P.O. Box 1909
4 Sandy, Utah 84091-1909
Telephone: (801) 255-5335
5 Facsimile: (801) 255-5338

6 Attorneys for Connect Public Relations, Inc.

7 **Opposed Mark: CONNECT**
U.S. Trademark Application Serial Number: 77/714,693
8 **Published: March 2, 2010**

9
10 **IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**
11 **BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

12 CONNECT PUBLIC RELATIONS, INC., a Utah
13 corporation,

14 Opposer

15 v.

16 DIGITALMOJO, INC., a California corporation,

17 Applicant.

18
19
20
21
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23
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27
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**OPPOSER'S RESPONSES TO
APPLICANT'S THIRD SET OF
INTERROGATORIES**

Opposition No. 91196299

19 Pursuant to Federal Rules of Civil Procedure, Rule 33, Connect Public Relations,
20 Inc. (hereinafter "Responding Party" or "Opposer") responds and objects to Digitalmojo
21 Inc.'s (hereinafter "Propounding Party" or "Applicant") Third Set of Interrogatories
22 propounded on Responding Party as follows:

23 **GENERAL OBJECTIONS**

24 Opposer hereby incorporates by reference the General Objections set forth in Opposer's
25 Responses to Applicant's First Set of Interrogatories as if fully set forth herein.

1 **INTERROGATORIES**

2 **INTERROGATORY NO. 1**

- 3 1. Define “the connectivity market,” as this phrase is used in the documents numbered CPR
4 000388 - CPR 000393 produced by Opposer with Opposer’s Responses to Applicants
5 Second Set of Requests for Production of Documents and Things.
6

7 Response: Opposer objects to this request as irrelevant as none of the goods or services, classes
8 of customers, or channels of trade in Opposer’s registrations are limited to the “connectivity
9 market.” Opposer further objects as none of the goods or services, classes of customers, or
10 channels of trade in the Applicant’s application are limited to the “connectivity market.”
11 Opposer further objects to this request as vague.
12
13

14 **INTERROGATORY NO. 2**

- 15 2. State what percentage of Opposer’s clients are within “the connectivity market.”
16

17 Response: Opposer objects to this request as irrelevant as none of the goods or services, classes
18 of customers, or channels of trade in Opposer’s registrations are limited to the “connectivity
19 market.” Opposer further objects as none of the goods or services, classes of customers, or
20 channels of trade in the Applicant’s application are limited to the “connectivity market.”
21 Opposer further objects to this request as vague.
22
23

24 **INTERROGATORY NO. 3**

- 25 3. Identify Opposer’s clients that are within “the connectivity market.”
26

27 Response: Opposer objects to this request as irrelevant as none of the goods or services, classes
28 of customers, or channels of trade in Opposer’s registrations are limited to the “connectivity

1 market.” Opposer further objects as none of the goods or services, classes of customers, or
2 channels of trade in the Applicant’s application are limited to the “connectivity market.”

3 Opposer further objects to this request as vague.
4

5
6 INTERROGATORY NO. 4

7 4. Identify Opposer’s clients that are not within “the connectivity market.”

8 Response: Opposer objects to this request as irrelevant as none of the goods or services, classes
9 of customers, or channels of trade in Opposer’s registrations are limited to the “connectivity
10 market.” Opposer further objects as none of the goods or services, classes of customers, or
11 channels of trade in the Applicant’s application are limited to the “connectivity market.”
12 Opposer further objects to this request as vague.

13
14
15 INTERROGATORY NO. 5

16 5. Identify which of Opposer’s clients provide high technology goods or services.

17 Response: Opposer objects to this request as being unduly burdensome as it would require it to
18 investigate the goods and services of all of its clients and make the distinction between
19 technology and high technology. Opposer further objects to this request as irrelevant as none of
20 the goods or services, classes of customers, or channels of trade in Opposer’s registrations are
21 limited to the “high technology.” Opposer further objects as none of the goods or services,
22 classes of customers, or channels of trade in the Applicant’s application are limited to “high
23 technology.” Opposer further objects to this request as vague.
24
25
26

27 INTERROGATORY NO. 6

28 6. Identify which of Opposer’s clients provide high technology goods or services.

1 Response: See response to Interrogatory No. 5.

2
3 INTERROGATORY NO. 7

4
5 7. To what industries does Opposer presently supply its goods or services.

6 Response: Opposer objects to this request as being unduly burdensome as it would require it to
7 investigate the industry of all of its clients. Opposer further objects to this request as irrelevant
8 as none of the goods or services, classes of customers, or channels of trade in Opposer's
9 registrations or in Applicant's application are limited to any particular industry.
10

11
12 INTERROGATORY NO. 8

13 8. State which services, among those Opposer discusses in the documents numbered CPR
14 000388 - CPR 000393 produced by Opposer with Opposer's Responses to Applicants
15 Second Set of Requests for Production of Documents and Things, Opposer offers to
16 Consumers.
17

18 Response: Opposer objects to this interrogatory as it exceeds the number of allowed
19 interrogatories as agreed to by the parties.
20

21
22 INTERROGATORY NO. 9

23
24 9. State which of Opposer's goods or services are not "connectivity" services.

25 Response: Opposer objects to this interrogatory as it exceeds the number of allowed
26 interrogatories as agreed to by the parties.
27

28 INTERROGATORY NO. 10

1 10. State which of Opposer's goods or services it offers or supplies to consumers.

2 Response: Opposer objects to this interrogatory as it exceeds the number of allowed
3 interrogatories agreed to by the parties.
4

5
6 INTERROGATORY NO. 11

7 11. State which services Opposer intends to offer or supply under the mark CONNECT
8 MARKETING other than those identified in its pending application for registration of
9 CONNECT MARKETING, serial number 85061227.
10

11 Response: Opposer objects to this interrogatory as it exceeds the number of allowed
12 interrogatories agreed to by the parties.
13

14 INTERROGATORY NO. 12

15 12. State which services Opposer has ever offered or supplied under the mark CONNECTPR,
16 other than those identified in its pending application for registration of CONNECT
17 MARKETING, serial number 85061227.
18

19 Response: Opposer objects to this interrogatory as it exceeds the number of allowed
20 interrogatories agreed to by the parties.
21

22
23 INTERROGATORY NO. 13

24 13. State which services Opposer has ever offered or supplied under the mark CONNECT
25 PUBLIC RELATIONS, other than those identified in its pending application for
26 registration of CONNECT MARKETING, serial number 85061227.
27

28 Response: Opposer objects to this interrogatory as it exceeds the number of allowed
interrogatories agreed to by the parties.

1
2 INTERROGATORY NO. 14

3
4 14. State whether Opposer works for its clients on a project basis, after submitting to them
5 fixed-cost bids, and whether Opposer uses such a process with clients never, seldom,
6 usually, or always.

7 Response: Opposer objects to this interrogatory as it exceeds the number of allowed
8 interrogatories agreed to by the parties.

9
10
11 INTERROGATORY NO. 15

12 15. State what industries Opposer refers to, when it uses the phrase “this specific market-
13 place,” as that phrase is used in the document numbered CPR 000643 produced by
14 Opposer.

15 Response: Opposer objects to this interrogatory as it exceeds the number of allowed
16 interrogatories agreed to by the parties.

17
18
19 INTERROGATORY NO. 16

20 16. Identify each of Opposer’s clients, and state describe each such client’s industry.

21 Response: Opposer objects to this interrogatory as it exceeds the number of allowed
22 interrogatories agreed to by the parties.

23
24
25 INTERROGATORY NO. 17

26 17. Describe how Opposer services it clients, as “the largest connectivity-specific PR firm in
27

1 the world,” which Opposer claims in the document numbered CPR 000643 produced by
2 Opposer.

3 Response: Opposer objects to this interrogatory as it exceeds the number of allowed
4 interrogatories agreed to by the parties.
5

6
7 INTERROGATORY NO. 18

8 18. Describe how Opposer serves “this specific market-place,” as that phrase is used in the
9 document numbered CPR 000643 produced by Opposer.
10

11 Response: Opposer objects to this interrogatory as it exceeds the number of allowed
12 interrogatories agreed to by the parties.
13

14 INTERROGATORY NO. 19

15 19. Describe what a “connectivity-specific PR firm” does, as this phrase is used in the
16 Opposer’s document numbered CPR 000643.
17

18 Response: Opposer objects to this interrogatory as it exceeds the number of allowed
19 interrogatories agreed to by the parties.
20

21 INTERROGATORY NO. 20

22 20. State how Opposer’s services are different from those identified in its pending application
23 for registration of CONNECT MARKETING, serial number 85061227.
24

25 Response: Opposer objects to this interrogatory as it exceeds the number of allowed
26 interrogatories agreed to by the parties.
27

1
2 INTERROGATORY NO. 21

3 21. State how the business of “public relations” services, rendered to others, are different
4 from those identified in Opposer’s pending application for registration of CONNECT
5 MARKETING, serial number 85061227.
6

7 Response: Opposer objects to this interrogatory as it exceeds the number of allowed
8 interrogatories agreed to by the parties.
9

10
11 INTERROGATORY NO. 22

12 22. State how Opposer’s services are different from the business of “public relations”
13 services, rendered to others.

14 Response: Opposer objects to this interrogatory as it exceeds the number of allowed
15 interrogatories agreed to by the parties.
16

17
18 INTERROGATORY NO. 23

19 23. List Opposer’s clients which are not “connectivity” clients.

20 Response: Opposer objects to this interrogatory as it exceeds the number of allowed
21 interrogatories agreed to by the parties.
22

23
24 INTERROGATORY NO. 24

25 24. List Opposer’s clients which are not “technology” clients.

26 Response: Opposer objects to this interrogatory as it exceeds the number of allowed
27

1 interrogatories agreed to by the parties.
2

3 INTERROGATORY NO. 25
4

5 25. Define "connectivity clients," as that phrase is used in the document numbered CPR
6 001086 produced by Opposer with Opposer's Responses to Applicants Second Set of
7 Requests for Production of Documents and Things.

8 Response: Opposer objects to this interrogatory as it exceeds the number of allowed
9 interrogatories agreed to by the parties.
10

11
12 INTERROGATORY NO. 26

13 26. State the annual volume of advertising under and/or in connection with Opposer's Marks
14 in connection with the goods and services set forth in Opposer's registrations for each
15 year since such advertising commenced.
16

17 Response: Opposer objects to this interrogatory as it exceeds the number of allowed
18 interrogatories agreed to by the parties.
19

20 INTERROGATORY NO. 27
21

22 27. Identify each medium in which Opposer's Marks have been or is intended to be used.

23 Response: Opposer objects to this interrogatory as it exceeds the number of allowed
24 interrogatories agreed to by the parties.
25

26 INTERROGATORY NO. 28
27

1 28. Identify all promotional activities undertaken by Opposer in which the mark CONNECT,
2 or any variation thereof, has been used in connection with the goods and services set forth
3 in Opposer's registrations for each year since such promotion commenced.
4

5 Response: Opposer objects to this interrogatory as it exceeds the number of allowed
6 interrogatories agreed to by the parties.
7

8 INTERROGATORY NO. 29

9 29. For each product and service in connection with which Opposer is using or intends to use
10 Opposer's Marks, identify, in detail, the channels of trade through which such products
11 and/or services have been or are intended to be sold and/or rendered.
12

13 Response: Opposer objects to this interrogatory as it exceeds the number of allowed
14 interrogatories agreed to by the parties.
15

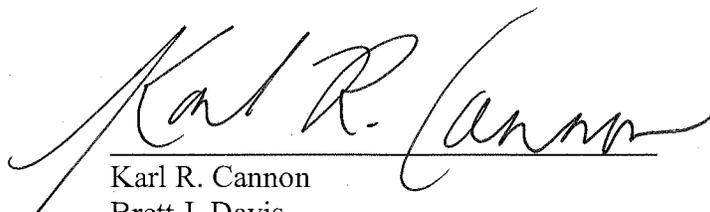
16 INTERROGATORY NO. 30

17 30. Provide a general description of the type of customers to whom Opposer does or intends
18 to advertise, promote, and/or sell Opposer's products and/or services in connection with
19 Opposer's Marks.
20

21 Response: Opposer objects to this interrogatory as it exceeds the number of allowed
22 interrogatories agreed to by the parties.
23
24
25
26
27

1 DATED this 5 day of December, 2011.

2
3 Respectfully submitted, as to the objections contained herein, pursuant to Rule 33 of the
4 Federal Rules of Civil Procedure, and Section 405.04(c) of the Trademark Trial and Appeal
5 Board Manual of Procedure.
6

7
8 
9 Karl R. Cannon
Brett J. Davis

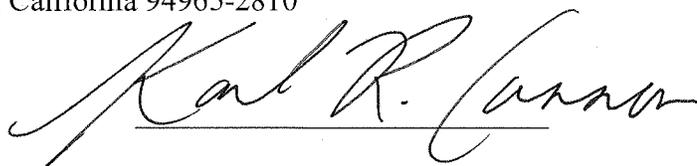
10
11 **CLAYTON, HOWARTH & CANNON, P.C.**
12 P.O. Box 1909
13 Sandy, Utah 84091-1909
14 Telephone: (801) 255-5335
15 Facsimile: (801) 255-5338

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28 Attorneys for Opposer
Connect Public Relations, Inc.

1 CERTIFICATE OF SERVICE

2 I hereby certify that I caused a true and correct copy of the foregoing **OPPOSER'S**
3 **RESPONSES TO APPLICANT'S THIRD SET OF INTERROGATORIES** to be served, via
4 first class mail, postage prepaid, on this 5 day of December, 2011, to:
5
6

7 Thomas W. Cook, Esq.
8 Thomas Cook Intellectual Property Attorneys
9 3030 Bridgeway, Suite 425-430
10 Sausalito, California 94965-2810

11 
12
13
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1 Responses to Applicants Second Set of Requests for Production of Documents and
2 Things, which document is attached hereto, is genuine.

3 RESPONSE: Admitted.

4
5 REQUEST FOR ADMISSION NO. 2

6 2. Admit the document numbered CPR 000006, produced by Opposer with Opposer's
7 Responses to Applicants Second Set of Requests for Production of Documents and
8 Things, which document is attached hereto, is genuine.

9 RESPONSE: Admitted.

10
11 REQUEST FOR ADMISSION NO. 3

12 3. Admit the document numbered CPR 000007, produced by Opposer with Opposer's
13 Responses to Applicants Second Set of Requests for Production of Documents and
14 Things, which document is attached hereto, is genuine.

15 RESPONSE: Admitted.

16
17 REQUEST FOR ADMISSION NO. 4

18 4. Admit the document numbered CPR 000008, produced by Opposer with Opposer's
19 Responses to Applicants Second Set of Requests for Production of Documents and
20 Things, which document is attached hereto, is genuine.

21 RESPONSE: Admitted.

22
23 REQUEST FOR ADMISSION NO. 5

24 5. Admit the documents numbered CPR 000084 - CPR 000086, produced by Opposer with
25 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
26 and Things, which documents are attached hereto, are genuine.

27 RESPONSE: The documents numbered CPR 000084 - CPR 000086 were not created by Opposer
28 and therefore Opposer denies the same.

1 REQUEST FOR ADMISSION NO. 6

2 6. Admit the documents numbered CPR 000084 - CPR 000086, produced by Opposer with
3 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
4 and Things, which documents are attached hereto, shows an online dictionary entry for
5 the word "connect" from Encarta.

6 RESPONSE: The documents numbered CPR 000084 - CPR 000086 were not created by Opposer
7 and therefore Opposer denies the same.

8
9 REQUEST FOR ADMISSION NO. 7

10 7. Admit the documents numbered CPR 000084 - CPR 000086, produced by Opposer with
11 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
12 and Things, demonstrates the word "connect" is a common word in English.

13 RESPONSE: Opposer admits that the word "connect" is an English word but denies that the
14 documents numbered CPR000084 - CPR000086 demonstrate that the word "connect" is a
15 common word in English.

16
17 REQUEST FOR ADMISSION NO. 8

18 8. Admit Opposer often uses the word "connect" to describe its services.

19 RESPONSE: Opposer objects to this request as irrelevant as Opposer's registrations are
20 incontestable and cannot be challenged on the basis of descriptiveness.

21
22 REQUEST FOR ADMISSION NO. 9

23 9. Admit Opposer often uses the word "connect" in the materials by which it markets its
24 services.

25 RESPONSE: Opposer admits that it uses the word "connect" in its marks CONNECT,
26 CONNECT PUBLIC RELATIONS and CONNECTPR in the materials by which it markets its
27 services.

28
REQUEST FOR ADMISSION NO. 10

1 10. Admit word “connect” is often used in the public relations industry.

2 RESPONSE: Denied.

3
4 REQUEST FOR ADMISSION NO. 11

5 11. Admit word “connect” is often used in the Opposer’s industry.

6 RESPONSE: Denied.

7
8 REQUEST FOR ADMISSION NO. 12

9 12. Admit the documents numbered CPR 000103 - CPR 000110, produced by Opposer with
10 Opposer’s Responses to Applicants Second Set of Requests for Production of Documents
11 and Things, which documents are attached hereto, are genuine.

12 RESPONSE: Admitted.

13
14 REQUEST FOR ADMISSION NO. 13

15 13. Admit the documents numbered CPR 000103 - CPR 000110, produced by Opposer with
16 Opposer’s Responses to Applicants Second Set of Requests for Production of Documents
17 and Things, comprises a Combined Declaration of Use submitted to the U.S. Patent &
18 Trademark Office by Opposer, or its attorney on Opposer’s behalf, to demonstrate use of
19 the mark CONNECT PUBLIC RELATIONS, registered under number 2,383,788.

20 RESPONSE: Admitted.

21
22 REQUEST FOR ADMISSION NO. 14

23 14. Admit the documents numbered CPR 000103 - CPR 000110, produced by Opposer with
24 Opposer’s Responses to Applicants Second Set of Requests for Production of Documents
25 and Things, states Opposer has used the mark CONNECT PUBLIC RELATIONS,
26 registered under number 2,383,788, on all goods or services listed in such registration.

27 RESPONSE: Admitted.

28
REQUEST FOR ADMISSION NO. 15

1 15. Admit the services identified in the registration of the mark CONNECT PUBLIC
2 RELATIONS, registered under number 2,383,788, includes International Class 038
3 services.

4 RESPONSE: Opposer objects to this request as irrelevant.

5
6 REQUEST FOR ADMISSION NO. 16

7 16. Admit the services classified by the U.S. Patent & Trademark Office under International
8 Class 038 include: local and long distance telephone services, broadcasting of television
9 programmes, providing Internet access, and “telecommunication services, namely,
10 transmission of voice, data, graphics, sound and video by means of broadband power line
11 or wireless networks.”

12 RESPONSE: Opposer objects to this request as irrelevant.

13
14 REQUEST FOR ADMISSION NO. 17

15 17. Admit the “telecommunications industry” is an industry which carries messages and
16 information for others.

17 RESPONSE: Opposer objects to this request as vague as an “industry,” by definition, does not
18 carry messages and information for others. Opposer further objects to this request as irrelevant.

19
20 REQUEST FOR ADMISSION NO. 18

21 18. Admit the services classified by the U.S. Patent & Trademark Office under International
22 Class 038 include services supplied by the “telecommunications industry.”

23 RESPONSE: Opposer objects to this request as irrelevant.

24
25 REQUEST FOR ADMISSION NO. 19

26 19. Admit Opposer is not in the “telecommunications industry.”

27 RESPONSE: Opposer objects to this request as vague as it is unclear of the meaning of the term
28 “telecommunications industry.” Opposer further objects to this request as irrelevant as none of
the goods or services, classes of customers, or channels of trade in Opposer’s registrations are

1 limited to the “telecommunications industry.”

2
3 REQUEST FOR ADMISSION NO. 20

4 20. Admit Opposer is only in the “telecommunications industry.”

5 RESPONSE: Opposer objects to this request as vague as it is unclear of the meaning of the term
6 “telecommunications industry.” Opposer further objects to this request as irrelevant as none of
7 the goods or services, classes of customers, or channels of trade in Opposer’s registrations are
8 limited to the “telecommunications industry.”

9
10 REQUEST FOR ADMISSION NO. 21

11 21. Admit the documents numbered CPR 000121 - CPR 000123, produced by Opposer with
12 Opposer’s Responses to Applicants Second Set of Requests for Production of Documents
13 and Things, which documents are attached hereto, are genuine.

14 RESPONSE: Admitted.

15
16 REQUEST FOR ADMISSION NO. 22

17 22. Admit the documents numbered CPR 000121 - CPR 000123, produced by Opposer with
18 Opposer’s Responses to Applicants Second Set of Requests for Production of Documents
19 and Things, comprises a Combined Declaration of Use submitted to the U.S. Patent &
20 Trademark Office by Opposer, or its attorney on Opposer’s behalf, to demonstrate use of
21 the mark CONNECT PUBLIC RELATIONS, registered under number 2,383,788.

22 RESPONSE: Admitted.

23
24 REQUEST FOR ADMISSION NO. 23

25 23. Admit the documents numbered CPR 000121 - CPR 000123, produced by Opposer with
26 Opposer’s Responses to Applicants Second Set of Requests for Production of Documents
27 and Things, states Opposer has used the mark CONNECT PUBLIC RELATIONS,
28 registered under number 2,383,788, on all goods or services listed in such registration.

RESPONSE: Admitted.

1 REQUEST FOR ADMISSION NO. 24

2 24. Admit the services identified in the registration of the mark CONNECT PUBLIC
3 RELATIONS, registered under number 2,383,788, includes International Class 038
4 services.

5 RESPONSE: Opposer objects to this request as irrelevant.

6
7 REQUEST FOR ADMISSION NO. 25

8 25. Admit the services classified by the U.S. Patent & Trademark Office under International
9 Class 038 include: local and long distance telephone services, broadcasting of television
10 programmes, providing Internet access, and “telecommunication services, namely,
11 transmission of voice, data, graphics, sound and video by means of broadband power line
12 or wireless networks.”

13 RESPONSE: Opposer objects to this request as being irrelevant.

14
15 REQUEST FOR ADMISSION NO. 26

16 26. Admit the industry of “telecommunications” includes only the carrying messages and
17 information for others.

18 RESPONSE: Opposer objects to this request as being irrelevant and vague.

19
20 REQUEST FOR ADMISSION NO. 27

21 27. Admit the services classified by the U.S. Patent & Trademark Office under International
22 Class 038 include only services supplied by the “telecommunications industry.”

23 RESPONSE: Opposer objects to this request as being irrelevant.

24
25 REQUEST FOR ADMISSION NO. 28

26 28. Admit Opposer is not supplying services as a “telecommunications” company.

27 RESPONSE: Opposer objects to this request as vague and irrelevant as none of the goods or
28 services, classes of customers, or channels of trade in Opposer’s registrations are limited to
“telecommunications.”

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REQUEST FOR ADMISSION NO. 29

29. Admit Opposer is only supplying services as a “telecommunications” company.

RESPONSE: Opposer objects to this request as vague and irrelevant as none of the goods or services, classes of customers, or channels of trade in Opposer’s registrations are limited to “telecommunications.”

REQUEST FOR ADMISSION NO. 30

30. Admit Opposer is supplying some services as a “telecommunications” company.

RESPONSE: Opposer objects to this request as vague and irrelevant as none of the goods or services, classes of customers, or channels of trade in Opposer’s registrations are limited to “telecommunications.”

REQUEST FOR ADMISSION NO. 31

31. Admit Opposer is supplying some “telecommunications” services.

RESPONSE: Opposer objects to this request as vague and irrelevant as none of the goods or services, classes of customers, or channels of trade in Opposer’s registrations are limited to “telecommunications.”

REQUEST FOR ADMISSION NO. 32

32. Admit the documents numbered CPR 000132 - CPR 000136, produced by Opposer with Opposer’s Responses to Applicants Second Set of Requests for Production of Documents and Things, which documents are attached hereto, are genuine.

RESPONSE: Admitted.

REQUEST FOR ADMISSION NO. 33

33. Admit the documents numbered CPR 000132 - CPR 000136, produced by Opposer with Opposer’s Responses to Applicants Second Set of Requests for Production of Documents and Things, show coverage Opposer’s clients have received.

1 RESPONSE: Admitted.

2
3 REQUEST FOR ADMISSION NO. 34

4 34. Admit the documents numbered CPR 000132 - CPR 000136, produced by Opposer with
5 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
6 and Things, show coverage about Opposer's clients which are in the technology industry.

7 RESPONSE: Admitted.

8
9 REQUEST FOR ADMISSION NO. 35

10 35. Admit the documents numbered CPR 000132 - CPR 000136, produced by Opposer with
11 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
12 and Things, show the company Microsoft is or was a client of Opposer.

13 RESPONSE: Admitted.

14
15 REQUEST FOR ADMISSION NO. 36

16 36. Admit the documents numbered CPR 000132 - CPR 000136, produced by Opposer with
17 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
18 and Things, show the company Symantec is or was a client of Opposer.

19 RESPONSE: Admitted.

20
21 REQUEST FOR ADMISSION NO. 37

22 37. Admit the documents numbered CPR 000132 - CPR 000136, produced by Opposer with
23 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
24 and Things, show the company Lexmark International is or was a client of Opposer.

25 RESPONSE: Admitted.

26
27 REQUEST FOR ADMISSION NO. 38

28 38. Admit the documents numbered CPR 000132 - CPR 000136, produced by Opposer with
Opposer's Responses to Applicants Second Set of Requests for Production of Documents

1 and Things, show the company V-ONE is or was a client of Opposer.

2 RESPONSE: Admitted.

3
4 REQUEST FOR ADMISSION NO. 39

5 39. Admit the documents numbered CPR 000132 - CPR 000136, produced by Opposer with
6 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
7 and Things, show the company Internet Security Systems is or was a client of Opposer.

8 RESPONSE: Admitted.

9
10 REQUEST FOR ADMISSION NO. 40

11 40. Admit Opposer considers the company Microsoft a technology company, which writes
12 and distributes computer operating systems.

13 RESPONSE: Opposer objects to this request as being irrelevant and vague.

14
15 REQUEST FOR ADMISSION NO. 41

16 41. Admit Opposer considers the company Symantec a technology company, which writes
17 and distributes computer security systems.

18 RESPONSE: Opposer objects to this request as being irrelevant and vague.

19
20 REQUEST FOR ADMISSION NO. 42

21 42. Admit Opposer considers the company Lexmark International a technology company,
22 which manufactures and distributes computer printers.

23 RESPONSE: Opposer objects to this request as being irrelevant and vague.

24
25 REQUEST FOR ADMISSION NO. 43

26 43. Admit Opposer considers the company V-ONE a technology company in the field of
27 virtual private networks.

28 RESPONSE: Opposer objects to this request as being irrelevant and vague.

1 REQUEST FOR ADMISSION NO. 44

2 44. Admit Opposer considers the company Internet Security Systems a technology company
3 in the field of Internet security.

4 RESPONSE: Opposer objects to this request as being irrelevant and vague.
5

6 REQUEST FOR ADMISSION NO. 45

7 45. Admit many of Opposer's clients are in technology industries.

8 RESPONSE: Opposer objects to this request as vague and irrelevant as none of the goods or
9 services, classes of customers, or channels of trade in Opposer's registrations or Applicant's
10 application are limited to "technology industries."
11

12 REQUEST FOR ADMISSION NO. 46

13 46. Admit most of Opposer's clients are in technology industries.

14 RESPONSE: Opposer objects to this request as vague and irrelevant as none of the goods or
15 services, classes of customers, or channels of trade in Opposer's registrations or Applicant's
16 application are limited to "technology industries."
17

18 REQUEST FOR ADMISSION NO. 47

19 47. Admit all of Opposer's clients are in technology industries.

20 RESPONSE: Opposer objects to this request as vague and irrelevant as none of the goods or
21 services, classes of customers, or channels of trade in Opposer's registrations or Applicant's
22 application are limited to "technology industries."
23

24 REQUEST FOR ADMISSION NO. 48

25 48. Admit over 50% of Opposer's clients are in technology industries.

26 RESPONSE: Opposer objects to this request as vague and irrelevant as none of the goods or
27 services, classes of customers, or channels of trade in Opposer's registrations or Applicant's
28 application are limited to "technology industries."

1 REQUEST FOR ADMISSION NO. 49

2 49. Admit over 60% of Opposer's clients are in technology industries.

3 RESPONSE: Opposer objects to this request as vague and irrelevant as none of the goods or
4 services, classes of customers, or channels of trade in Opposer's registrations or Applicant's
5 application are limited to "technology industries."
6

7 REQUEST FOR ADMISSION NO. 50

8 50. Admit over 70% of Opposer's clients are in technology industries.

9 RESPONSE: Opposer objects to this request as vague and irrelevant as none of the goods or
10 services, classes of customers, or channels of trade in Opposer's registrations or Applicant's
11 application are limited to "technology industries."
12

13 REQUEST FOR ADMISSION NO. 51

14 51. Admit over 80% of Opposer's clients are in technology industries.

15 RESPONSE: Opposer objects to this request as vague and irrelevant as none of the goods or
16 services, classes of customers, or channels of trade in Opposer's registrations or Applicant's
17 application are limited to "technology industries."
18

19 REQUEST FOR ADMISSION NO. 52

20 52. Admit over 90% of Opposer's clients are in technology industries.

21 RESPONSE: Opposer objects to this request as vague and irrelevant as none of the goods or
22 services, classes of customers, or channels of trade in Opposer's registrations or Applicant's
23 application are limited to "technology industries."
24

25 REQUEST FOR ADMISSION NO. 53

26 53. Admit over 95% of Opposer's clients are in technology industries.

27 RESPONSE: Opposer objects to this request as vague and irrelevant as none of the goods or
28 services, classes of customers, or channels of trade in Opposer's registrations or Applicant's
application are limited to "technology industries."

1 REQUEST FOR ADMISSION NO. 54

2 54. Admit over 98% of Opposer's clients are in technology industries.

3 RESPONSE: Opposer objects to this request as vague and irrelevant as none of the goods or
4 services, classes of customers, or channels of trade in Opposer's registrations or Applicant's
5 application are limited to "technology industries."
6

7 REQUEST FOR ADMISSION NO. 55

8 55. Admit Opposer markets its services to many technology companies.

9 RESPONSE: Opposer objects to this request as vague and irrelevant as none of the goods or
10 services, classes of customers, or channels of trade in Opposer's registrations or Applicant's
11 application are limited to "technology companies."
12

13 REQUEST FOR ADMISSION NO. 56

14 56. Admit Opposer markets its services mostly to technology companies.

15 RESPONSE: Opposer objects to this request as vague irrelevant as none of the goods or services,
16 classes of customers, or channels of trade in Opposer's registrations or Applicant's application
17 are limited to "technology companies."
18

19 REQUEST FOR ADMISSION NO. 57

20 57. Admit Opposer markets its services only to technology companies.

21 RESPONSE: Opposer objects to this request as vague and irrelevant as none of the goods or
22 services, classes of customers, or channels of trade in Opposer's registrations or Applicant's
23 application are limited to "technology companies."
24

25 REQUEST FOR ADMISSION NO. 58

26 58. Admit Opposer markets over 50% of its services to technology companies.

27 RESPONSE: Opposer objects to this request as vague and irrelevant as none of the goods or
28 services, classes of customers, or channels of trade in Opposer's registrations or Applicant's
application are limited to "technology companies."

1 REQUEST FOR ADMISSION NO. 59

2 59. Admit Opposer markets over 60% of its services to technology companies.

3 RESPONSE: Opposer objects to this request as vague and irrelevant as none of the goods or
4 services, classes of customers, or channels of trade in Opposer's registrations or Applicant's
5 application are limited to "technology companies."
6

7 REQUEST FOR ADMISSION NO. 60

8 60. Admit Opposer markets over 70% of its services to technology companies.

9 RESPONSE: Opposer objects to this request as vague and irrelevant as none of the goods or
10 services, classes of customers, or channels of trade in Opposer's registrations or Applicant's
11 application are limited to "technology companies."
12

13 REQUEST FOR ADMISSION NO. 61

14 61. Admit Opposer markets over 80% of its services to technology companies.

15 RESPONSE: Opposer objects to this request as vague and irrelevant as none of the goods or
16 services, classes of customers, or channels of trade in Opposer's registrations or Applicant's
17 application are limited to "technology companies."
18

19 REQUEST FOR ADMISSION NO. 62

20 62. Admit Opposer markets over 90% its services to technology companies.

21 RESPONSE: Opposer objects to this request as vague and irrelevant as none of the goods or
22 services, classes of customers, or channels of trade in Opposer's registrations or Applicant's
23 application are limited to "technology companies."
24

25 REQUEST FOR ADMISSION NO. 63

26 63. Admit Opposer markets over 95% of its services to technology companies.

27 RESPONSE: Opposer objects to this request as vague and irrelevant as none of the goods or
28 services, classes of customers, or channels of trade in Opposer's registrations or Applicant's
application are limited to "technology companies."

1 REQUEST FOR ADMISSION NO. 64

2 64. Admit Opposer markets over 98% of its services to technology companies.

3 RESPONSE: Opposer objects to this request as vague and irrelevant as none of the goods or
4 services, classes of customers, or channels of trade in Opposer's registrations or Applicant's
5 application are limited to "technology companies."

6
7 REQUEST FOR ADMISSION NO. 65

8 65. Admit Opposer markets its services only to technology companies.

9 RESPONSE: Opposer objects to this request as vague and irrelevant as none of the goods or
10 services, classes of customers, or channels of trade in Opposer's registrations or Applicant's
11 application are limited to "technology companies."

12
13 REQUEST FOR ADMISSION NO. 66

14 66. Admit Opposer markets its services to those in the field of technology.

15 RESPONSE: Opposer objects to this request as vague and irrelevant as none of the goods or
16 services, classes of customers, or channels of trade in Opposer's registrations or Applicant's
17 application are limited to "the field of technology."

18
19 REQUEST FOR ADMISSION NO. 67

20 67. Admit the documents numbered CPR 000156 - CPR 000160, produced by Opposer with
21 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
22 and Things, which documents are attached hereto, are genuine.

23 RESPONSE: Admitted.

24
25 REQUEST FOR ADMISSION NO. 68

26 68. Admit the documents numbered CPR 000156 - CPR 000160 show Opposer's response to
27 the communication from the U.S. Patent & Trademark office during prosecution of an
28 application for the mark CONNECT PUBLIC RELATIONS, which was then proceeding
under serial number 75/456,520.

1 RESPONSE: Admitted.

2
3 REQUEST FOR ADMISSION NO. 69

4 69. Admit the documents numbered CPR 000156 - CPR 000160 show Opposer applied for
5 registration of the mark CONNECT PUBLIC RELATIONS at the U.S. Patent &
6 Trademark office identifying some “communications services” in serial number 75/456,
7 520.

8 RESPONSE: Opposer objects to this request as being irrelevant and vague.

9
10 REQUEST FOR ADMISSION NO. 70

11 70. Admit the documents numbered CPR 000156 - CPR 000160 show Opposer stated, in its
12 application for registration of the mark CONNECT PUBLIC RELATIONS at the U.S.
13 Patent & Trademark office in serial number 75/456, 520 that the phrase “communications
14 services” “claims the entirety of international class 38 and all its forms of communication
15 and electronic transmission related services, until narrowed further as applicant has done
16 by this amendment.”

17 RESPONSE: Denied.

18
19 REQUEST FOR ADMISSION NO. 71

20 71. Admit that the phrase “communications services” in international class 38 means
21 transmission of information by electronic means for others.

22 RESPONSE: Opposer objects to this request as being irrelevant and vague.

23
24 REQUEST FOR ADMISSION NO. 72

25 72. Admit that the phrase “communication and electronic transmission related services” in
26 international class 38 means transmission of information by electronic means for others.

27 RESPONSE: Opposer objects to this request as being irrelevant and vague.

28
REQUEST FOR ADMISSION NO. 73

1 73. Admit that “communications services” in international class 38 involves accurate
2 transmission of information by electronic means for others.

3 RESPONSE: Opposer objects to this request as being irrelevant and vague.

4
5 REQUEST FOR ADMISSION NO. 74

6 74. Admit that “communication and electronic transmission related services” in international
7 class 38 involves accurate transmission of information by electronic means for others.

8 RESPONSE: Opposer objects to this request as being irrelevant and vague.

9
10 REQUEST FOR ADMISSION NO. 75

11 75. Admit that “communications services” in international class 38 does not involve the
12 addition of Opposer’s information to the information supplied for transmission by others.

13 RESPONSE: Opposer objects to this request as being irrelevant and vague.

14
15 REQUEST FOR ADMISSION NO. 76

16 76. Admit that “communication and electronic transmission related services” in international
17 class 38 does not involve the addition of information by Opposer to the information
18 supplied for transmission by others.

19 RESPONSE: Opposer objects to this request as being irrelevant and vague.

20
21 REQUEST FOR ADMISSION NO. 77

22 77. Admit the documents numbered CPR 000176 - CPR 000178, produced by Opposer with
23 Opposer’s Responses to Applicants Second Set of Requests for Production of Documents
24 and Things, which documents are attached hereto, are genuine.

25 RESPONSE: Admitted.

26
27 REQUEST FOR ADMISSION NO. 78

28 78. Admit the documents numbered CPR 000207 - CPR 000208, produced by Opposer with
Opposer’s Responses to Applicants Second Set of Requests for Production of Documents

1 and Things, which documents are attached hereto, are genuine.

2 RESPONSE: Admitted.

3
4 REQUEST FOR ADMISSION NO. 79

5 79. Admit the documents numbered CPR 000207 - CPR 000208, produced by Opposer with
6 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
7 and Things, which documents are attached hereto, shows Opposer has described itself as
8 a "high-tech public relations firm," which has specialized in media relations for the
9 connectivity and Internet infrastructure industries.

10 RESPONSE: Opposer objects to this request as vague and irrelevant as none of the goods or
11 services, classes of customers, or channels of trade in Opposer's registrations are limited to
12 "high-tech public relations."

13
14 REQUEST FOR ADMISSION NO. 80

15 80. Admit the documents numbered CPR 000207 - CPR 000208, produced by Opposer with
16 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
17 and Things, which documents are attached hereto, shows Opposer has provided its "high-
18 tech public relations" to for the connectivity and Internet infrastructure industries to
19 Symantec, Siemens and F5 Networks.

20 RESPONSE: Opposer objects to this request as vague and irrelevant as none of the goods or
21 services, classes of customers, or channels of trade in Opposer's registrations are limited to
22 "high-tech public relations."

23
24 REQUEST FOR ADMISSION NO. 81

25 81. Admit Symantec, Siemens and F5 Networks are all high-tech companies.

26 RESPONSE: Opposer objects to this request as vague and irrelevant as none of the goods or
27 services, classes of customers, or channels of trade in Opposer's registrations are limited to
28 "high-tech companies."

1 REQUEST FOR ADMISSION NO. 82

2 82. Admit Opposer offers its services only to high-tech companies.

3 RESPONSE: Opposer objects to this request as vague and irrelevant as none of the goods or
4 services, classes of customers, or channels of trade in Opposer's registrations are limited to
5 "high-tech companies."
6

7 REQUEST FOR ADMISSION NO. 83

8 83. Admit Opposer specializes in public relations services to high-tech companies.

9 RESPONSE: Opposer objects to this request as vague and irrelevant as none of the goods or
10 services, classes of customers, or channels of trade in Opposer's registrations are limited to
11 "high-tech companies."
12

13 REQUEST FOR ADMISSION NO. 84

14 84. Admit Opposer provides over 50% of its public relations services to high-tech companies.

15 RESPONSE: Opposer objects to this request as vague and irrelevant as none of the goods or
16 services, classes of customers, or channels of trade in Opposer's registrations are limited to
17 "high-tech companies."
18

19 REQUEST FOR ADMISSION NO. 85

20 85. Admit Opposer provides over 60% of its public relations services to high-tech companies.

21 RESPONSE: Opposer objects to this request as vague and irrelevant as none of the goods or
22 services, classes of customers, or channels of trade in Opposer's registrations are limited to
23 "high-tech companies."
24

25 REQUEST FOR ADMISSION NO. 86

26 86. Admit Opposer provides over 70% of its public relations services to high-tech companies.

27 RESPONSE: Opposer objects to this request as vague and irrelevant as none of the goods or
28 services, classes of customers, or channels of trade in Opposer's registrations are limited to
"high-tech companies."

1 REQUEST FOR ADMISSION NO. 87

2 87. Admit Opposer provides over 80% of its public relations services to high-tech companies.

3 RESPONSE: Opposer objects to this request as vague and irrelevant as none of the goods or
4 services, classes of customers, or channels of trade in Opposer's registrations are limited to
5 "high-tech companies."
6

7 REQUEST FOR ADMISSION NO. 88

8 88. Admit Opposer provides over 90% of its public relations services to high-tech companies.

9 RESPONSE: Opposer objects to this request as vague and irrelevant as none of the goods or
10 services, classes of customers, or channels of trade in Opposer's registrations are limited to
11 "high-tech companies."
12

13 REQUEST FOR ADMISSION NO. 89

14 89. Admit Opposer provides over 95% of its public relations services to high-tech companies.

15 RESPONSE: Opposer objects to this request as vague and irrelevant as none of the goods or
16 services, classes of customers, or channels of trade in Opposer's registrations are limited to
17 "high-tech companies."
18

19 REQUEST FOR ADMISSION NO. 90

20 90. Admit Opposer provides over 98% of its public relations services to high-tech companies.

21 RESPONSE: Opposer objects to this request as vague and irrelevant as none of the goods or
22 services, classes of customers, or channels of trade in Opposer's registrations are limited to
23 "high-tech companies."
24

25 REQUEST FOR ADMISSION NO. 91

26 91. Admit the documents numbered CPR 000345 - CPR 000360, produced by Opposer with
27 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
28 and Things, which documents are attached hereto, are genuine.

RESPONSE: Admitted.

1 REQUEST FOR ADMISSION NO. 92

2 92. Admit the documents numbered CPR 000345 - CPR 000360 show Opposer's Combined
3 Declaration of Use filed at the U.S. Patent & Trademark Office after registration of the
4 mark CONNECT PUBLIC RELATIONS, which mark was registered under registration
5 number 2373504.

6 RESPONSE: Admitted.

7
8 REQUEST FOR ADMISSION NO. 93

9 93. Admit registration number 2373504 issued with the following identification of services:
10 "Marketing and market research and consulting services; public and media relations
11 services and sales promotion services."

12 RESPONSE: Admitted.

13
14 REQUEST FOR ADMISSION NO. 94

15 94. Admit the documents numbered CPR 000345 - CPR 000360 show Opposer stated, in its
16 Declaration of Use filed at the U.S. Patent & Trademark Office, that "the mark is in use
17 in commerce on or in connection with all goods or services listed in the existing
18 registration for this specific class: Marketing and market research and consulting services;
19 public and media relations services."

20 RESPONSE: Admitted.

21
22 REQUEST FOR ADMISSION NO. 95

23 95. Admit the phrase "Marketing and market research and consulting services; public and
24 media relations services" does not include the phrase "sales promotion services."

25 RESPONSE: Opposer objects to this request as being irrelevant.

26
27 REQUEST FOR ADMISSION NO. 96

28 96. Admit the documents numbered CPR 000345 - CPR 000360 do not show Opposer is
continuing to use the mark CONNECT PUBLIC RELATIONS for "sales promotion

1 services.”

2 RESPONSE: Denied.

3
4 REQUEST FOR ADMISSION NO. 97

5 97. Admit the phrase “Marketing and market research and consulting services” identifies a
6 particular kind of research and consulting services.

7 RESPONSE: Denied.

8
9 REQUEST FOR ADMISSION NO. 98

10 98. Admit the particular kind of research and consulting services supplied in Opposer’s
11 “Marketing and market research and consulting services” is research and consulting
12 services about marketing and markets.

13 RESPONSE: Denied.

14
15 REQUEST FOR ADMISSION NO. 99

16 99. Admit the phrase “Marketing and market research and consulting services” identifies both
17 marketing services, and also market research and consulting services.

18 RESPONSE: Admitted.

19
20 REQUEST FOR ADMISSION NO. 100

21 100. Admit the phrase “Marketing and market research and consulting services” identifies
22 marketing services, and also market research services, and also market consulting
23 services.

24 RESPONSE: Denied.

25
26 REQUEST FOR ADMISSION NO. 101

27 101. Admit Opposer’s “Marketing and market research and consulting services” are offered to
28 and supplied to Opposer’s clients.

RESPONSE: Admitted.

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REQUEST FOR ADMISSION NO. 102

102. Admit Opposer’s “Marketing and market research and consulting services” are offered to and supplied to Opposer’s clients.

RESPONSE: Admitted.

REQUEST FOR ADMISSION NO. 103

103. Admit Opposer’s “Marketing and market research and consulting services” are offered to and supplied to Opposer’s clients so Opposer’s clients can better market their services.

RESPONSE: Opposer admits that this may be one reason for offering and supplying its services.

REQUEST FOR ADMISSION NO. 104

104. Admit Opposer’s “Marketing and market research and consulting services” often result in greater market exposure for the names of Opposer’s clients.

RESPONSE: Opposer admits that this may be one result.

REQUEST FOR ADMISSION NO. 105

105. Admit greater market exposure for the names of Opposer’s clients resulting from Opposer’s “Marketing and market research and consulting services” involves various means to present the names of Opposer’s clients to their customers.

RESPONSE: Opposer objects to this request as being vague as it is unclear of the meaning of the phrase “various means” referred to in the request.

REQUEST FOR ADMISSION NO. 106

106. Admit Opposer presents its Opposer’s Marks to its clients as Opposer markets its “Marketing and market research and consulting services” to Opposer’s clients.

RESPONSE: Admitted.

REQUEST FOR ADMISSION NO. 107

1 107. Admit Opposer presents its Opposer's Marks to its client's customers as Opposer markets
2 its "Marketing and market research and consulting services" to Opposer's clients.

3 RESPONSE: Opposer objects to this request as being irrelevant and vague.

4
5 REQUEST FOR ADMISSION NO. 108

6 108. Admit Opposer rarely presents its Opposer's Marks to its client's customers as Opposer
7 markets its "Marketing and market research and consulting services" to Opposer's clients.

8 RESPONSE: Opposer objects to this request as being irrelevant and vague.

9
10 REQUEST FOR ADMISSION NO. 109

11 109. Admit Opposer never presents its Opposer's Marks to its client's customers Opposer
12 markets its "Marketing and market research and consulting services" to Opposer's clients.

13 RESPONSE: Opposer objects to this request as being irrelevant and vague.

14
15 REQUEST FOR ADMISSION NO. 110

16 110. Admit Opposer presents its Opposer's Marks to its clients as Opposer performs its
17 "Marketing and market research and consulting services" to Opposer's clients.

18 RESPONSE: Admitted.

19
20 REQUEST FOR ADMISSION NO. 111

21 111. Admit Opposer presents its Opposer's Marks to its client's customers as Opposer
22 performs its "Marketing and market research and consulting services" to Opposer's
23 clients.

24 RESPONSE: Opposer objects to this request as being irrelevant and vague.

25
26 REQUEST FOR ADMISSION NO. 112

27 112. Admit Opposer rarely presents its Opposer's Marks to its client's customers as Opposer
28 performs its "Marketing and market research and consulting services" to Opposer's
clients.

1 RESPONSE: Opposer objects to this request as being irrelevant and vague.

2
3 REQUEST FOR ADMISSION NO. 113

4 113. Admit Opposer never presents its Opposer's Marks to its client's customers as Opposer
5 performs its "Marketing and market research and consulting services" to Opposer's
6 clients.

7 RESPONSE: Opposer objects to this request as being irrelevant and vague.

8
9 REQUEST FOR ADMISSION NO. 114

10 114. Admit Opposer presents its Opposer's Marks to its client's consumer customers as
11 Opposer performs its "Marketing and market research and consulting services" to
12 Opposer's clients.

13 RESPONSE: Opposer objects to this request as being irrelevant and vague.

14
15 REQUEST FOR ADMISSION NO. 115

16 115. Admit Opposer rarely presents its Opposer's Marks to its client's consumer customers as
17 Opposer performs its "Marketing and market research and consulting services" to
18 Opposer's clients.

19 RESPONSE: Opposer objects to this request as being irrelevant and vague.

20
21 REQUEST FOR ADMISSION NO. 116

22 116. Admit Opposer never presents its Opposer's Marks to its client's consumer customers as
23 Opposer performs its "Marketing and market research and consulting services" to
24 Opposer's clients.

25 RESPONSE: Opposer objects to this request as being irrelevant and vague.

26
27 REQUEST FOR ADMISSION NO. 117

28 117. Admit Opposer never presents its Opposer's Marks to consumers so that Opposer may
perform its "Marketing and market research and consulting services."

1 RESPONSE: Opposer objects to this request as being irrelevant and vague.

2
3 REQUEST FOR ADMISSION NO. 118

4 118. Admit the documents numbered CPR 000345 - CPR 000360 show Opposer stated, in its
5 application for registration of the mark CONNECT PUBLIC RELATIONS at the U.S.
6 Patent & Trademark office in serial number 75/456, 520 that the phrase “communications
7 services” “claims the entirety of international class 38 and all its forms of communication
8 and electronic transmission related services, until narrowed further as applicant has done
9 by this amendment.”

10 RESPONSE: Denied.

11
12 REQUEST FOR ADMISSION NO. 119

13 119. Admit that the phrase “communications services” in international class 38 means
14 transmission of information by electronic means for others.

15 RESPONSE: Opposer objects to this request as being irrelevant and vague.

16
17 REQUEST FOR ADMISSION NO. 120

18 120. Admit that the phrase “communication and electronic transmission related services” in
19 international class 38 means transmission of information by electronic means for others.

20 RESPONSE: Opposer objects to this request as being irrelevant and vague.

21
22 REQUEST FOR ADMISSION NO. 121

23 121. Admit that “communications services” in international class 38 involves accurate
24 transmission of information by electronic means for others.

25 RESPONSE: Opposer objects to this request as being irrelevant and vague.

26
27 REQUEST FOR ADMISSION NO. 122

28 122. Admit that “communication and electronic transmission related services” in international
class 38 involves accurate transmission of information by electronic means for others.

1 RESPONSE: Opposer objects to this request as being irrelevant and vague.

2
3 REQUEST FOR ADMISSION NO. 123

4 123. Admit that “communications services” in international class 38 does not involve the
5 addition of Opposer’s information to the information supplied for transmission by others.

6 RESPONSE: Opposer objects to this request as being irrelevant and vague.

7
8 REQUEST FOR ADMISSION NO. 124

9 124. Admit that “communication and electronic transmission related services” in international
10 class 38 does not involve the addition of information by Opposer to the information
11 supplied for transmission by others.

12 RESPONSE: Opposer objects to this request as being irrelevant and vague.

13
14 REQUEST FOR ADMISSION NO. 125

15 125. Admit the documents numbered CPR 000375 - CPR 000376 produced by Opposer with
16 Opposer’s Responses to Applicants Second Set of Requests for Production of Documents
17 and Things, which documents are attached hereto, are genuine.

18 RESPONSE: Admitted.

19
20 REQUEST FOR ADMISSION NO. 126

21 126. Admit the documents numbered CPR 000375 - CPR 000376 produced by Opposer with
22 Opposer’s Responses to Applicants Second Set of Requests for Production of Documents
23 and Things, states Opposer was, at the time the statement was made, using “the mark” in
24 commerce on or in connection with all goods and/or services “listed in the existing
25 registration.”

26 RESPONSE: Admitted.

27
28 REQUEST FOR ADMISSION NO. 127

127. Admit the documents numbered CPR 000375 - CPR 000376 refer to the registration of

1 the mark CONNECT PUBLIC RELATIONS, registered under number 2373504, and that
2 all goods and/or services “listed in the existing registration” comprise: “Marketing and
3 market research and consulting services; public and media relations services and sales
4 promotion services.”

5 RESPONSE: Admitted.

6
7 REQUEST FOR ADMISSION NO. 128

8 128. Admit at the time Opposer made the statement it was using the mark CONNECT
9 PUBLIC RELATIONS, registered under number 2373504, for all goods and/or services
10 “listed in the existing registration,” as set forth in documents numbered CPR 000375 -
11 CPR 000376, Opposer was not using its mark on all “marketing” services.

12 RESPONSE: Opposer objects to this request as vague as it is unclear what is meant by "all
13 'marketing' services." Opposer objects to this request as being irrelevant as Opposer’s use of its
14 marks is not at issue.

15
16 REQUEST FOR ADMISSION NO. 129

17 129. Admit at the time Opposer made the statement it was using the mark CONNECT
18 PUBLIC RELATIONS, registered under number 2373504, for all goods and/or services
19 “listed in the existing registration,” as set forth in documents numbered CPR 000375 -
20 CPR 000376, Opposer was not using its mark on all “market research” services.

21 RESPONSE: Opposer objects to this request as vague as it is unclear what is meant by "all
22 'market research' services." Opposer objects to this request as being irrelevant as Opposer’s use
23 of its marks is not at issue.

24
25 REQUEST FOR ADMISSION NO. 130

26 130. Admit at the time Opposer made the statement it was using the mark CONNECT
27 PUBLIC RELATIONS, registered under number 2373504, for all goods and/or services
28 “listed in the existing registration,” as set forth in documents numbered CPR 000375 -
CPR 000376, Opposer was not using its mark on all “consulting services.”

1 RESPONSE: Opposer objects to this request as vague as it is unclear what is meant by "all
2 consulting services." Opposer objects to this request as being irrelevant as Opposer's use of its
3 marks is not at issue.

4
5 REQUEST FOR ADMISSION NO. 131

6 131. Admit at the time Opposer made the statement it was using the mark CONNECT
7 PUBLIC RELATIONS, registered under number 2373504, for all goods and/or services
8 "listed in the existing registration," as set forth in documents numbered CPR 000375 -
9 CPR 000376, Opposer was not using its mark on all "research and consulting services."

10 RESPONSE: Opposer objects to this request as vague as it is unclear what is meant by "all
11 'research and consulting services.'" Opposer objects to this request as being irrelevant as
12 Opposer's use of its marks is not at issue.

13
14 REQUEST FOR ADMISSION NO. 132

15 132. Admit at the time Opposer made the statement it was using the mark CONNECT
16 PUBLIC RELATIONS, registered under number 2373504, for all goods and/or services
17 "listed in the existing registration," as set forth in documents numbered CPR 000375 -
18 CPR 000376, Opposer was not using its mark on all "market research and consulting
19 services."

20 RESPONSE: Opposer objects to this request as vague as it is unclear what is meant by "all
21 'marketing research and consulting services.'" Opposer objects to this request as being irrelevant
22 as Opposer's use of its marks is not at issue.

23
24 REQUEST FOR ADMISSION NO. 133

25 133. Admit at the time Opposer made the statement it was using the mark CONNECT
26 PUBLIC RELATIONS, registered under number 2373504, for all goods and/or services
27 "listed in the existing registration," as set forth in documents numbered CPR 000375 -
28 CPR 000376, Opposer was not using its mark on all "Marketing and market research"
services.

1 RESPONSE: Opposer objects to this request as vague as it is unclear what is meant by "all
2 'Marketing and market research' services." Opposer objects to this request as being irrelevant as
3 Opposer's use of its marks is not at issue.
4

5 REQUEST FOR ADMISSION NO. 134

6 134. Admit at the time Opposer made the statement it was using the mark CONNECT
7 PUBLIC RELATIONS, registered under number 2373504, for all goods and/or services
8 "listed in the existing registration," as set forth in documents numbered CPR 000375 -
9 CPR 000376, Opposer was not using its mark on all "sales promotion services."

10 RESPONSE: Opposer objects to this request as vague as it is unclear what is meant by "all 'sales
11 promotion services.'" Opposer objects to this request as being irrelevant as Opposer's use of its
12 marks is not at issue.
13

14 REQUEST FOR ADMISSION NO. 135

15 135. Admit at the time Opposer made the statement it was using the mark CONNECT
16 PUBLIC RELATIONS, registered under number 2373504, for all goods and/or services
17 "listed in the existing registration," as set forth in documents numbered CPR 000375 -
18 CPR 000376, Opposer was using its mark for all possible "marketing" services.

19 RESPONSE: Opposer objects to this request as vague as it is unclear of the meaning of "all
20 possible 'marketing' services." Opposer objects to this request as being irrelevant as Opposer's
21 use of its marks is not at issue.
22

23 REQUEST FOR ADMISSION NO. 136

24 136. Admit at the time Opposer made the statement it was using the mark CONNECT
25 PUBLIC RELATIONS, registered under number 2373504, for all goods and/or services
26 "listed in the existing registration," as set forth in documents numbered CPR 000375 -
27 CPR 000376, Opposer was using its mark for all possible "market research" services.

28 RESPONSE: Opposer objects to this request as vague as it is unclear of the meaning of "all
possible 'market research' services." Opposer objects to this request as being irrelevant as

1 Opposer's use of its marks is not at issue.

2
3 REQUEST FOR ADMISSION NO. 137

4 137. Admit at the time Opposer made the statement it was using the mark CONNECT
5 PUBLIC RELATIONS, registered under number 2373504, for all goods and/or services
6 "listed in the existing registration," as set forth in documents numbered CPR 000375 -
7 CPR 000376, Opposer was using its mark for all possible "consulting services."

8 RESPONSE: Opposer objects to this request as vague as it is unclear to the meaning of "all
9 possible 'consulting services.'" Opposer objects to this request as being irrelevant as Opposer's
10 use of its marks is not at issue.

11
12 REQUEST FOR ADMISSION NO. 138

13 138. Admit at the time Opposer made the statement it was using the mark CONNECT
14 PUBLIC RELATIONS, registered under number 2373504, for all goods and/or services
15 "listed in the existing registration," as set forth in documents numbered CPR 000375 -
16 CPR 000376, Opposer was using its mark for all possible "research and consulting
17 services."

18 RESPONSE: Opposer objects to this request as vague as it is unclear of the meaning of "all
19 possible 'research and consulting services.'" Opposer objects to this request as being irrelevant
20 as Opposer's use of its marks is not at issue.

21
22 REQUEST FOR ADMISSION NO. 139

23 139. Admit at the time Opposer made the statement it was using the mark CONNECT
24 PUBLIC RELATIONS, registered under number 2373504, for all goods and/or services
25 "listed in the existing registration," as set forth in documents numbered CPR 000375 -
26 CPR 000376, Opposer was using its mark for all possible "market research and
27 consulting services."

28 RESPONSE: Opposer objects to this request as vague as it is unclear of the meaning of "all
possible market research and consulting services.'" Opposer objects to this request as being

1 irrelevant as Opposer's use of its marks is not at issue.

2
3 REQUEST FOR ADMISSION NO. 140

4 140. Admit at the time Opposer made the statement it was using the mark CONNECT
5 PUBLIC RELATIONS, registered under number 2373504, for all goods and/or services
6 "listed in the existing registration," as set forth in documents numbered CPR 000375 -
7 CPR 000376, Opposer was using its mark for all possible "Marketing and market
8 research" services.

9 RESPONSE: Opposer objects to this request as vague as it is unclear as to the meaning of "all
10 possible 'Marketing and market research' services." Opposer objects to this request as being
11 irrelevant as Opposer's use of its marks is not at issue.

12
13 REQUEST FOR ADMISSION NO. 141

14 141. Admit at the time Opposer made the statement it was using the mark CONNECT
15 PUBLIC RELATIONS, registered under number 2373504, for all goods and/or services
16 "listed in the existing registration," as set forth in documents numbered CPR 000375 -
17 CPR 000376, Opposer was using its mark for all possible "sales promotion services."

18 RESPONSE: Opposer objects to this request as vague as it is unclear to the meaning of "all
19 possible 'sales promotion services.'" Opposer objects to this request as being irrelevant as
20 Opposer's use of its marks is not at issue.

21
22 REQUEST FOR ADMISSION NO. 142

23 142. Admit the documents numbered CPR 000388 - CPR 000393 produced by Opposer with
24 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
25 and Things, which documents are attached hereto, are genuine.

26 RESPONSE: Admitted.

27
28 REQUEST FOR ADMISSION NO. 143

143. Admit the documents numbered CPR 000388 - CPR 000393 produced by Opposer is a

1 writing about marketing in the technology market.

2 RESPONSE: Opposer objects to this request as being vague and irrelevant as Opposer's
3 registrations are not limited to the "technology market."

4
5 REQUEST FOR ADMISSION NO. 144

6 144. Admit the documents numbered CPR 000388 - CPR 000393 produced by Opposer is a
7 writing about marketing in the "connectivity" market.

8 RESPONSE: Opposer objects to this request as irrelevant as none of the goods or services,
9 classes of customers, or channels of trade in Opposer's registrations are limited to the
10 "connectivity market." Opposer further objects as none of the goods or services, classes of
11 customers, or channels of trade in the Applicant's application are limited to the "connectivity
12 market." Opposer further objects to this request as vague.

13
14 REQUEST FOR ADMISSION NO. 145

15 145. Admit the documents numbered CPR 000388 - CPR 000393 produced by Opposer
16 describe "public relations" functions, as practiced by Opposer or others.

17 RESPONSE: Opposer admits that the documents numbered CPR 000388 - CPR 000393 describe
18 marketing and market research and consulting services; public and media relations services and
19 sales promotion functions.

20
21 REQUEST FOR ADMISSION NO. 146

22 146. Admit Opposer is a "public relations" company.

23 RESPONSE: Opposer objects to this request as vague and irrelevant. Opposer offers many
24 services including marketing and market research and consulting services; public and media
25 relations services and sales promotion services.

26
27 REQUEST FOR ADMISSION NO. 147

28 147. Admit Opposer provides many of the "public relations" functions described in documents
numbered CPR 000388 - CPR 000393.

1 RESPONSE: Opposer admits that it provides many of the functions, but that the functions are
2 marketing and market research and consulting services; public and media relations services and
3 sales promotion functions.

4
5 REQUEST FOR ADMISSION NO. 148

6 148. Admit Opposer provides only “public relations” functions, many of which are described
7 in documents numbered CPR 000388 - CPR 000393.

8 RESPONSE: Denied.

9
10 REQUEST FOR ADMISSION NO. 149

11 149. Admit Opposer is a “public relations” company.

12 RESPONSE: Opposer objects to this request as vague and irrelevant. Opposer offers many
13 services including marketing and market research and consulting services; public and media
14 relations services and sales promotion services.

15
16 REQUEST FOR ADMISSION NO. 150

17 150. Admit Opposer supplies marketing services to the “connectivity” market.

18 RESPONSE: Opposer objects to this request as vague as it is unclear as to the meaning of the
19 word connectivity in quotations as posed by Applicant. Opposer objects to this request as
20 irrelevant as none of the goods or services, classes of customers, or channels of trade in
21 Opposer’s registrations are limited to the “connectivity market.” Opposer further objects as none
22 of the goods or services, classes of customers, or channels of trade in the Applicant’s application
23 are limited to the “connectivity market.”

24
25 REQUEST FOR ADMISSION NO. 151

26 151. Admit Opposer supplies marketing services to the “high technology” market.

27 RESPONSE: Opposer objects to this request as vague as it is unclear as to the meaning of the
28 word high technology in quotations as posed by Applicant. Opposer objects to this request as
irrelevant as none of the goods or services, classes of customers, or channels of trade in

1 Opposer's registrations or the Applicant's application are limited to the "high technology"
2 market."

3
4 REQUEST FOR ADMISSION NO. 152

5 152. Admit Opposer supplies marketing services to some "technology segments," as that
6 phrase is used Opposer's documents numbered CPR 000388 - CPR 000393 (bottom of
7 CPR 000389).

8 RESPONSE: Opposer objects to this request as irrelevant as none of the goods or services,
9 classes of customers, or channels of trade in Opposer's registrations or the Applicant's
10 application are limited to the "technology segments."

11
12 REQUEST FOR ADMISSION NO. 153

13 153. Admit Opposer supplies marketing services to "clients," as that phrase is used in
14 Opposer's documents numbered CPR 000388 - CPR 000393 (middle of CPR 000392).

15 RESPONSE: Admitted.

16
17 REQUEST FOR ADMISSION NO. 154

18 154. Admit Opposer supplies marketing services to companies only under an agreement for
19 marketing services with its "clients," as that phrase is used in Opposer's documents
20 numbered CPR 000388 - CPR 000393 (middle of CPR 000392).

21 RESPONSE: Opposer objects to this request as irrelevant as none of the goods or services in
22 Opposer's registrations are limited to be only provided "under agreement."

23
24 REQUEST FOR ADMISSION NO. 155

25 155. Admit Opposer provides its marketing services to clients under an agreement for fees.

26 RESPONSE: Opposer objects to this request as irrelevant as none of the goods or services in
27 Opposer's registrations are limited to be only provided "under an arrangement for fees."

28
REQUEST FOR ADMISSION NO. 156

1 156. Admit Opposer provides its marketing services to clients under an agreement for set fees.

2 RESPONSE: Opposer objects to this request as irrelevant as none of the goods or services in
3 Opposer's registrations are limited to be only provided "under an agreement for set fees."
4

5 REQUEST FOR ADMISSION NO. 157

6 157. Admit Opposer provides some or all of its supplies marketing services to clients under an
7 agreement for fees.

8 RESPONSE: Opposer objects to this request as irrelevant as none of the goods or services in
9 Opposer's registrations are limited to be only provided "under an agreement for fees."
10

11 REQUEST FOR ADMISSION NO. 158

12 158. Admit Opposer provides some or all of its marketing services to clients under an
13 agreement in which fees are set for those marketing services Opposer provides.

14 RESPONSE: Opposer objects to this request as irrelevant as none of the goods or services in
15 Opposer's registrations are limited to be only provided "under an agreement in which fees are set
16 for those marketing services Opposer provides."
17

18 REQUEST FOR ADMISSION NO. 159

19 159. Admit the phrase "Marketing and market research and consulting services" is indefinite.

20 RESPONSE: Opposer objects to this request as vague and irrelevant. The definiteness of
21 Opposer's recited goods and services is not at issue.
22

23 REQUEST FOR ADMISSION NO. 160

24 160. Admit the documents numbered CPR 000542 - CPR 000550 produced by Opposer with
25 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
26 and Things, which documents are attached hereto, are genuine.

27 RESPONSE: Admitted.
28

REQUEST FOR ADMISSION NO. 161

1 161. Admit the documents numbered CPR 000542 - CPR 000550 produced by Opposer with
2 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
3 and Things, states Opposer was, at the time the statement was made, using "the mark" in
4 commerce on or in connection with all goods and/or services "listed in the existing
5 registration."

6 RESPONSE: Admitted.

7
8 REQUEST FOR ADMISSION NO. 162

9 162. Admit the documents numbered CPR 000542 - CPR 000550 refer to the registration of
10 the mark CONNECT PR, registered under number 2366850, and that all goods and/or
11 services "listed in the existing registration" comprise: "Marketing and market research
12 and consulting services; public and media relations services and sales promotion
13 services."

14 RESPONSE: Admitted.

15
16 REQUEST FOR ADMISSION NO. 163

17 163. Admit at the time Opposer made the statement it was using the mark CONNECTPR,
18 registered under number 2366850, for all goods and/or services "listed in the existing
19 registration," as set forth in documents numbered CPR 000542 - CPR 000550, Opposer
20 was not using this mark on all "marketing" services.

21 RESPONSE: Opposer objects to this request as vague as it is unclear of the meaning of "all
22 'marketing' services." Opposer objects to this request as being irrelevant as Opposer's use of its
23 marks is not at issue.

24
25 REQUEST FOR ADMISSION NO. 164

26 164. Admit at the time Opposer made the statement it was using the mark CONNECTPR,
27 registered under number 2366850, for all goods and/or services "listed in the existing
28 registration," as set forth in documents numbered CPR 000542 - CPR 000550, Opposer
was not using its mark on all "market research" services.

1 RESPONSE: Opposer objects to this request as vague as it is unclear of the meaning of “all
2 ‘market research’ services. Opposer objects to this request as being irrelevant as Opposer’s use
3 of its marks is not at issue.
4

5 REQUEST FOR ADMISSION NO. 165

6 165. Admit at the time Opposer made the statement it was using the mark CONNECTPR,
7 registered under number 2366850, for all goods and/or services “listed in the existing
8 registration,” as set forth in documents numbered CPR 000542 - CPR 000550, Opposer
9 was not using its mark on all “consulting services.”

10 RESPONSE: Opposer objects to this request as vague as it is unclear of the meaning of “all
11 ‘consulting services.’” Opposer objects to this request as being irrelevant as Opposer’s use of its
12 marks is not at issue.
13

14 REQUEST FOR ADMISSION NO. 166

15 166. Admit at the time Opposer made the statement it was using the mark CONNECTPR,
16 registered under number 2366850, for all goods and/or services “listed in the existing
17 registration,” as set forth in documents numbered CPR 000542 - CPR 000550, Opposer
18 was not using its mark on all “research and consulting services.”

19 RESPONSE: Opposer objects to this request as vague as it is unclear of the meaning of “all
20 ‘research and consulting services.’” Opposer objects to this request as being irrelevant as
21 Opposer’s use of its marks is not at issue.
22

23 REQUEST FOR ADMISSION NO. 167

24 167. Admit at the time Opposer made the statement it was using the mark CONNECTPR,
25 registered under number 2366850, for all goods and/or services “listed in the existing
26 registration,” as set forth in documents numbered CPR 000542 - CPR 000550, Opposer
27 was not using its mark on all “market research and consulting services.”

28 RESPONSE: Opposer objects to this request as vague as it is unclear of the meaning of “all
‘market research and consulting services.’” Opposer objects to this request as being irrelevant as

1 Opposer's use of its marks is not at issue.

2
3 REQUEST FOR ADMISSION NO. 168

4 168. Admit at the time Opposer made the statement it was using the mark CONNECTPR,
5 registered under number 2366850, for all goods and/or services "listed in the existing
6 registration," as set forth in documents numbered CPR 000542 - CPR 000550, Opposer
7 was not using its mark on all "Marketing and market research" services.

8 RESPONSE: Opposer objects to this request as vague as it is unclear of the meaning of "all
9 'Marketing and market research' services." Opposer objects to this request as being irrelevant as
10 Opposer's use of its marks is not at issue.

11
12 REQUEST FOR ADMISSION NO. 169

13 169. Admit at the time Opposer made the statement it was using the mark CONNECTPR,
14 registered under number 2366850, for all goods and/or services "listed in the existing
15 registration," as set forth in documents numbered CPR 000542 - CPR 000550, Opposer
16 was not using its mark on all "sales promotion services."

17 RESPONSE: Opposer objects to this request as vague as it is unclear of the meaning of "all
18 'sales promotion services.'" Opposer objects to this request as being irrelevant as Opposer's use
19 of its marks is not at issue.

20
21 REQUEST FOR ADMISSION NO. 170

22 170. Admit at the time Opposer made the statement it was using the mark CONNECTPR,
23 registered under number 2366850, for all goods and/or services "listed in the existing
24 registration," as set forth in documents numbered CPR 000542 - CPR 000550, Opposer
25 was using its mark for all possible "marketing" services.

26 RESPONSE: Opposer objects to this request as vague as it is unclear of the meaning of "all
27 possible 'marketing' services." Opposer objects to this request as being irrelevant as Opposer's
28 use of its marks is not at issue.

1 REQUEST FOR ADMISSION NO. 171

2 171. Admit at the time Opposer made the statement it was using the mark CONNECTPR,
3 registered under number 2366850, for all goods and/or services “listed in the existing
4 registration,” as set forth in documents numbered CPR 000542 - CPR 000550, Opposer
5 was using its mark for all possible “market research” services.

6 RESPONSE: Opposer objects to this request as vague as it is unclear of the meaning of “all
7 possible ‘market research’ services.” Opposer objects to this request as being irrelevant as
8 Opposer’s use of its marks is not at issue.

9
10 REQUEST FOR ADMISSION NO. 172

11 172. Admit at the time Opposer made the statement it was using the mark CONNECTPR,
12 registered under number 2366850, for all goods and/or services “listed in the existing
13 registration,” as set forth in documents numbered CPR 000542 - CPR 000550, Opposer
14 was using its mark for all possible “consulting services.”

15 RESPONSE: Opposer objects to this request as vague as it is unclear of the meaning of “all
16 possible ‘consulting services.’” Opposer objects to this request as being irrelevant as Opposer’s
17 use of its marks is not at issue.

18
19 REQUEST FOR ADMISSION NO. 173

20 173. Admit at the time Opposer made the statement it was using the mark CONNECTPR,
21 registered under number 2366850, for all goods and/or services “listed in the existing
22 registration,” as set forth in documents numbered CPR 000542 - CPR 000550, Opposer
23 was using its mark for all possible “research and consulting services.”

24 RESPONSE: Opposer objects to this request as vague as it is unclear of the meaning of “all
25 possible ‘research and consulting services.’” Opposer objects to this request as being irrelevant
26 as Opposer’s use of its marks is not at issue.

27
28 REQUEST FOR ADMISSION NO. 174

174. Admit at the time Opposer made the statement it was using the mark CONNECTPR,

1 registered under number 2366850, for all goods and/or services “listed in the existing
2 registration,” as set forth in documents numbered CPR 000542 - CPR 000550, Opposer
3 was using its mark for all possible “market research and consulting services.”

4 RESPONSE: Opposer objects to this request as vague as it is unclear of the meaning of “all
5 possible ‘market research and consulting services.’” Opposer objects to this request as being
6 irrelevant as Opposer’s use of its marks is not at issue.

7
8 REQUEST FOR ADMISSION NO. 175

9 175. Admit at the time Opposer made the statement it was using the mark CONNECTPR,
10 registered under number 2366850, for all goods and/or services “listed in the existing
11 registration,” as set forth in documents numbered CPR 000542 - CPR 000550, Opposer
12 was using its mark for all possible “Marketing and market research” services.

13 RESPONSE: Opposer objects to this request as vague as it is unclear of the meaning of “all
14 possible ‘Marketing and market research’ services.” Opposer objects to this request as being
15 irrelevant as Opposer’s use of its marks is not at issue.

16
17 REQUEST FOR ADMISSION NO. 176

18 176. Admit at the time Opposer made the statement it was using the mark CONNECTPR,
19 registered under number 2366850, for all goods and/or services “listed in the existing
20 registration,” as set forth in documents numbered CPR 000542 - CPR 000550, Opposer
21 was using its mark for all possible “sales promotion services.”

22 RESPONSE: Opposer objects to this request as vague as it is unclear of the meaning of “all
23 possible ‘sales promotion services.’” Opposer objects to this request as being irrelevant as
24 Opposer’s use of its marks is not at issue.

25
26 REQUEST FOR ADMISSION NO. 177

27 177. Admit the document numbered CPR 000643 produced by Opposer with Opposer’s
28 Responses to Applicants Second Set of Requests for Production of Documents and
Things, which document is attached hereto, is genuine.

1 RESPONSE: Admitted.

2
3 REQUEST FOR ADMISSION NO. 178

4 178. Admit Opposer, in the document numbered CPR 000643 produced by Opposer, states:
5 “Since our inception in 1990, serving clients in this specific market-place has been our
6 only goal. Through focus and determination, we have quickly become the largest
7 connectivity-specific PR firm in the world.”

8 RESPONSE: Admitted.

9
10 REQUEST FOR ADMISSION NO. 179

11 179. Admit Opposer statement about serving “this specific market-place” in the document
12 numbered CPR 000643 is true.

13 RESPONSE: Opposer objects to this request as irrelevant as there is no such limitation in
14 Opposer’s registrations.

15
16 REQUEST FOR ADMISSION NO. 180

17 180. Admit Opposer statement about being a “connectivity-specific PR firm” in the document
18 numbered CPR 000643 is true.

19 RESPONSE: Opposer objects to this request as irrelevant as there is no such limitation in
20 Opposer’s registrations.

21
22 REQUEST FOR ADMISSION NO. 181

23 181. Admit Opposer, in the document numbered CPR 000643 produced by Opposer, states
24 that it serves only the “connectivity market,” as that phrase is used in document numbered
25 CPR 000643.

26 RESPONSE: Opposer objects to this request as irrelevant as there is no such limitation in
27 Opposer’s registrations.

28
REQUEST FOR ADMISSION NO. 182

1 182. Admit document numbered CPR 000643 produced by Opposer is or was a promotional
2 piece used by Opposer to secure clients in the “connectivity market.”

3 RESPONSE: Opposer objects to this request as irrelevant as there is no such limitation in
4 Opposer’s registrations.

5
6 REQUEST FOR ADMISSION NO. 183

7 183. Admit document numbered CPR 000643 produced by Opposer could only be used as a
8 promotional piece Opposer with clients or prospective clients in the “connectivity
9 market.”

10 RESPONSE: Opposer objects to this request as irrelevant as Opposer’s registrations are not
11 limited to the “connectivity market.”

12
13 REQUEST FOR ADMISSION NO. 184

14 184. Admit Opposer’s pending application for registration of CONNECT MARKETING,
15 serial number 85061227, identifies as the services to be provided under this mark:
16 “Marketing, namely, business marketing services; market research and marketing
17 consulting services; public and media relations services; sales promotion services;
18 marketing consultation services in the fields of computer hardware and software;
19 marketing consultation services in the field of computer networks; marketing services,
20 namely, designing online marketing programs for social networking websites and
21 business networking websites.”

22 RESPONSE: Opposer objects to this request as irrelevant and therefore denies the same.
23 Opposer has neither pled nor relied upon any of its CONNECT MARKETING applications in
24 this opposition proceeding.

25
26 REQUEST FOR ADMISSION NO. 185

27 185. Admit Opposer’s pending application for registration of CONNECT MARKETING,
28 serial number 85061227, has received an “office action” in which the examining attorney
states, by authority of TMEP §§1402.01, 1402.11(e): “The wording ‘Marketing and

1 market research and consulting services' in the identification of services is indefinite and
2 must be clarified to specify the type(s) of 'marketing' services. Applicant must also
3 specify the subject matter of the 'consulting services' to enable proper classification of
4 those services."

5 RESPONSE: Opposer objects to this request as irrelevant and therefore denies the same.
6 Opposer has neither pled nor relied upon any of its CONNECT MARKETING applications in
7 this opposition proceeding.

8
9 REQUEST FOR ADMISSION NO. 186

10 186. Admit Opposer's pending application for registration of CONNECT MARKETING,
11 serial number 85061227, has received an "office action" in which the examining attorney
12 states, by authority of TMEP §1402.01.: "In addition, the wording 'Computer hardware
13 and software marketing consultation services, and computer network marketing
14 consultation services' must be rewritten to more clearly identify the nature of the
15 services."

16 RESPONSE: Opposer objects to this request as irrelevant and therefore denies the same.
17 Opposer has neither pled nor relied upon any of its CONNECT MARKETING applications in
18 this opposition proceeding.

19
20 REQUEST FOR ADMISSION NO. 187

21 187. Admit Opposer's has responded to the requirements of the examining attorney in pending
22 application for registration of CONNECT MARKETING, serial number 85061227, by
23 amending its identification of services, to the following: "Marketing, namely, business
24 marketing services; market research and marketing consulting services; public and media
25 relations services; sales promotion services; marketing consultation services in the fields
26 of computer hardware and software; marketing consultation services in the field of
27 computer networks; marketing services, namely, designing online marketing programs for
28 social networking websites and business networking websites."

RESPONSE: Opposer objects to this request as irrelevant and therefore denies the same.

1 Opposer has neither pled nor relied upon any of its CONNECT MARKETING applications in
2 this opposition proceeding.

3
4 REQUEST FOR ADMISSION NO. 188

5 188. Admit Opposer's amendment in pending application for registration of CONNECT
6 MARKETING, serial number 85061227, was entered in part to make the identification of
7 services as originally filed by Opposer definite.

8 RESPONSE: Opposer objects to this request as irrelevant and therefore denies the same.

9 Opposer has neither pled nor relied upon any of its CONNECT MARKETING applications in
10 this opposition proceeding.

11
12 REQUEST FOR ADMISSION NO. 189

13 189. Admit Opposer's amendment in pending application for registration of CONNECT
14 MARKETING, serial number 85061227, included Opposer's statement: "Applicant has
15 amended the recitation of the services patterned after the suggestions made in the Office
16 Action and to reflect terminology used in the marketplace, to be acceptably definite, and
17 to satisfy the requirements raised in the Office Action."

18 RESPONSE: Opposer objects to this request as irrelevant and therefore denies the same.

19 Opposer has neither pled nor relied upon any of its CONNECT MARKETING applications in
20 this opposition proceeding.

21
22 REQUEST FOR ADMISSION NO. 190

23 190. Admit that part of Opposer's statement that it was amending its identification of services
24 in pending application for registration of CONNECT MARKETING, serial number
25 85061227, "...to be acceptably definite..." refers specifically to meeting the examining
26 attorney's statement: "The wording 'Marketing and market research and consulting
27 services' in the identification of services is indefinite and must be clarified to specify the
28 type(s) of 'marketing' services."

RESPONSE: Opposer objects to this request as irrelevant and therefore denies the same.

1 Opposer has neither pled nor relied upon any of its CONNECT MARKETING applications in
2 this opposition proceeding.

3
4 REQUEST FOR ADMISSION NO. 191

5 191. Admit that Opposer's has in its amendment to its identification of services in pending
6 application for registration of CONNECT MARKETING, serial number 85061227,
7 admitted the wording "Marketing and market research and consulting services" in the
8 identification of services of this application is indefinite.

9 RESPONSE: Opposer objects to this request as irrelevant and therefore denies the same.

10 Opposer has neither pled nor relied upon any of its CONNECT MARKETING applications in
11 this opposition proceeding.

12
13 REQUEST FOR ADMISSION NO. 192

14 192. Admit the wording "Marketing and market research and consulting services" is indefinite.

15 RESPONSE: Opposer objects to this request as irrelevant and therefore denies the same. The
16 definiteness of the services listed in Opposer's registrations is not at issue in this opposition
17 proceeding.

18
19 REQUEST FOR ADMISSION NO. 193

20 193. Admit the wording "Marketing and market research and consulting services" identified as
21 the services in the registration of the mark CONNECTPR, registered under number
22 2366850, is indefinite.

23 RESPONSE: Opposer objects to this request as irrelevant and therefore denies the same. The
24 definiteness of the services listed in Opposer's registrations is not at issue in this opposition
25 proceeding.

26
27 REQUEST FOR ADMISSION NO. 194

28 194. Admit the wording "Marketing and market research and consulting services" identified as
the services in the registration of the mark CONNECT PUBLIC RELATIONS, registered

1 under number 2373504, is indefinite.

2 RESPONSE: Opposer objects to this request as irrelevant and therefore denies the same. The
3 definiteness of the services listed in Opposer's registrations is not at issue in this opposition
4 proceeding.

5
6 REQUEST FOR ADMISSION NO. 195

7 195. Admit indefinite wording is not allowed at the U.S. Patent & Trademark Office because
8 such wording does not allow others to be apprized of the nature of services thereby
9 identified.

10 RESPONSE: Opposer objects to this request as irrelevant and therefore denies the same. The
11 definiteness of the services listed in Opposer's registrations is not at issue in this opposition
12 proceeding.

13
14 REQUEST FOR ADMISSION NO. 196

15 196. Admit indefinite wording is not allowed at the U.S. Patent & Trademark Office because
16 such wording does not allow others to be apprized of the nature of services thereby
17 identified because such wording is too broad.

18 RESPONSE: Opposer objects to this request as irrelevant and therefore denies the same. The
19 definiteness of the services listed in Opposer's registrations is not at issue in this opposition
20 proceeding.

21
22 REQUEST FOR ADMISSION NO. 197

23 197. Admit the services Opposer offers or intends to offer, as identified in pending application
24 for registration of CONNECT MARKETING, serial number 85061227, are now
25 accurately described for that mark, i.e.: "Marketing, namely, business marketing services;
26 market research and marketing consulting services; public and media relations services;
27 sales promotion services; marketing consultation services in the fields of computer
28 hardware and software; marketing consultation services in the field of computer
networks; marketing services, namely, designing online marketing programs for social

1 networking websites and business networking websites.”

2 RESPONSE: Opposer objects to this request as irrelevant and therefore denies the same.

3 Opposer has neither pled nor relied upon any of its CONNECT MARKETING applications in
4 this opposition proceeding.

5
6 REQUEST FOR ADMISSION NO. 198

7 198. Admit the services Opposer has offered under its mark CONNECT PUBLIC
8 RELATIONS, registered under number 2373504, are the same services it intends to offer
9 under its mark CONNECT MARKETING, pending application serial number 85061227.

10 RESPONSE: Opposer objects to this request as irrelevant and therefore denies the same.

11 Opposer has neither pled nor relied upon any of its CONNECT MARKETING applications in
12 this opposition proceeding.

13
14 REQUEST FOR ADMISSION NO. 199

15 199. Admit the services Opposer has offered under its mark CONNECT PUBLIC
16 RELATIONS, registered under number 2373504, are accurately described as follows:
17 “Marketing, namely, business marketing services; market research and marketing
18 consulting services; public and media relations services; sales promotion services;
19 marketing consultation services in the fields of computer hardware and software;
20 marketing consultation services in the field of computer networks; marketing services,
21 namely, designing online marketing programs for social networking websites and
22 business networking websites.”

23 RESPONSE: Opposer objects to this request as irrelevant.

24
25 REQUEST FOR ADMISSION NO. 200

26 200. Admit the services Opposer has offered under its mark CONNECTPR, registered under
27 number 2366850, are the same services it intends to offer under its mark CONNECT
28 MARKETING, pending application serial number 85061227.

RESPONSE: Opposer objects to this request as irrelevant and therefore denies the same.

1 Opposer has neither pled nor relied upon any of its CONNECT MARKETING applications in
2 this opposition proceeding.

3
4 REQUEST FOR ADMISSION NO. 201

5 201. Admit the services Opposer has offered under its mark CONNECTPR, registered under
6 number 2366850, are accurately described as follows: “Marketing, namely, business
7 marketing services; market research and marketing consulting services; public and media
8 relations services; sales promotion services; marketing consultation services in the fields
9 of computer hardware and software; marketing consultation services in the field of
10 computer networks; marketing services, namely, designing online marketing programs for
11 social networking websites and business networking websites.”

12 RESPONSE: Opposer objects to this request as irrelevant.

13
14 REQUEST FOR ADMISSION NO. 202

15 202. Admit the following services are offered by Opposer to businesses: “Marketing, namely,
16 business marketing services; market research and marketing consulting services; public
17 and media relations services; sales promotion services; marketing consultation services in
18 the fields of computer hardware and software; marketing consultation services in the field
19 of computer networks; marketing services, namely, designing online marketing programs
20 for social networking websites and business networking websites.”

21 RESPONSE: Opposer objects to this request as irrelevant.

22
23 REQUEST FOR ADMISSION NO. 203

24 203. Admit the following services are offered by Opposer to businesses in the connectivity
25 market: “Marketing, namely, business marketing services; market research and marketing
26 consulting services; public and media relations services; sales promotion services;
27 marketing consultation services in the fields of computer hardware and software;
28 marketing consultation services in the field of computer networks; marketing services,
namely, designing online marketing programs for social networking websites and

1 business networking websites.”

2 RESPONSE: Opposer objects to this request as irrelevant as Opposer’s registrations are not
3 limited to the “connectivity market.”

4
5 REQUEST FOR ADMISSION NO. 204

6 204. Admit the following services are offered by Opposer only to businesses: “Marketing,
7 namely, business marketing services; market research and marketing consulting services;
8 public and media relations services; sales promotion services; marketing consultation
9 services in the fields of computer hardware and software; marketing consultation services
10 in the field of computer networks; marketing services, namely, designing online
11 marketing programs for social networking websites and business networking websites.”

12 RESPONSE: Opposer objects to this request as irrelevant.

13
14 REQUEST FOR ADMISSION NO. 205

15 205. Admit Opposer provides to businesses in the connectivity market: “Marketing, namely,
16 business marketing services; market research and marketing consulting services; public
17 and media relations services; sales promotion services; marketing consultation services in
18 the fields of computer hardware and software; marketing consultation services in the field
19 of computer networks; marketing services, namely, designing online marketing programs
20 for social networking websites and business networking websites.”

21 RESPONSE: Opposer objects to this request as irrelevant as Opposer’s registrations are not
22 limited to the “connectivity market.”

23
24 REQUEST FOR ADMISSION NO. 206

25 206. Admit Opposer does not present its Opposer’s Marks, any of them, to consumers.

26 RESPONSE: Opposer objects to this request as irrelevant.

27
28 REQUEST FOR ADMISSION NO. 207

207. Admit Opposer does not present its Opposer’s Marks, any of them, to clients or

1 prospective clients outside “the connectivity market,” as this term is used by Opposer in
2 document CPR 000643.

3 RESPONSE: Opposer objects to this request as irrelevant as none of the goods or services,
4 classes of customers, or channels of trade in Opposer’s registrations are limited to the
5 “connectivity market.”

6
7 REQUEST FOR ADMISSION NO. 208

8 208. Admit Opposer does not present its Opposer’s Marks, any of them, to clients or
9 prospective clients having business outside the high technology markets.

10 RESPONSE: Opposer objects to this request as irrelevant as none of the goods or services,
11 classes of customers, or channels of trade in Opposer’s registrations are limited as stated in the
12 request.

13
14 REQUEST FOR ADMISSION NO. 209

15 209. Admit Opposer does not present its Opposer’s Marks, any of them, to clients or
16 prospective clients having business outside the technology markets.

17 RESPONSE: Opposer objects to this request as irrelevant as none of the goods or services,
18 classes of customers, or channels of trade in Opposer’s registrations are limited as stated in the
19 request.

20
21 REQUEST FOR ADMISSION NO. 210

22 210. Admit all Opposer’s clients are within “the connectivity market,” as this term is used by
23 Opposer in document CPR 000643.

24 RESPONSE: Opposer objects to this request as irrelevant as none of the goods or services,
25 classes of customers, or channels of trade in Opposer’s registrations are limited to the
26 “connectivity market.” Opposer further objects as none of the goods or services, classes of
27 customers, or channels of trade in the Applicant’s application are limited to the “connectivity
28 market.” Opposer further objects to this request as vague.

1 REQUEST FOR ADMISSION NO. 211

2 211. Admit Opposer's clients which are not within "the connectivity market," as this term is
3 used by Opposer in document CPR 000643, are within the high technology markets.

4 RESPONSE: Opposer objects to this request as irrelevant as none of the goods or services,
5 classes of customers, or channels of trade in Opposer's registrations are limited to the
6 "connectivity market." Opposer further objects as none of the goods or services, classes of
7 customers, or channels of trade in the Applicant's application are limited to the "connectivity
8 market." Opposer further objects to this request as vague.

9
10 REQUEST FOR ADMISSION NO. 212

11 212. Admit "the connectivity market" of Opposer, as this term is used by Opposer in document
12 CPR 000643, is a segment of the high technology markets.

13 RESPONSE: Opposer objects to the request as vague as it is unclear of the meaning of the term
14 "segment." Opposer objects to this request as irrelevant as none of the goods or services, classes
15 of customers, or channels of trade in Opposer's registrations are limited to the "connectivity
16 market." Opposer further objects as none of the goods or services, classes of customers, or
17 channels of trade in the Applicant's application are limited to the "connectivity market."

18
19 REQUEST FOR ADMISSION NO. 213

20 213. Admit all of Opposer's clients provide high technology goods or services.

21 RESPONSE: Opposer objects to this request as vague and irrelevant as none of Opposer's
22 registrations limit the goods and services provided by Opposer's clients.

23
24 REQUEST FOR ADMISSION NO. 214

25 214. Admit all of Opposer's clients provide technology goods or services.

26 RESPONSE: Opposer objects to this request as vague and irrelevant as none of Opposer's
27 registrations limit the goods and services provided by Opposer's clients.

28
REQUEST FOR ADMISSION NO. 215

1 215. Admit Opposer has never supplied any of its goods or services to consumers.

2 RESPONSE: Opposer objects to this request as irrelevant and vague.

3
4 REQUEST FOR ADMISSION NO. 216

5 216. Admit Opposer's goods and/or services are limited to "connectivity" services, as this term
6 is used by Opposer in document CPR 000643.

7 RESPONSE: Opposer objects to this request as irrelevant as none of the goods or services,
8 classes of customers, or channels of trade in Opposer's registrations are limited to the
9 "connectivity services." Opposer further objects as none of the goods or services, classes of
10 customers, or channels of trade in the Applicant's application are limited to the "connectivity
11 services." Opposer further objects to this request as vague.

12
13 REQUEST FOR ADMISSION NO. 217

14 217. Admit Opposer's goods and/or services are limited to "high technology" services.

15 RESPONSE: Opposer objects to this request as irrelevant as none of Opposer's registrations
16 limit the goods and services provided by Opposer.

17
18 REQUEST FOR ADMISSION NO. 218

19 218. Admit Opposer offers or supplies its goods or services to clients which make or distribute
20 high technology goods or services.

21 RESPONSE: Opposer objects to this request as irrelevant as none of Opposer's registrations
22 limit the goods and services provided by Opposer.

23
24 REQUEST FOR ADMISSION NO. 219

25 219. Admit Opposer intends to offer or supply under the mark CONNECT MARKETING only
26 those goods or services identified in its pending application for registration of CONNECT
27 MARKETING, serial number 85061227.

28 RESPONSE: Opposer objects to this request as irrelevant. Opposer has neither pled nor relied
upon any of its CONNECT MARKETING applications in this opposition proceeding.

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REQUEST FOR ADMISSION NO. 220

220. Admit Opposer has offered or supplied under the mark CONNECTPR only those goods or services identified in its pending application for registration of CONNECT MARKETING, serial number 85061227.

RESPONSE: Opposer objects to this request as irrelevant. Opposer has neither pled nor relied upon any of its CONNECT MARKETING applications in this opposition proceeding.

REQUEST FOR ADMISSION NO. 222

221. Admit Opposer has offered or supplied under the mark CONNECT PUBLIC RELATIONS only those goods or services identified in its pending application for registration of CONNECT MARKETING, serial number 85061227.

RESPONSE: Opposer objects to this request as irrelevant. Opposer has neither pled nor relied upon any of its CONNECT MARKETING applications in this opposition proceeding.

REQUEST FOR ADMISSION NO. 222

222. Admit Opposer has offered or supplied the same goods or services under the mark CONNECTPR as it has offered or supplied under the mark CONNECT PUBLIC RELATIONS.

RESPONSE: Opposer objects to this request as irrelevant and vague.

REQUEST FOR ADMISSION NO. 223

223. Admit Opposer does not offer only some of its goods or services under the mark CONNECTPR.

RESPONSE: Opposer objects to this request as irrelevant and vague as Opposer's use is not at issue in this proceeding.

REQUEST FOR ADMISSION NO. 224

224. Admit Opposer offers all of its goods and services under the mark CONNECTPR.

1 RESPONSE: Opposer objects to this request as irrelevant and vague as Opposer's use is not at
2 issue in this proceeding.

3
4 REQUEST FOR ADMISSION NO. 225

5 225. Admit Opposer does not offer only some of its goods or services under the mark
6 CONNECT PUBLIC RELATIONS.

7 RESPONSE: Opposer objects to this request as irrelevant and vague as Opposer's use is not at
8 issue in this proceeding.

9
10 REQUEST FOR ADMISSION NO. 226

11 226. Admit Opposer offers all of its goods and services under the mark CONNECT PUBLIC
12 RELATIONS.

13 RESPONSE: Opposer objects to this request as irrelevant and vague as Opposer's use is not at
14 issue in this proceeding.

15
16 REQUEST FOR ADMISSION NO. 227

17 227. Admit Opposer intends to offer or supply the same goods or services under the mark
18 CONNECT MARKETING, serial number 85061227, as it has offered or supplied under
19 the mark CONNECT PUBLIC RELATIONS.

20 RESPONSE: Opposer objects to this request as irrelevant. Opposer has neither pled nor relied
21 upon any of its CONNECT MARKETING applications in this opposition proceeding.

22
23 REQUEST FOR ADMISSION NO. 228

24 228. Admit Opposer intends to offer or supply the same goods or services under the mark
25 CONNECT MARKETING, serial number 85061227, as it has offered or supplied under
26 the mark CONNECTPR.

27 RESPONSE: Opposer objects to this request as irrelevant. Opposer has neither pled nor relied
28 upon any of its CONNECT MARKETING applications in this opposition proceeding.

1 REQUEST FOR ADMISSION NO. 229

2 229. Admit Opposer does not intend to offer only some of its goods or services under the mark
3 CONNECT MARKETING, serial number 85061227.

4 RESPONSE: Opposer objects to this request as irrelevant. Opposer has neither pled nor relied
5 upon any of its CONNECT MARKETING applications in this opposition proceeding.

6
7 REQUEST FOR ADMISSION NO. 230

8 230. Admit Opposer intends to offer all of its goods and services under the mark CONNECT
9 MARKETING, serial number 85061227.

10 RESPONSE: Opposer objects to this request as irrelevant. Opposer has neither pled nor relied
11 upon any of its CONNECT MARKETING applications in this opposition proceeding.

12
13 REQUEST FOR ADMISSION NO. 231

14 231. Admit Opposer does not offer or provide all services which may be described by the
15 words: "Marketing and market research and consulting services; public and media
16 relations services and sales promotion services."

17 RESPONSE: Opposer objects to this request as irrelevant, unduly burdensome and vague as it is
18 unclear what constitutes "all services." Opposer further objects that the services it provides is not
19 at issue.

20
21 REQUEST FOR ADMISSION NO. 232

22 232. Admit the documents numbered CPR 000673 - CPR 000674 produced by Opposer with
23 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
24 and Things, which documents are attached hereto, are genuine.

25 RESPONSE: Admitted.

26
27 REQUEST FOR ADMISSION NO. 233

28 233. Admit the activity referred to as "building rapport" in documents numbered CPR 000673
- CPR 000674, produced by Opposer with Opposer's Responses to Applicants Second Set

1 of Requests for Production of Documents and Things, is an activity conducted by firms
2 which engage in "public relations" work for others.

3 RESPONSE: Opposer admits that "building rapport" may be an activity conducted by firms that
4 engage in public relations and marketing.

5
6 REQUEST FOR ADMISSION NO. 234

7 234. Admit the activity referred to as "educating press and analysts" in documents numbered
8 CPR 000673 - CPR 000674, produced by Opposer with Opposer's Responses to
9 Applicants Second Set of Requests for Production of Documents and Things, is an
10 activity conducted by firms which engage in "public relations" work for others.

11 RESPONSE: Opposer admits that "educating press and analysts" may be an activity conducted
12 by firms that engage in public relations and marketing.

13
14 REQUEST FOR ADMISSION NO. 235

15 235. Admit the activity referred to as "selling your model" in documents numbered CPR
16 000673 - CPR 000674, produced by Opposer with Opposer's Responses to Applicants
17 Second Set of Requests for Production of Documents and Things, is an activity conducted
18 by firms which engage in "public relations" work for others.

19 RESPONSE: Opposer admits that "selling your model" may be an activity conducted by firms
20 that engage in public relations and marketing.

21
22 REQUEST FOR ADMISSION NO. 236

23 236. Admit the activity referred to as "garnering effective coverage" in documents numbered
24 CPR 000673 - CPR 000674, produced by Opposer with Opposer's Responses to
25 Applicants Second Set of Requests for Production of Documents and Things, is an
26 activity conducted by firms which engage in "public relations" work for others.

27 RESPONSE: Opposer admits that "garnering effective coverage" may be an activity conducted
28 by firms that engage in public relations and marketing.

1 REQUEST FOR ADMISSION NO. 237

2 237. Admit Opposer undertakes projects for clients after submitting fixed-cost bids, consistent
3 with its statement contained in documents numbered CPR 000673 - CPR 000674.

4 RESPONSE: Opposer objects to this request as irrelevant as none of the goods or services in
5 Opposer's registrations are limited to be only provided "after submitting fixed-cost bids."
6

7 REQUEST FOR ADMISSION NO. 238

8 238. Admit Opposer works on projects for clients after submitting fixed-cost bids, consistent
9 with its statement contained in documents numbered CPR 000673 - CPR 000674.

10 RESPONSE: Opposer objects to this request as irrelevant as none of the goods or services in
11 Opposer's registrations are limited to be only provided "after submitting fixed-cost bids."
12

13 REQUEST FOR ADMISSION NO. 239

14 239. Admit Opposer works for its clients on a project basis, consistent with its fixed-cost bids.

15 RESPONSE: Opposer objects to this request as irrelevant as none of the goods or services in
16 Opposer's registrations are limited to be only provided "with its fixed-cost bids."
17

18 REQUEST FOR ADMISSION NO. 240

19 240. Admit Opposer only works for its clients on a project basis, consistent with its fixed-cost
20 bids.

21 RESPONSE: Opposer objects to this request as irrelevant as none of the goods or services in
22 Opposer's registrations are limited to be only provided "with its fixed-cost bids."
23

24 REQUEST FOR ADMISSION NO. 241

25 241. Admit the documents numbered CPR 000693 - CPR 000694 produced by Opposer with
26 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
27 and Things, which documents are attached hereto, are genuine.

28 RESPONSE: Admitted.

1 REQUEST FOR ADMISSION NO. 242

2 242. Admit the product referred to as “media kits” in documents numbered CPR 000693 -
3 CPR 000694, produced by Opposer with Opposer’s Responses to Applicants Second Set
4 of Requests for Production of Documents and Things, is an item produced by firms which
5 engage in “public relations” work for others.

6 RESPONSE: Opposer admits that "media kits" may be an item produced by firms that engage in
7 public relations and marketing.

8
9 REQUEST FOR ADMISSION NO. 243

10 243. Admit the product referred to as “press releases” in documents numbered CPR 000693 -
11 CPR 000694, produced by Opposer with Opposer’s Responses to Applicants Second Set
12 of Requests for Production of Documents and Things, is an item produced by firms which
13 engage in “public relations” work for others.

14 RESPONSE: Opposer admits that "press releases" may be an item produced by firms that engage
15 in public relations and marketing.

16
17 REQUEST FOR ADMISSION NO. 244

18 244. Admit the product referred to as “product backgrounders” in documents numbered CPR
19 000693 - CPR 000694, produced by Opposer with Opposer’s Responses to Applicants
20 Second Set of Requests for Production of Documents and Things, is an item produced by
21 firms which engage in “public relations” work for others.

22 RESPONSE: Opposer admits that "product backgrounders" may be an item produced by firms
23 that engage in public relations and marketing.

24
25 REQUEST FOR ADMISSION NO. 245

26 245. Admit the product referred to as “market white papers” in documents numbered CPR
27 000693 - CPR 000694, produced by Opposer with Opposer’s Responses to Applicants
28 Second Set of Requests for Production of Documents and Things, is an item produced by
firms which engage in “public relations” work for others.

1 RESPONSE: Opposer admits that "market white papers" may be an item produced by firms that
2 engage in public relations and marketing.

3
4 REQUEST FOR ADMISSION NO. 246

5 246. Admit the product referred to as "technology briefs" in documents numbered CPR
6 000693 - CPR 000694, produced by Opposer with Opposer's Responses to Applicants
7 Second Set of Requests for Production of Documents and Things, is an item produced by
8 firms which engage in "public relations" work for others.

9 RESPONSE: Opposer admits that "technology briefs" may be an item produced by firms that
10 engage in public relations and marketing.

11
12 REQUEST FOR ADMISSION NO. 247

13 247. Admit the product referred to as "announcement videos" in documents numbered CPR
14 000693 - CPR 000694, produced by Opposer with Opposer's Responses to Applicants
15 Second Set of Requests for Production of Documents and Things, is an item produced by
16 firms which engage in "public relations" work for others.

17 RESPONSE: Opposer admits that "announcement videos" may be an item produced by firms that
18 engage in public relations and marketing.

19
20 REQUEST FOR ADMISSION NO. 248

21 248. Admit the document numbered CPR 000963 produced by Opposer with Opposer's
22 Responses to Applicants Second Set of Requests for Production of Documents and
23 Things, which document is attached hereto, is genuine.

24 RESPONSE: Admitted.

25
26 REQUEST FOR ADMISSION NO. 249

27 249. Admit the phrase "high-tech PR firm," as that phrase is used by Opposer in the document
28 numbered CPR 000963, implies Opposer markets its services to high-tech clients and
potential clients.

1 RESPONSE: Opposer objects to this request as irrelevant as none of the goods or services,
2 classes of customers, or channels of trade in Opposer's registrations are limited to "high-tech."

3
4 REQUEST FOR ADMISSION NO. 250

5 250. Admit the phrase "high-tech PR firm," as that phrase is used by Opposer in the document
6 numbered CPR 000963, implies Opposer markets its services only to high-tech clients
7 and potential clients.

8 RESPONSE: Opposer objects to this request as irrelevant as none of the goods or services,
9 classes of customers, or channels of trade in Opposer's registrations are limited to "high-tech."

10
11 REQUEST FOR ADMISSION NO. 251

12 251. Admit the meaning implied by the phrase "high-tech PR firm," as that phrase is used by
13 Opposer in the document numbered CPR 000963, is true.

14 RESPONSE: Opposer objects to this request as irrelevant as none of the goods or services,
15 classes of customers, or channels of trade in Opposer's registrations are limited to "high-tech."

16
17 REQUEST FOR ADMISSION NO. 252

18 252. Admit Opposer is a "high-tech PR firm," as that phrase is used by Opposer in the
19 document numbered CPR 000963.

20 RESPONSE: Opposer objects to this request as irrelevant as none of the goods or services,
21 classes of customers, or channels of trade in Opposer's registrations are limited to "high-tech."

22
23 REQUEST FOR ADMISSION NO. 253

24 253. Admit Opposer markets its goods and services to high-tech clients and potential clients.

25 RESPONSE: Opposer objects to this request as irrelevant as none of the goods or services,
26 classes of customers, or channels of trade in Opposer's registrations are limited to "high-tech."

27
28 REQUEST FOR ADMISSION NO. 254

254. Admit Opposer markets its services only to high-tech clients and potential clients.

1 RESPONSE: Opposer objects to this request as irrelevant as none of the goods or services,
2 classes of customers, or channels of trade in Opposer's registrations are limited to "high-tech."

3
4 REQUEST FOR ADMISSION NO. 255

5 255. Admit the to high-tech clients and potential clients to which Opposer directs its own
6 marketing efforts are those in the "connectivity market."

7 RESPONSE: Opposer objects to this request as irrelevant as none of the goods or services,
8 classes of customers, or channels of trade in Opposer's registrations or Applicant's application
9 are limited to "high-tech" or the "connectivity market."

10
11 REQUEST FOR ADMISSION NO. 256

12 256. Admit the to high-tech clients and potential clients to which Opposer directs its own
13 marketing efforts are only those in the "connectivity market."

14 RESPONSE: Opposer objects to this request as irrelevant as none of the goods or services,
15 classes of customers, or channels of trade in Opposer's registrations or Applicant's applications
16 are limited to "high-tech" or the "connectivity market."

17
18 REQUEST FOR ADMISSION NO. 257

19 257. Admit the statement "Connectivity has been our sole focus for 18 years," as that phrase is
20 used by Opposer in the document numbered CPR 000963, implies Opposer markets its
21 services only to clients and potential clients within the "connectivity market."

22 RESPONSE: Opposer objects to this request as irrelevant as none of the goods or services,
23 classes of customers, or channels of trade in Opposer's registrations or Applicant's application
24 are limited to the "connectivity market."

25
26 REQUEST FOR ADMISSION NO. 258

27 258. Admit the statement "Connectivity has been our sole focus for 18 years," as that phrase is
28 used by Opposer in the document numbered CPR 000963, is true.

RESPONSE: Opposer objects to this request as irrelevant as none of the goods or services,

1 classes of customers, or channels of trade in Opposer's registrations or Applicant's application
2 are limited to "connectivity."

3
4 REQUEST FOR ADMISSION NO. 259

5 259. Admit the document numbered CPR 001016 produced by Opposer with Opposer's
6 Responses to Applicants Second Set of Requests for Production of Documents and
7 Things, which document is attached hereto, is genuine.

8 RESPONSE: Admitted.

9
10 REQUEST FOR ADMISSION NO. 260

11 260. Admit Opposer sponsors "press summits," as that phrase is used in the document
12 numbered CPR 001016 produced by Opposer.

13 RESPONSE: Opposer objects to this request as irrelevant.

14
15 REQUEST FOR ADMISSION NO. 261

16 261. Admit Opposer routinely sponsors "press summits," as that phrase is used in the
17 document numbered CPR 001016 produced by Opposer, in the normal course of its
18 services for its clients.

19 RESPONSE: Opposer objects to this request as irrelevant.

20
21 REQUEST FOR ADMISSION NO. 262

22 262. Admit Opposer's "press summits" involves "face-to-face" interaction between Opposer
23 and journalists.

24 RESPONSE: Opposer objects to this request as irrelevant.

25
26 REQUEST FOR ADMISSION NO. 263

27 263. Admit Opposer's "press summits" involves "face-to-face" interaction between Opposer's
28 clients and journalists.

RESPONSE: Opposer objects to this request as irrelevant.

1 REQUEST FOR ADMISSION NO. 264

2 264. Admit Opposer's "press summits" involves "one-on-one" interaction between Opposer
3 and journalists.

4 RESPONSE: Opposer objects to this request as irrelevant.

5
6 REQUEST FOR ADMISSION NO. 265

7 265. Admit Opposer's "press summits" involves "one-on-one" interaction between Opposer's
8 clients and journalists.

9 RESPONSE: Opposer objects to this request as irrelevant.

10
11 REQUEST FOR ADMISSION NO. 266

12 266. Admit the document numbered CPR 001086 produced by Opposer with Opposer's
13 Responses to Applicants Second Set of Requests for Production of Documents and
14 Things, which document is attached hereto, is genuine.

15 RESPONSE: Admitted.

16
17 REQUEST FOR ADMISSION NO. 267

18 267. Admit the phrase "connectivity clients," as that phrase is used in the document numbered
19 CPR 001086 produced by Opposer, means clients which are in the telecommunications
20 industry.

21 RESPONSE: Opposer objects to this request as irrelevant and vague. Opposer objects to this
22 request as irrelevant as none of the goods or services, classes of customers, or channels of trade
23 in Opposer's registrations or Applicant's application are limited to "connectivity clients."

24
25 REQUEST FOR ADMISSION NO. 268

26 268. Admit the phrase "connectivity clients," as that phrase is used in the document numbered
27 CPR 001086 produced by Opposer, includes clients which are in the telecommunications
28 industry.

RESPONSE: Opposer objects to this request as irrelevant as none of the goods or services,

1 classes of customers, or channels of trade in Opposer's registrations or Applicant's application
2 are limited to "connectivity clients" or the "telecommunications industry."

3
4 REQUEST FOR ADMISSION NO. 269

5 269. Admit the phrase "connectivity clients," as that phrase is used in the document numbered
6 CPR 001086 produced by Opposer, means clients which supply communications for
7 others.

8 RESPONSE: Opposer objects to this request as vague as the meaning of the phrase "supply
9 communications for others" is itself vague. Opposer objects to this request as irrelevant as none
10 of the goods or services, classes of customers, or channels of trade in Opposer's registrations or
11 Applicant's application are limited to "connectivity clients."

12
13 REQUEST FOR ADMISSION NO. 270

14 270. Admit the phrase "connectivity clients," as that phrase is used in the document numbered
15 CPR 001086 produced by Opposer, includes clients which supply communications for
16 others.

17 RESPONSE: Opposer objects to this request as vague as the meaning of the phrase "supply
18 communications for others" is itself vague. Opposer objects to this request as irrelevant as none
19 of the goods or services, classes of customers, or channels of trade in Opposer's registrations or
20 Applicant's application are limited to "connectivity clients."

21
22 REQUEST FOR ADMISSION NO. 271

23 271. Admit the phrase "connectivity clients," as that phrase is used in the document numbered
24 CPR 001086 produced by Opposer, means only clients which supply communications for
25 others.

26 RESPONSE: Opposer objects to this request as vague as the meaning of the phrase "supply
27 communications for others" is itself vague. Opposer objects to this request as irrelevant as none
28 of the goods or services, classes of customers, or channels of trade in Opposer's registrations or
Applicant's application are limited to "connectivity clients."

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REQUEST FOR ADMISSION NO. 272

272. Admit the phrase “connectivity clients,” as that phrase is used in the document numbered CPR 001086 produced by Opposer, includes only clients which supply communications for others.

RESPONSE: Opposer objects to this request as vague as the meaning of the phrase "supply communications for others" is itself vague. Opposer objects to this request as irrelevant as none of the goods or services, classes of customers, or channels of trade in Opposer’s registrations or Applicant’s application are limited to “connectivity clients.”

REQUEST FOR ADMISSION NO. 273

273. Admit the phrase “connectivity clients,” as that phrase is used in the document numbered CPR 001086 produced by Opposer, includes clients which supply communications for consumers.

RESPONSE: Opposer objects to this request as vague as the meaning of the phrase "supply communications for others" is itself vague. Opposer objects to this request as irrelevant as none of the goods or services, classes of customers, or channels of trade in Opposer’s registrations or Applicant’s application are limited to “connectivity clients.”

REQUEST FOR ADMISSION NO. 274

274. Admit the documents numbered CPR 001130 - CPR 001145 produced by Opposer with Opposer’s Responses to Applicants Second Set of Requests for Production of Documents and Things, which documents are attached hereto, are genuine.

RESPONSE: Admitted.

REQUEST FOR ADMISSION NO. 275

275. Admit the documents numbered CPR 001130 - CPR 001145 produced by Opposer, says Opposer “manages stories” relating to its clients.

RESPONSE: Admitted.

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REQUEST FOR ADMISSION NO. 276

276. Admit the statement by Opposer in which its says Opposer “manages stories” relating to its clients, as set forth in documents numbered CPR 001130 - CPR 001145 produced by Opposer, is true.

RESPONSE: Admitted.

REQUEST FOR ADMISSION NO. 277

277. Admit the documents numbered CPR 001130 - CPR 001145 produced by Opposer, says Opposer “scans published editorial calendars” for its clients.

RESPONSE: Admitted.

REQUEST FOR ADMISSION NO. 278

278. Admit the statement by Opposer in which its says Opposer “scans published editorial calendars” for its clients, as set forth in documents numbered CPR 001130 - CPR 001145 produced by Opposer, is true.

RESPONSE: Admitted.

REQUEST FOR ADMISSION NO. 279

279. Admit the documents numbered CPR 001130 - CPR 001145 produced by Opposer, says Opposer “manage the review process” for its clients.

RESPONSE: Admitted.

REQUEST FOR ADMISSION NO. 280

280. Admit the statement by Opposer in which its says Opposer “manage the review process” for its clients, as set forth in documents numbered CPR 001130 - CPR 001145 produced by Opposer, is true.

RESPONSE: Admitted.

1 REQUEST FOR ADMISSION NO. 281

2 281. Admit the documents numbered CPR 001130 - CPR 001145 produced by Opposer, says
3 Opposer “pitch stories” for its clients.

4 RESPONSE: Admitted.

5
6 REQUEST FOR ADMISSION NO. 282

7 282. Admit the statement by Opposer in which its says Opposer “pitch stories” for its clients,
8 as set forth in documents numbered CPR 001130 - CPR 001145 produced by Opposer, is
9 true.

10 RESPONSE: Admitted.

11
12 REQUEST FOR ADMISSION NO. 283

13 283. Admit the documents numbered CPR 001130 - CPR 001145 produced by Opposer, says
14 Opposer’s goal for its clients is to obtain press coverage of the following kinds: “product
15 stories” and “case studies” and “Q&A’s” [sic] and “company and executive profiles” and
16 by-lined technical articles” and “column ideas” and “managed reviews.”

17 RESPONSE: Opposer admits that this is the goal for some of its clients.

18 \

19 REQUEST FOR ADMISSION NO. 284

20 284. Admit the statement by Opposer in which its says Opposer’s goal for its clients about
21 “product stories” and “case studies” and “Q&A’s” [sic] and “company and executive
22 profiles” and by-lined technical articles” and “column ideas” and “managed reviews,” as
23 set forth in documents numbered CPR 001130 - CPR 001145 produced by Opposer, is
24 true.

25 RESPONSE: Opposer admits that this is the goal for some of its clients.

26
27 REQUEST FOR ADMISSION NO. 285

28 285. Admit the documents numbered CPR 001459 - CPR 001473 produced by Opposer with
Opposer’s Responses to Applicants Second Set of Requests for Production of Documents

1 and Things, which documents are attached hereto, are genuine.

2 RESPONSE: Admitted.

3
4 REQUEST FOR ADMISSION NO. 286

5 286. Admit the documents numbered CPR 001459 - CPR 001473 produced by Opposer is an
6 analysis of "social media."

7 RESPONSE: Opposer objects to this request as irrelevant and vague.

8
9 REQUEST FOR ADMISSION NO. 287

10 287. Admit the documents numbered CPR 001459 - CPR 001473 produced by Opposer is an
11 analysis which measures "social media."

12 RESPONSE: Opposer objects to this request as irrelevant and vague.

13
14 REQUEST FOR ADMISSION NO. 288

15 288. Admit the documents numbered CPR 001459 - CPR 001473 produced by Opposer is an
16 analysis of "social media" which may be used as Opposer supplies its goods and services
17 to its clients.

18 RESPONSE: Opposer objects to this request as irrelevant and vague.

19
20 REQUEST FOR ADMISSION NO. 289

21 289. Admit the documents numbered CPR 001459 - CPR 001473 produced by Opposer is an
22 analysis of "social media" which may be presented to its clients.

23 RESPONSE: Opposer objects to this request as irrelevant and vague.

24
25 REQUEST FOR ADMISSION NO. 290

26 290. Admit the documents numbered CPR 001459 - CPR 001473 produced by Opposer about
27 "social media" may be presented to Opposer's social media clients.

28 RESPONSE: Opposer objects to this request as vague as it is unclear to the meaning of "social
media clients."

1 REQUEST FOR ADMISSION NO. 291

2 291. Admit the documents numbered CPR 001459 - CPR 001473 produced by Opposer about
3 "social media" may be particularly useful in providing Opposer's goods and services to
4 its social media clients.

5 RESPONSE: Opposer objects to this request as vague as it is unclear to the meaning of "social
6 media clients."

7
8 REQUEST FOR ADMISSION NO. 292

9 292. Admit the documents numbered CPR 001459 - CPR 001473 produced by Opposer about
10 "social media" was developed to be useful in providing Opposer's goods and services to
11 its social media clients.

12 RESPONSE: Opposer objects to this request as vague as it is unclear to the meaning of "social
13 media clients."

14
15 REQUEST FOR ADMISSION NO. 293

16 293. Admit the documents numbered CPR 001459 - CPR 001473 produced by Opposer about
17 "social media" may be particularly useful in providing Opposer's goods and services to
18 its social media clients.

19 RESPONSE: Opposer objects to this request as vague as it is unclear to the meaning of "social
20 media clients."

21
22 REQUEST FOR ADMISSION NO. 294

23 294. Admit the documents numbered CPR 001459 - CPR 001473 produced by Opposer about
24 "social media" may be particularly useful in providing Opposer's PR services to its social
25 media clients.

26 RESPONSE: Opposer objects to this request as vague as it is unclear to the meaning of "social
27 media clients."

28
REQUEST FOR ADMISSION NO. 295

1 295. Admit the documents numbered CPR 001459 - CPR 001473 produced by Opposer about
2 “social media” does not say Opposer is itself a supplier of “social media” services.

3 RESPONSE: Denied.

4
5 REQUEST FOR ADMISSION NO. 296

6 296. Admit the analysis set forth in documents numbered CPR 001459 - CPR 001473
7 produced by Opposer about “social media” may allow Opposer’s clients to better present
8 their brands to those who use “social media” services.

9 RESPONSE: Opposer objects to this request as irrelevant and vague.

10
11 REQUEST FOR ADMISSION NO. 297

12 297. Admit Opposer, in providing the analysis set forth in documents numbered CPR 001459 -
13 CPR 001473 produced by Opposer, does not present Opposer’s Marks to those who use
14 “social media” services.

15 RESPONSE: Denied.

16
17 REQUEST FOR ADMISSION NO. 298

18 298. Admit Opposer, in providing any measurement or service referred to in documents
19 numbered CPR 001459 - CPR 001473 produced by Opposer, does not present Opposer’s
20 Marks to those who use “social media” services.

21 RESPONSE: Denied.

22
23 REQUEST FOR ADMISSION NO. 299

24 299. Admit Opposer is not itself a supplier of “social media” services.

25 RESPONSE: Denied.

26
27 REQUEST FOR ADMISSION NO. 300

28 300. Admit Opposer is itself a supplier of “social media” services.

RESPONSE: Admitted.

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REQUEST FOR ADMISSION NO. 301

301. Admit the documents numbered CPR 001830 - CPR 001843 produced by Opposer with Opposer’s Responses to Applicants Second Set of Requests for Production of Documents and Things, which documents are attached hereto, are genuine.

RESPONSE: Admitted.

REQUEST FOR ADMISSION NO. 302

302. Admit the documents numbered CPR 001830 - CPR 001843 produced by Opposer is an analysis of the “technology market.”

RESPONSE: Opposer objects to this request as irrelevant as none of the goods or services, classes of customers, or channels of trade in Opposer’s registrations or Applicant’s application are limited to the “technology market.”

REQUEST FOR ADMISSION NO. 303

303. Admit the documents numbered CPR 001830 - CPR 001843 produced by Opposer is an analysis of the “technology market” which may be used as Opposer supplies its goods and services to its clients.

RESPONSE: Opposer objects to this request as irrelevant as none of the goods or services, classes of customers, or channels of trade in Opposer’s registrations or Applicant’s application are limited to the “technology market.”

REQUEST FOR ADMISSION NO. 304

304. Admit the documents numbered CPR 001830 - CPR 001843 produced by Opposer is an analysis of the “technology market” which may be presented to its clients.

RESPONSE: Opposer objects to this request as irrelevant as none of the goods or services, classes of customers, or channels of trade in Opposer’s registrations or Applicant’s application are limited to the “technology market.”

1 REQUEST FOR ADMISSION NO. 305

2 305. Admit the documents numbered CPR 001830 - CPR 001843 produced by Opposer about
3 the “technology market” may be presented to Opposer’s social media clients.

4 RESPONSE: Opposer objects to this request as irrelevant as none of the goods or services,
5 classes of customers, or channels of trade in Opposer’s registrations or Applicant’s application
6 are limited to the “technology market.” Opposer further objects to this request as vague as the
7 meaning of the phrase “social media clients” is unclear.

8
9 REQUEST FOR ADMISSION NO. 306

10 306. Admit the documents numbered CPR 001830 - CPR 001843 produced by Opposer about
11 the “technology market” may be particularly useful in providing Opposer’s goods and
12 services to its “technology” clients.

13 RESPONSE: Opposer objects to this request as irrelevant as none of the goods or services,
14 classes of customers, or channels of trade in Opposer’s registrations or Applicant’s application
15 are limited to the “technology market.” Opposer further objects to this request as vague as the
16 meaning of the phrase “technology clients” is unclear.

17
18 REQUEST FOR ADMISSION NO. 307

19 307. Admit the documents numbered CPR 001830 - CPR 001843 produced by Opposer about
20 the “technology market” was developed to be useful in providing Opposer’s goods and
21 services to its “technology” clients.

22 RESPONSE: Opposer objects to this request as irrelevant as none of the goods or services,
23 classes of customers, or channels of trade in Opposer’s registrations or Applicant’s application
24 are limited to the “technology market.” Opposer further objects to this request as vague as the
25 meaning of the phrase “technology clients” is unclear.

26
27 REQUEST FOR ADMISSION NO. 308

28 308. Admit the documents numbered CPR 001830 - CPR 001843 produced by Opposer about
the “technology market” may be particularly useful in providing Opposer’s goods and

1 services to its “technology” clients.

2 RESPONSE: Opposer objects to this request as irrelevant as none of the goods or services,
3 classes of customers, or channels of trade in Opposer’s registrations or Applicant’s application
4 are limited to the “technology market.” Opposer further objects to this request as vague as the
5 meaning of the phrase “technology clients” is unclear.

6
7 REQUEST FOR ADMISSION NO. 309

8 309. Admit the documents numbered CPR 001830 - CPR 001843 produced by Opposer about
9 the “technology market” may be particularly useful in providing Opposer’s PR services to
10 its “technology” clients.

11 RESPONSE: Opposer objects to this request as irrelevant as none of the goods or services,
12 classes of customers, or channels of trade in Opposer’s registrations or Applicant’s application
13 are limited to the “technology market.” Opposer further objects to this request as vague as the
14 meaning of the phrase “technology clients” is unclear.

15
16 REQUEST FOR ADMISSION NO. 310

17 310. Admit the documents numbered CPR 001830 - CPR 001843 produced by Opposer about
18 the “technology market” does not say Opposer is itself a supplier of “technology”
19 services.

20 RESPONSE: Opposer objects to this request as irrelevant as none of the goods or services,
21 classes of customers, or channels of trade in Opposer’s registrations or Applicant’s application
22 are limited to the “technology market.” Opposer further objects to this request as vague as the
23 meaning of the phrase “technology services” is unclear.

24
25 REQUEST FOR ADMISSION NO. 311

26 311. Admit the analysis set forth in documents numbered CPR 001830 - CPR 001843
27 produced by Opposer about the “technology market” may allow Opposer’s clients to
28 better present their brands to those who use “technology” services.

RESPONSE: Opposer objects to this request as irrelevant as none of the goods or services,

1 classes of customers, or channels of trade in Opposer's registrations or Applicant's application
2 are limited to the "technology market." Opposer further objects to this request as vague as the
3 meaning of the phrase "technology services" is unclear.

4
5 REQUEST FOR ADMISSION NO. 312

6 312. Admit Opposer, in providing the analysis set forth in documents numbered CPR 001830 -
7 CPR 001843 produced by Opposer, does not present Opposer's Marks to those who use
8 "technology" services.

9 RESPONSE: Opposer objects to this request as irrelevant as none of the goods or services,
10 classes of customers, or channels of trade in Opposer's registrations or Applicant's application
11 are limited to "technology services." Opposer further objects to this request as vague as the
12 meaning of the phrase "technology services" is unclear.

13 REQUEST FOR ADMISSION NO. 313

14 313. Admit Opposer, in providing any measurement or service referred to in documents
15 numbered CPR 001830 - CPR 001843 produced by Opposer, does not present Opposer's
16 Marks to those who use "technology" services.

17 RESPONSE: Opposer objects to this request as irrelevant as none of the goods or services,
18 classes of customers, or channels of trade in Opposer's registrations or Applicant's application
19 are limited to "technology services." Opposer further objects to this request as vague as the
20 meaning of the phrase "technology services" is unclear.

21
22 REQUEST FOR ADMISSION NO. 314

23 314. Admit Opposer is not itself a supplier of "technology" services.

24 RESPONSE: Opposer objects to this request as irrelevant as none of the goods or services,
25 classes of customers, or channels of trade in Opposer's registrations or Applicant's application
26 are limited to "technology services." Opposer further objects to this request as vague as the
27 meaning of the phrase "technology services" is unclear.

28
REQUEST FOR ADMISSION NO. 315

1 315. Admit Opposer is itself a supplier of “technology” services.

2 RESPONSE: Opposer objects to this request as irrelevant as none of the goods or services,
3 classes of customers, or channels of trade in Opposer’s registrations or Applicant’s application
4 are limited to “technology services.” Opposer further objects to this request as vague as the
5 meaning of the phrase “technology services” is unclear.

6
7 REQUEST FOR ADMISSION NO. 316

8 316. Admit the documents numbered CPR 001900 - CPR 001927 produced by Opposer with
9 Opposer’s Responses to Applicants Second Set of Requests for Production of Documents
10 and Things, which documents are attached hereto, are genuine.

11 RESPONSE: Admitted.

12
13 REQUEST FOR ADMISSION NO. 317

14 317. Admit the documents numbered CPR 001900 - CPR 001927 produced by Opposer, was
15 created on or about the time Opposer applied to register its mark CONNECTPR with the
16 U.S. Patent & Trademark Office.

17 RESPONSE: Admitted.

18
19 REQUEST FOR ADMISSION NO. 318

20 318. Admit the documents numbered CPR 001900 - CPR 001927 produced by Opposer, was
21 created on or about the time Opposer applied to register its mark CONNECT PUBLIC
22 RELATIONS with the U.S. Patent & Trademark Office.

23 RESPONSE: Admitted.

24
25 REQUEST FOR ADMISSION NO. 319

26 319. Admit the documents numbered CPR 001900 - CPR 001927 produced by Opposer with
27 Opposer’s Responses to Applicants Second Set of Requests for Production of Documents
28 and Things, is about Opposer’s business.

RESPONSE: Opposer admits that the documents numbered CPR 001900 - CPR 001927 are

1 about the Opposer's business when the documents were created.

2
3 REQUEST FOR ADMISSION NO. 320

4 320. Admit the documents numbered CPR 001928 - CPR 001936 produced by Opposer with
5 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
6 and Things, which documents are attached hereto, are genuine.

7 RESPONSE: Admitted.

8
9 REQUEST FOR ADMISSION NO. 321

10 321. Admit the documents numbered CPR 001928 - CPR 001936 produced by Opposer with
11 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
12 and Things, is about Opposer's business.

13 RESPONSE: Opposer admits that the documents numbered CPR 001928 - CPR 001936 are
14 about the Opposer's when the documents were created.

15
16 REQUEST FOR ADMISSION NO. 322

17 322. Admit the documents numbered CPR 001928 - CPR 001936 produced by Opposer with
18 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
19 and Things, specifically discusses the markets for Opposer's business.

20 RESPONSE: Denied.

21
22 REQUEST FOR ADMISSION NO. 323

23 323. Admit the documents numbered CPR 001928 - CPR 001936 produced by Opposer with
24 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
25 and Things, specifically discusses the tools of Opposer's business.

26 RESPONSE: Opposer objects to this request as irrelevant and vague as it is unclear to the
27 meaning of term "tools."

28
REQUEST FOR ADMISSION NO. 324

1 324. Admit the documents numbered CPR 001928 - CPR 001936 produced by Opposer with
2 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
3 and Things, locates the offices of Opposer.

4 RESPONSE: Admitted.

5
6 REQUEST FOR ADMISSION NO. 325

7 325. Admit the documents numbered CPR 002050 - CPR 002071 produced by Opposer with
8 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
9 and Things, which documents are attached hereto, are genuine.

10 RESPONSE: Admitted.

11
12 REQUEST FOR ADMISSION NO. 326

13 326. Admit the documents numbered CPR 002050 - CPR 002071 produced by Opposer shows
14 individuals in the "media" with whom Opposer's has or may discuss its clients.

15 RESPONSE: Admitted.

16
17 REQUEST FOR ADMISSION NO. 327

18 327. Admit the documents numbered CPR 002050 - CPR 002071 produced by Opposer shows
19 individuals in the "media" with whom Opposer's has or may discuss its clients for the
20 benefit of Opposer's clients.

21 RESPONSE: Admitted.

22
23 REQUEST FOR ADMISSION NO. 328

24 328. Admit the documents numbered CPR 002050 - CPR 002071 produced by Opposer shows
25 individuals in the "media" with whom Opposer's has or may discuss its clients to gain
26 additional media coverage for Opposer's clients.

27 RESPONSE: Admitted.

28
REQUEST FOR ADMISSION NO. 329

1 329. Admit the documents numbered CPR 002050 - CPR 002071 produced by Opposer shows
2 Opposer uses discussions with individuals in the “media” as a means to conduct
3 Opposer’s business.

4 RESPONSE: Admitted.

5
6 REQUEST FOR ADMISSION NO. 330

7 330. Admit the documents numbered CPR 002050 - CPR 002071 produced by Opposer shows
8 Opposer uses discussions with individuals in the “media” as a primary means to conduct
9 Opposer’s business.

10 RESPONSE: Opposer admits that discussions with individuals in the “media” is one means it
11 uses to conduct its business.

12
13 REQUEST FOR ADMISSION NO. 331

14 331. Admit the documents numbered CPR 002072 - CPR 002077 produced by Opposer with
15 Opposer’s Responses to Applicants Second Set of Requests for Production of Documents
16 and Things, which documents are attached hereto, are genuine.

17 RESPONSE: Admitted.

18
19 REQUEST FOR ADMISSION NO. 332

20 332. Admit the documents numbered CPR 002072 - CPR 002077 produced by Opposer shows
21 individuals who are “analysts” with whom Opposer’s has or may discuss its clients.

22 RESPONSE: Admitted.

23
24 REQUEST FOR ADMISSION NO. 333

25 333. Admit the documents numbered CPR 002072 - CPR 002077 produced by Opposer shows
26 individuals who are “analysts” with whom Opposer’s has or may discuss its clients for
27 the benefit of Opposer’s clients.

28 RESPONSE: Admitted.

1 REQUEST FOR ADMISSION NO. 334

2 334. Admit the documents numbered CPR 002072 - CPR 002077 produced by Opposer shows
3 individuals who are “analysts” with whom Opposer’s has or may discuss its clients to
4 gain additional favorable coverage for Opposer’s clients.

5 RESPONSE: Admitted.

6
7 REQUEST FOR ADMISSION NO. 335

8 335. Admit the documents numbered CPR 002072 - CPR 002077 produced by Opposer shows
9 Opposer uses discussions with individuals who are “analysts” as a means to conduct
10 Opposer’s business.

11 RESPONSE: Admitted.

12
13 REQUEST FOR ADMISSION NO. 336

14 336. Admit the documents numbered CPR 002072 - CPR 002077 produced by Opposer shows
15 Opposer uses discussions with individuals who are “analysts” as a primary means to
16 conduct Opposer’s business.

17 RESPONSE: Opposer admits that it uses discussions with individuals who are “analysts,” but
18 denies that it is the primary means to conduct Opposer’s business.

19
20 REQUEST FOR ADMISSION NO. 337

21 337. Admit the documents numbered CPR 002078 - CPR 002097 produced by Opposer with
22 Opposer’s Responses to Applicants Second Set of Requests for Production of Documents
23 and Things, which documents are attached hereto, are genuine.

24 RESPONSE: Admitted.

25
26 REQUEST FOR ADMISSION NO. 338

27 338. Admit the documents numbered CPR 002078 - CPR 002097 produced by Opposer shows
28 individuals in the “social media” with whom Opposer’s has or may discuss its clients.

RESPONSE: Admitted.

1 REQUEST FOR ADMISSION NO. 339

2 339. Admit the documents numbered CPR 002078 - CPR 002097 produced by Opposer shows
3 individuals in the "social media" with whom Opposer's has or may discuss its clients for
4 the benefit of Opposer's clients.

5 RESPONSE: Admitted.

6
7 REQUEST FOR ADMISSION NO. 340

8 340. Admit the documents numbered CPR 002078 - CPR 002097 produced by Opposer shows
9 individuals in the "social media" with whom Opposer's has or may discuss its clients to
10 gain additional media coverage for Opposer's clients.

11 RESPONSE: Admitted.

12
13 REQUEST FOR ADMISSION NO. 341

14 341. Admit the documents numbered CPR 002078 - CPR 002097 produced by Opposer shows
15 Opposer uses discussions with individuals in the "social media" as a means to conduct
16 Opposer's business.

17 RESPONSE: Admitted.

18
19 REQUEST FOR ADMISSION NO. 342

20 342. Admit the documents numbered CPR 002078 - CPR 002097 produced by Opposer shows
21 Opposer uses discussions with individuals in the "social media" as a primary means to
22 conduct Opposer's business.

23 RESPONSE: Opposer admits that it may use discussions with individuals in the "social media"
24 but denies that it is the primary means to conduct Opposer's business.

25
26 REQUEST FOR ADMISSION NO. 343

27 343. Admit the document numbered CPR 002197 produced by Opposer with Opposer's
28 Responses to Applicants Second Set of Requests for Production of Documents and
Things, which document is attached hereto, is genuine.

1 RESPONSE: Admitted.

2
3 REQUEST FOR ADMISSION NO. 344

4 344. Admit the document numbered CPR 002197 produced by Opposer sets forth a statement
5 about Opposer made by Opposer.

6 RESPONSE: Opposer objects to this request as vague since the statement is not specifically
7 identified.

8
9 REQUEST FOR ADMISSION NO. 345

10 345. Admit the document numbered CPR 002197 produced by Opposer sets for a statement
11 about Opposer, and that statement is true.

12 RESPONSE: Opposer objects to this request as vague since the statement is not specifically
13 identified.

14
15 REQUEST FOR ADMISSION NO. 346

16 346. Admit the document numbered CPR 002197 produced by Opposer sets for a statement
17 about Opposer, and that statement is at least in part false.

18 RESPONSE: Opposer objects to this request as vague since the statement is not specifically
19 identified.

20
21 REQUEST FOR ADMISSION NO. 347

22 347. Admit the documents numbered CPR 002270 - CPR 002296 produced by Opposer with
23 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
24 and Things, which documents are attached hereto, are genuine.

25 RESPONSE: Admitted.

26
27 REQUEST FOR ADMISSION NO. 348

28 348. Admit the documents numbered CPR 002270 - CPR 002296 produced by Opposer
describes Opposer's business in a general way.

1 RESPONSE: Opposer admits that the documents describe some aspects of Opposer's business in
2 a general way.

3
4 REQUEST FOR ADMISSION NO. 349

5 349. Admit the documents numbered CPR 002270 - CPR 002296 produced by Opposer
6 describes Opposer's entire business in a general way.

7 RESPONSE: Denied.
8

9 REQUEST FOR ADMISSION NO. 350

10 350. Admit the documents numbered CPR 002270 - CPR 002296 produced by Opposer
11 describes in a general way the industries served by Opposer.

12 RESPONSE: Denied.
13

14 REQUEST FOR ADMISSION NO. 351

15 351. Admit the documents numbered CPR 002270 - CPR 002296 produced by Opposer
16 describes in a general way the industries to which Opposer markets its services.

17 RESPONSE: Denied.
18

19 REQUEST FOR ADMISSION NO. 352

20 352. Admit the documents numbered CPR 002270 - CPR 002296 produced by Opposer
21 describes in a general way the industries to which Opposer presents its Opposer's Marks
22 when Opposer markets its services.

23 RESPONSE: Denied.
24

25 REQUEST FOR ADMISSION NO. 353

26 353. Admit the documents numbered CPR 002593 - CPR 002601 produced by Opposer with
27 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
28 and Things, which documents are attached hereto, are genuine.

RESPONSE: Admitted.

1 REQUEST FOR ADMISSION NO. 354

2 354. Admit the documents numbered CPR 002593 - CPR 002601 produced by Opposer
3 describes Opposer's business in a general way.

4 RESPONSE: Opposer admits that the documents describe some aspects of Opposer's business in
5 a general way.

6
7 REQUEST FOR ADMISSION NO. 355

8 355. Admit the documents numbered CPR 002593 - CPR 002601 produced by Opposer
9 describes some of the things Opposer does as it conducts its business.

10 RESPONSE: Admitted.

11
12 REQUEST FOR ADMISSION NO. 356

13 356. Admit the documents numbered CPR 002593 - CPR 002601 produced by Opposer
14 describes Opposer's some of the things Opposer does for its clients.

15 RESPONSE: Admitted.

16
17 REQUEST FOR ADMISSION NO. 357

18 357. Admit Opposer provides no services to clients which operate in the field of manufacture
19 and sale of railroad boxcars.

20 RESPONSE: Opposer objects to this request as irrelevant.

21
22 REQUEST FOR ADMISSION NO. 358

23 358. Admit Opposer provides no services to clients which operate in the field of manufacture
24 and sale of bicycles.

25 RESPONSE: Opposer objects to this request as irrelevant.

26
27 REQUEST FOR ADMISSION NO. 359

28 359. Admit Opposer provides no services to clients which operate in the field of manufacture
and sale of basketballs.

1 RESPONSE: Opposer objects to this request as irrelevant.

2
3 REQUEST FOR ADMISSION NO. 360

4 360. Admit Opposer provides no services to clients which operate in the field of manufacture
5 and sale of oil products.

6 RESPONSE: Opposer objects to this request as irrelevant.

7
8 REQUEST FOR ADMISSION NO. 361

9 361. Admit Opposer provides no services to clients which operate in the field of utilities and
10 utility hook-ups.

11 RESPONSE: Opposer objects to this request as irrelevant as the goods and services it does not
12 provide are not at issue.

13
14 REQUEST FOR ADMISSION NO. 362

15 362. Admit Opposer provides no services to clients which operate in the field of comparative
16 marketing and advertising services.

17 RESPONSE: Opposer objects to this request as vague as the meaning of the phrase "operate in
18 the field of comparative marketing and advertising services" is unclear. Opposer objects to this
19 request as irrelevant as the goods and services it does not provide are not at issue.

20
21 REQUEST FOR ADMISSION NO. 363

22 363. Admit Opposer provides no audio recordings featuring music.

23 RESPONSE: Opposer objects to this request as irrelevant as the goods and services it does not
24 provide are not at issue.

25
26 REQUEST FOR ADMISSION NO. 364

27 364. Admit Opposer provides no prerecorded music on CD, DVD and other media.

28 RESPONSE: Opposer objects to this request as irrelevant as the goods and services it does not
provide are not at issue.

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REQUEST FOR ADMISSION NO. 365

365. Admit Opposer provides no business marketing services in the nature of agency representation of companies marketing a variety of services to home owners and renters, namely, utility hook-ups, telecommunication services, home security services, home warranties, home and yard maintenance, furniture and appliance rental.

RESPONSE: Opposer objects to this request as irrelevant as the goods and services it does not provide are not at issue.

REQUEST FOR ADMISSION NO. 366

366. Admit Opposer provides no comparative marketing and advertising services for providers of residential and business telecommunications services, namely, for providers of broadband cable, DSL, fiber-optic and satellite Internet access services, cable and satellite television, voice over IP, and long-distance telephone services.

RESPONSE: Opposer objects to this request as irrelevant as the goods and services it does not provide are not at issue.

REQUEST FOR ADMISSION NO. 367

367. Admit Opposer provides no operation of telephone call centers for others.

RESPONSE: Opposer objects to this request as irrelevant as the goods and services it does not provide are not at issue.

REQUEST FOR ADMISSION NO. 368

368. Admit Opposer provides no marketing of high speed telephone, Internet, and wireless access, and directing consumers to access providers.

RESPONSE: Opposer objects to this request as irrelevant as the goods and services it does not provide are not at issue.

REQUEST FOR ADMISSION NO. 369

1 369. Admit Opposer provides no online directory information service featuring information
2 regarding, and in the nature of, classifieds.

3 RESPONSE: Opposer objects to this request as irrelevant as the goods and services it does not
4 provide are not at issue.

5
6 REQUEST FOR ADMISSION NO. 370

7 370. Admit Opposer provides no advertising and information distribution services, namely,
8 providing classified advertising space via the global computer network.

9 RESPONSE: Opposer objects to this request as irrelevant as the goods and services it does not
10 provide are not at issue.

11
12 REQUEST FOR ADMISSION NO. 371

13 371. Admit Opposer provides no promoting the goods and services of others over the Internet.

14 RESPONSE: Opposer objects to this request as irrelevant as the goods and services it does not
15 provide are not at issue.

16
17 REQUEST FOR ADMISSION NO. 372

18 372. Admit Opposer provides no online computer databases and on-line searchable databases
19 featuring classified listings and want ads.

20 RESPONSE: Opposer objects to this request as irrelevant as the goods and services it does not
21 provide are not at issue.

22
23 REQUEST FOR ADMISSION NO. 373

24 373. Admit Opposer provides no online business networking services.

25 RESPONSE: Opposer objects to this request as irrelevant as the goods and services it does not
26 provide are not at issue.

27
28 REQUEST FOR ADMISSION NO. 374

374. Admit Opposer provides no telephone directory information via global communications

1 networks.

2 RESPONSE: Opposer objects to this request as irrelevant as the goods and services it does not
3 provide are not at issue.

4
5 REQUEST FOR ADMISSION NO. 375

6 375. Admit Opposer provides no online interactive website obtaining users comments
7 concerning business organizations, service providers, and other resources.

8 RESPONSE: Opposer objects to this request as irrelevant as the goods and services it does not
9 provide are not at issue.

10
11 REQUEST FOR ADMISSION NO. 376

12 376. Admit Opposer provides no information, namely, compilations, rankings, ratings,
13 reviews, referrals and recommendations relating to business organizations, service
14 providers, and other resources using a global computer network.

15 RESPONSE: Opposer objects to this request as irrelevant as the goods and services it does not
16 provide are not at issue.

17
18 REQUEST FOR ADMISSION NO. 377

19 377. Admit Opposer provides no telephone directory information via global communications
20 networks.

21 RESPONSE: Opposer objects to this request as irrelevant as the goods and services it does not
22 provide are not at issue.

23
24 REQUEST FOR ADMISSION NO. 378

25 378. Admit Opposer provides no arranging for others the initiation and termination of
26 telecommunication services and utility services in the nature of water, gas and electricity
27 and consultation rendered in connection therewith.

28 RESPONSE: Opposer objects to this request as irrelevant as the goods and services it does not
provide are not at issue.

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REQUEST FOR ADMISSION NO. 379

379. Admit Opposer provides no online chat rooms for registered users for transmission of messages concerning classifieds, virtual community and social networking.

RESPONSE: Opposer objects to this request as irrelevant as the goods and services it does not provide are not at issue.

REQUEST FOR ADMISSION NO. 380

380. Admit Opposer provides no on-line chat rooms and electronic bulletin boards for transmission of messages among users in the field of general interest.

RESPONSE: Opposer objects to this request as irrelevant as the goods and services it does not provide are not at issue.

REQUEST FOR ADMISSION NO. 381

381. Admit Opposer provides no email and instant messaging services.

RESPONSE: Opposer objects to this request as irrelevant as the goods and services it does not provide are not at issue.

REQUEST FOR ADMISSION NO. 382

382. Admit Opposer provides no computer services, namely, creating an on-line community for registered users to participate in discussions, get feedback from their peers, form virtual communities, and engage in social networking.

RESPONSE: Opposer objects to this request as irrelevant as the goods and services it does not provide are not at issue.

REQUEST FOR ADMISSION NO. 383

383. Admit Opposer provides no computer software development.

RESPONSE: Opposer objects to this request as irrelevant as the goods and services it does not provide are not at issue.

1 REQUEST FOR ADMISSION NO. 384

2 384. Admit Opposer provides no application service provider (ASP) services featuring
3 software to enable uploading, posting, showing, displaying, tagging, blogging, sharing or
4 otherwise providing electronic media or information over the Internet or other
5 communications network.

6 RESPONSE: Opposer objects to this request as irrelevant as the goods and services it does not
7 provide are not at issue.

8
9 REQUEST FOR ADMISSION NO. 385

10 385. Admit Opposer provides no temporary use of non-downloadable software applications for
11 classifieds, virtual community, social networking, photo sharing, video sharing, and
12 transmission of photographic images.

13 RESPONSE: Opposer objects to this request as irrelevant as the goods and services it does not
14 provide are not at issue.

15
16 REQUEST FOR ADMISSION NO. 386

17 386. Admit Opposer provides no computer services, namely, hosting online web facilities for
18 others for organizing and conducting online meetings, gatherings, and interactive
19 discussions.

20 RESPONSE: Opposer objects to this request as irrelevant as the goods and services it does not
21 provide are not at issue.

22
23 REQUEST FOR ADMISSION NO. 387

24 387. Admit Opposer provides no computer services in the nature of customized web pages
25 featuring user-defined information, personal profiles and information.

26 RESPONSE: Opposer objects to this request as irrelevant as the goods and services it does not
27 provide are not at issue.

28
REQUEST FOR ADMISSION NO. 388

1 388. Admit Opposer provides no on-line social networking services; internet based dating,
2 introduction and social networking services.

3 RESPONSE: Opposer objects to this request as irrelevant as the goods and services it does not
4 provide are not at issue.

5
6 REQUEST FOR ADMISSION NO. 389

7 389. Admit Applicant's Mark is not confusingly similar to Opposer's Marks.

8 RESPONSE: Denied.

9
10 REQUEST FOR ADMISSION NO. 390

11 390. Admit services provided to businesses may be unrelated to services provided to
12 Consumers.

13 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
14 answered.

15
16 REQUEST FOR ADMISSION NO. 391

17 391. Admit services provided to businesses may be unrelated to services provided to
18 Consumers, even when provided under the same mark.

19 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
20 answered.

21
22 REQUEST FOR ADMISSION NO. 392

23 392. Admit marks used to provide services to businesses may not be confusingly similar to
24 marks used to provide services to Consumers, if the services so provided to businesses
25 are unrelated to the services so provided to Consumers.

26 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
27 answered.

28
REQUEST FOR ADMISSION NO. 393

1 393. Admit a mark used to provide services to businesses may be identical to a mark used to
2 provide services to Consumers if the services so provided to businesses are unrelated to
3 the services so provided to Consumers.

4 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
5 answered.

6
7 REQUEST FOR ADMISSION NO. 394

8 394. Admit Opposer's Mark CONNECTPR, when used to provide services to businesses, may
9 be confusingly similar to Applicant's Mark CONNECT, when used to provide services to
10 Consumers if the services so provided to businesses are unrelated to the services so
11 provided to Consumers.

12 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
13 answered.

14
15 REQUEST FOR ADMISSION NO. 395

16 395. Admit the word "connect," as a commonly used English word, describes an ingredient,
17 quality, characteristic, function, feature, purpose, or use of many of Applicant's identified
18 services.

19 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
20 answered.

21
22 REQUEST FOR ADMISSION NO. 396

23 396. Admit businesses which supply services to Consumers present their marks to Consumers
24 to make sales.

25 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
26 answered.

27
28 REQUEST FOR ADMISSION NO. 397

397. Admit businesses which supply services to businesses present their marks to such

1 businesses to make sales.

2 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
3 answered.

4
5 REQUEST FOR ADMISSION NO. 398

6 398. Admit businesses and Consumers may be separate markets.

7 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
8 answered.

9
10 REQUEST FOR ADMISSION NO. 399

11 399. Admit a mark used by a businesses which supplies services only to other businesses may
12 not be presented to the same market as a mark used by a business which supplies services
13 only to Consumers.

14 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
15 answered.

16
17 REQUEST FOR ADMISSION NO. 400

18 400. Admit a mark used by a businesses which presents its mark only to other businesses may
19 not be confusingly similar to a mark used by a business which supplies services only to
20 Consumers.

21 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
22 answered.

23
24 REQUEST FOR ADMISSION NO. 401

25 401. Admit Opposer supplies its services only to other businesses.

26 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
27 answered.

28
REQUEST FOR ADMISSION NO. 402

1 402. Admit Opposer provides some services to Consumers.

2 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
3 answered.

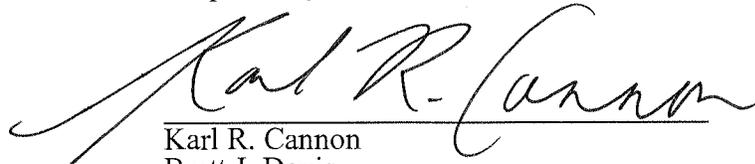
4
5 REQUEST FOR ADMISSION NO. 403

6 403. Admit Opposer's Marks are generic.

7 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
8 answered.

9
10 DATED this 5 day of December, 2011.

11
12 Respectfully submitted,

13 

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15 Brett J. Davis

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23
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Exhibit C

Opposer's Responses to Interrogatories and
its Responses to Requests for Admissions
as Served on DigitalMojo April 21, 2014

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8 **Opposed Mark: CONNECT**
9 **U.S. Trademark Application Serial Number: 77/714,693**
10 **Published: March 2, 2010**

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

13 CONNECT PUBLIC RELATIONS, INC., a Utah
14 corporation,

15 Opposer

16 v.

17 DIGITALMOJO, INC., a California corporation,

18 Applicant.

19 DIGITALMOJO, INC.,

20 Petitioner,

21 v.

22 CONNECT PUBLIC RELATIONS, INC.

23 Respondent.

24
25
26
27
28 **RESPONDENT'S RESPONSES TO**
PETITIONER'S
INTERROGATORIES, SETS ONE
AND TWO

Opposition No. 91196299
Cancellation No. 92054395
Cancellation No. 92054427

1 Pursuant to Federal Rules of Civil Procedure, Connect Public Relations, Inc. (hereinafter
2 “Responding Party,” “Opposer,” or “Respondent”) responds and objects to Digitalmojo
3 Inc.’s (hereinafter “Propounding Party,” “Applicant,” or “Petitioner”) Interrogatories, Sets
4 One and Two, propounded on Responding Party as follows:

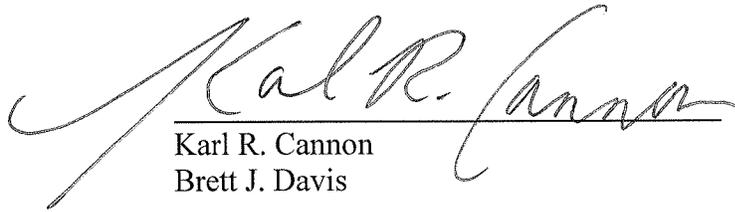
5
6 **GENERAL OBJECTIONS**

7 Respondent hereby incorporates by reference the General Objections set forth in
8 Opposer’s Responses to Applicant’s First Set of Interrogatories as if fully set forth herein.

9 Further, pursuant to 37 CFR § 2.120(d)(1), Respondent generally objects to
10 Petitioner’s Interrogatories Set One and Set Two on the basis that the number of
11 interrogatories served exceeds the limitations agreed to by the parties. In particular, as
12 memorialized in the letter dated November 17, 2010 between counsel, the parties agreed
13 to 75 interrogatories for the parent proceeding, namely, Opposition No. 91196299.
14 Petitioner has previously served 75 interrogatories in the parent-opposition proceeding
15 thus meeting the number of allowed interrogatories for that proceeding. Therefore,
16 Petitioner’s Interrogatories Set One and Set Two exceed the limitation of 75
17 interrogatories set in the November 17, 2010 letter, because Petitioner has already
18 previously served 75 interrogatories in the parent-opposition proceedings, and because
19 the current interrogatories as captioned above, are directed to issues germane to the
20 parent-opposition proceeding and not the child-cancellation proceedings, namely,
21 Cancellation Nos. 92054395 and 92054427. That is, Petitioner cannot use its
22 interrogatories permitted in the cancellation proceedings to inquire into matters germane
23 solely to the parent-opposition proceeding and having no relevance whatsoever to the
24 cancellation proceedings when Petitioner has exhausted the allowable interrogatories for
25 the parent-opposition proceedings. Respondent’s review of Petitioner’s Interrogatories
26 Set One and Set Two, reveal that the interrogatories propounded therein are solely
27 directed to issues in the parent-opposition proceeding. In fact, most, if not all, of the

1 Petitioner's Interrogatories Set One and Set Two are duplicates of interrogatories
2 propounded by the Petitioner in the parent-opposition proceeding. Thus, Respondent
3 objects to these interrogatories as exceeding the number agreed to by the parties.
4

5
6 DATED this 21st day of April, 2014.

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8 
9
10

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Opposed Mark: CONNECT
8 **U.S. Trademark Application Serial Number: 77/714,693**
Published: March 2, 2010
9

10 **IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**
11 **BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**
12

13 CONNECT PUBLIC RELATIONS, INC., a Utah
corporation,)

14 Opposer)

15 v.)

16 DIGITALMOJO, INC., a California corporation,)

17 Applicant.)

18 _____)
19 DIGITALMOJO, INC.,)

20 Petitioner,)

21 v.)

22 CONNECT PUBLIC RELATIONS, INC.)

23 Respondent.)

**RESPONDENT'S RESPONSES TO
PETITIONER'S REQUESTS FOR
ADMISSIONS, SETS ONE AND
TWO**

Opposition No. 91196299
Cancellation No. 92054395
Cancellation No. 92054427

25 Pursuant to Federal Rules of Civil Procedure, Rule 36, Connect Public Relations, Inc.
26 (hereinafter "Responding Party," "Opposer," or "Respondent") responds and objects to
27

1 Digitalmojo Inc.’s (hereinafter “Propounding Party,” “Applicant,” or “Petitioner”)
2 Requests for Admissions, Sets One and Two, propounded on Responding Party as
3 follows:

4
5 **GENERAL OBJECTIONS**

6 Opposer hereby incorporates by reference the General Objections set forth in
7
8 Opposer’s Responses to Applicant’s First Set of Interrogatories as if fully set forth herein.

9
10 **RESPONSES TO REQUESTS FOR ADMISSIONS**

11 **REQUEST FOR ADMISSION NO. 1**

12 1. Admit the document numbered CPR 000004, produced by Opposer with Opposer’s
13 Responses to Applicants Second Set of Requests for Production of Documents and
14 Things, which document is attached hereto, is genuine.

15 **RESPONSE:** Opposer objects to this request to the extent that it has been previously asked and
16 answered.

17
18 **REQUEST FOR ADMISSION NO. 2**

19 2. Admit the document numbered CPR 000006, produced by Opposer with Opposer’s
20 Responses to Applicants Second Set of Requests for Production of Documents and
21 Things, which document is attached hereto, is genuine.

22 **RESPONSE:** Opposer objects to this request to the extent that it has been previously asked and
23 answered.

24
25 **REQUEST FOR ADMISSION NO. 3**

26 3. Admit the document numbered CPR 000007, produced by Opposer with Opposer’s
27

1 Responses to Applicants Second Set of Requests for Production of Documents and
2 Things, which document is attached hereto, is genuine.

3 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
4 answered.

5
6 REQUEST FOR ADMISSION NO. 4

7 4. Admit the document numbered CPR 000008, produced by Opposer with Opposer's
8 Responses to Applicants Second Set of Requests for Production of Documents and
9 Things, which document is attached hereto, is genuine.

10 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
11 answered.

12
13 REQUEST FOR ADMISSION NO. 5

14 5. Admit the documents numbered CPR 000084 - CPR 000086, produced by Opposer with
15 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
16 and Things, which documents are attached hereto, are genuine.

17 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
18 answered.

19
20 REQUEST FOR ADMISSION NO. 6

21 6. Admit the documents numbered CPR 000084 - CPR 000086, produced by Opposer with
22 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
23 and Things, which documents are attached hereto, shows an online dictionary entry for
24 the word "connect" from Encarta.

25 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
26 answered.

1 REQUEST FOR ADMISSION NO. 7

2 7. Admit the documents numbered CPR 000084 - CPR 000086, produced by Opposer with
3 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
4 and Things, demonstrates the word "connect" is a common word in English.

5 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
6 answered.

7
8 REQUEST FOR ADMISSION NO. 8

9 8. Admit Opposer often uses the word "connect" to describe its services.

10 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
11 answered.

12
13 REQUEST FOR ADMISSION NO. 9

14 9. Admit Opposer often uses the word "connect" in the materials by which it markets its
15 services.

16 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
17 answered.

18
19 REQUEST FOR ADMISSION NO. 10

20 10. Admit word "connect" is often used in the public relations industry.

21 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
22 answered.

23
24 REQUEST FOR ADMISSION NO. 11

25 11. Admit word "connect" is often used in the Opposer's industry.

26 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
27 answered.

1 REQUEST FOR ADMISSION NO. 12

2 12. Admit the documents numbered CPR 000103 - CPR 000110, produced by Opposer with
3 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
4 and Things, which documents are attached hereto, are genuine.

5 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
6 answered.

7
8 REQUEST FOR ADMISSION NO. 13

9 13. Admit the documents numbered CPR 000103 - CPR 000110, produced by Opposer with
10 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
11 and Things, comprises a Combined Declaration of Use submitted to the U.S. Patent &
12 Trademark Office by Opposer, or its attorney on Opposer's behalf, to demonstrate use of
13 the mark CONNECT PUBLIC RELATIONS, registered under number 2,383,788.

14 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
15 answered.

16
17 REQUEST FOR ADMISSION NO. 14

18 14. Admit the documents numbered CPR 000103 - CPR 000110, produced by Opposer with
19 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
20 and Things, states Opposer has used the mark CONNECT PUBLIC RELATIONS,
21 registered under number 2,383,788, on all goods or services listed in such registration.

22 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
23 answered.

24
25 REQUEST FOR ADMISSION NO. 15

26 15. Admit the services identified in the registration of the mark CONNECT PUBLIC
27 RELATIONS, registered under number 2,383,788, includes International Class 038
28 services.

1 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
2 answered.

3
4 REQUEST FOR ADMISSION NO. 16

5 16. Admit the services classified by the U.S. Patent & Trademark Office under International
6 Class 038 include: local and long distance telephone services, broadcasting of television
7 programmes, providing Internet access, and “telecommunication services, namely,
8 transmission of voice, data, graphics, sound and video by means of broadband power line
9 or wireless networks.”

10 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
11 answered.

12
13 REQUEST FOR ADMISSION NO. 17

14 17. Admit the “telecommunications industry” is an industry which carries messages and
15 information for others.

16 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
17 answered.

18
19 REQUEST FOR ADMISSION NO. 18

20 18. Admit the services classified by the U.S. Patent & Trademark Office under International
21 Class 038 include services supplied by the “telecommunications industry.”

22 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
23 answered.

24
25 REQUEST FOR ADMISSION NO. 19

26 19. Admit Opposer is not in the “telecommunications industry.”

27 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and

1 answered.

2
3 REQUEST FOR ADMISSION NO. 20

4 20. Admit Opposer is only in the “telecommunications industry.”

5 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
6 answered.

7
8 REQUEST FOR ADMISSION NO. 21

9 21. Admit the documents numbered CPR 000121 - CPR 000123, produced by Opposer with
10 Opposer’s Responses to Applicants Second Set of Requests for Production of Documents
11 and Things, which documents are attached hereto, are genuine.

12 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
13 answered.

14
15 REQUEST FOR ADMISSION NO. 22

16 22. Admit the documents numbered CPR 000121 - CPR 000123, produced by Opposer with
17 Opposer’s Responses to Applicants Second Set of Requests for Production of Documents
18 and Things, comprises a Combined Declaration of Use submitted to the U.S. Patent &
19 Trademark Office by Opposer, or its attorney on Opposer’s behalf, to demonstrate use of
20 the mark CONNECT PUBLIC RELATIONS, registered under number 2,383,788.

21 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
22 answered.

23
24 REQUEST FOR ADMISSION NO. 23

25 23. Admit the documents numbered CPR 000121 - CPR 000123, produced by Opposer with
26 Opposer’s Responses to Applicants Second Set of Requests for Production of Documents
27 and Things, states Opposer has used the mark CONNECT PUBLIC RELATIONS,

1 registered under number 2,383,788, on all goods or services listed in such registration.

2 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
3 answered.

4
5 REQUEST FOR ADMISSION NO. 24

6 24. Admit the services identified in the registration of the mark CONNECT PUBLIC
7 RELATIONS, registered under number 2,383,788, includes International Class 038
8 services.

9 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
10 answered.

11
12 REQUEST FOR ADMISSION NO. 25

13 25. Admit the services classified by the U.S. Patent & Trademark Office under International
14 Class 038 include: local and long distance telephone services, broadcasting of television
15 programmes, providing Internet access, and “telecommunication services, namely,
16 transmission of voice, data, graphics, sound and video by means of broadband power line
17 or wireless networks.”

18 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
19 answered.

20
21 REQUEST FOR ADMISSION NO. 26

22 26. Admit the industry of “telecommunications” includes only the carrying messages and
23 information for others.

24 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
25 answered.

26
27 REQUEST FOR ADMISSION NO. 27

1 27. Admit the services classified by the U.S. Patent & Trademark Office under International
2 Class 038 include only services supplied by the “telecommunications industry.”

3 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
4 answered.

5
6 REQUEST FOR ADMISSION NO. 28

7 28. Admit Opposer is not supplying services as a “telecommunications” company.

8 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
9 answered.

10
11 REQUEST FOR ADMISSION NO. 29

12 29. Admit Opposer is only supplying services as a “telecommunications” company.

13 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
14 answered.

15
16 REQUEST FOR ADMISSION NO. 30

17 30. Admit Opposer is supplying some services as a “telecommunications” company.

18 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
19 answered.

20
21 REQUEST FOR ADMISSION NO. 31

22 31. Admit Opposer is supplying some “telecommunications” services.

23 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
24 answered.

25
26 REQUEST FOR ADMISSION NO. 32

27 32. Admit the documents numbered CPR 000132 - CPR 000136, produced by Opposer with

1 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
2 and Things, which documents are attached hereto, are genuine.

3 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
4 answered.

5
6 REQUEST FOR ADMISSION NO. 33

7 33. Admit the documents numbered CPR 000132 - CPR 000136, produced by Opposer with
8 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
9 and Things, show coverage Opposer's clients have received.

10 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
11 answered.

12
13 REQUEST FOR ADMISSION NO. 34

14 34. Admit the documents numbered CPR 000132 - CPR 000136, produced by Opposer with
15 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
16 and Things, show coverage about Opposer's clients which are in the technology industry.

17 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
18 answered.

19
20 REQUEST FOR ADMISSION NO. 35

21 35. Admit the documents numbered CPR 000132 - CPR 000136, produced by Opposer with
22 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
23 and Things, show the company Microsoft is or was a client of Opposer.

24 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
25 answered.

26
27 REQUEST FOR ADMISSION NO. 36

1 36. Admit the documents numbered CPR 000132 - CPR 000136, produced by Opposer with
2 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
3 and Things, show the company Symantec is or was a client of Opposer.

4 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
5 answered.

6
7 REQUEST FOR ADMISSION NO. 37

8 37. Admit the documents numbered CPR 000132 - CPR 000136, produced by Opposer with
9 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
10 and Things, show the company Lexmark International is or was a client of Opposer.

11 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
12 answered.

13
14 REQUEST FOR ADMISSION NO. 38

15 38. Admit the documents numbered CPR 000132 - CPR 000136, produced by Opposer with
16 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
17 and Things, show the company V-ONE is or was a client of Opposer.

18 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
19 answered.

20
21 REQUEST FOR ADMISSION NO. 39

22 39. Admit the documents numbered CPR 000132 - CPR 000136, produced by Opposer with
23 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
24 and Things, show the company Internet Security Systems is or was a client of Opposer.

25 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
26 answered.

1 REQUEST FOR ADMISSION NO. 40

2 40. Admit Opposer considers the company Microsoft a technology company, which writes
3 and distributes computer operating systems.

4 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
5 answered.

6
7 REQUEST FOR ADMISSION NO. 41

8 41. Admit Opposer considers the company Symantec a technology company, which writes
9 and distributes computer security systems.

10 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
11 answered.

12
13 REQUEST FOR ADMISSION NO. 42

14 42. Admit Opposer considers the company Lexmark International a technology company,
15 which manufactures and distributes computer printers.

16 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
17 answered.

18
19 REQUEST FOR ADMISSION NO. 43

20 43. Admit Opposer considers the company V-ONE a technology company in the field of
21 virtual private networks.

22 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
23 answered.

24
25 REQUEST FOR ADMISSION NO. 44

26 44. Admit Opposer considers the company Internet Security Systems a technology company
27 in the field of Internet security.

1 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
2 answered.

3
4 REQUEST FOR ADMISSION NO. 45

5 45. Admit many of Opposer's clients are in technology industries.

6 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
7 answered.

8
9 REQUEST FOR ADMISSION NO. 46

10 46. Admit most of Opposer's clients are in technology industries.

11 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
12 answered.

13
14 REQUEST FOR ADMISSION NO. 47

15 47. Admit all of Opposer's clients are in technology industries.

16 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
17 answered.

18
19 REQUEST FOR ADMISSION NO. 48

20 48. Admit over 50% of Opposer's clients are in technology industries.

21 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
22 answered.

23
24 REQUEST FOR ADMISSION NO. 49

25 49. Admit over 60% of Opposer's clients are in technology industries.

26 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
27 answered.

1 REQUEST FOR ADMISSION NO. 50

2 50. Admit over 70% of Opposer's clients are in technology industries.

3 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
4 answered.

5
6 REQUEST FOR ADMISSION NO. 51

7 51. Admit over 80% of Opposer's clients are in technology industries.

8 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
9 answered.

10
11 REQUEST FOR ADMISSION NO. 52

12 52. Admit over 90% of Opposer's clients are in technology industries.

13 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
14 answered.

15
16 REQUEST FOR ADMISSION NO. 53

17 53. Admit over 95% of Opposer's clients are in technology industries.

18 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
19 answered.

20
21 REQUEST FOR ADMISSION NO. 54

22 54. Admit over 98% of Opposer's clients are in technology industries.

23 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
24 answered.

25
26 REQUEST FOR ADMISSION NO. 55

27 55. Admit Opposer markets its services to many technology companies.

1 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
2 answered.

3
4 REQUEST FOR ADMISSION NO. 56

5 56. Admit Opposer markets its services mostly to technology companies.

6 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
7 answered.

8
9 REQUEST FOR ADMISSION NO. 57

10 57. Admit Opposer markets its services only to technology companies.

11 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
12 answered.

13
14 REQUEST FOR ADMISSION NO. 58

15 58. Admit Opposer markets over 50% of its services to technology companies.

16 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
17 answered.

18
19 REQUEST FOR ADMISSION NO. 59

20 59. Admit Opposer markets over 60% of its services to technology companies.

21 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
22 answered.

23
24 REQUEST FOR ADMISSION NO. 60

25 60. Admit Opposer markets over 70% of its services to technology companies.

26 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
27 answered.

1 REQUEST FOR ADMISSION NO. 61

2 61. Admit Opposer markets over 80% of its services to technology companies.

3 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
4 answered.

5
6 REQUEST FOR ADMISSION NO. 62

7 62. Admit Opposer markets over 90% its services to technology companies.

8 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
9 answered.

10
11 REQUEST FOR ADMISSION NO. 63

12 63. Admit Opposer markets over 95% of its services to technology companies.

13 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
14 answered.

15
16 REQUEST FOR ADMISSION NO. 64

17 64. Admit Opposer markets over 98% of its services to technology companies.

18 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
19 answered.

20
21 REQUEST FOR ADMISSION NO. 65

22 65. Admit Opposer markets its services only to technology companies.

23 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
24 answered.

25
26 REQUEST FOR ADMISSION NO. 66

27 66. Admit Opposer markets its services to those in the field of technology.

1 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
2 answered.

3
4 REQUEST FOR ADMISSION NO. 67

5 67. Admit the documents numbered CPR 000156 - CPR 000160, produced by Opposer with
6 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
7 and Things, which documents are attached hereto, are genuine.

8 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
9 answered.

10
11 REQUEST FOR ADMISSION NO. 68

12 68. Admit the documents numbered CPR 000156 - CPR 000160 show Opposer's response to
13 the communication from the U.S. Patent & Trademark office during prosecution of an
14 application for the mark CONNECT PUBLIC RELATIONS, which was then proceeding
15 under serial number 75/456,520.

16 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
17 answered.

18
19 REQUEST FOR ADMISSION NO. 69

20 69. Admit the documents numbered CPR 000156 - CPR 000160 show Opposer applied for
21 registration of the mark CONNECT PUBLIC RELATIONS at the U.S. Patent &
22 Trademark office identifying some "communications services" in serial number 75/456,
23 520.

24 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
25 answered.

26
27 REQUEST FOR ADMISSION NO. 70

1 70. Admit the documents numbered CPR 000156 - CPR 000160 show Opposer stated, in its
2 application for registration of the mark CONNECT PUBLIC RELATIONS at the U.S.
3 Patent & Trademark office in serial number 75/456, 520 that the phrase “communications
4 services” “claims the entirety of international class 38 and all its forms of communication
5 and electronic transmission related services, until narrowed further as applicant has done
6 by this amendment.”

7 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
8 answered.

9
10 REQUEST FOR ADMISSION NO. 71

11 71. Admit that the phrase “communications services” in international class 38 means
12 transmission of information by electronic means for others.

13 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
14 answered.

15
16 REQUEST FOR ADMISSION NO. 72

17 72. Admit that the phrase “communication and electronic transmission related services” in
18 international class 38 means transmission of information by electronic means for others.

19 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
20 answered.

21
22 REQUEST FOR ADMISSION NO. 73

23 73. Admit that “communications services” in international class 38 involves accurate
24 transmission of information by electronic means for others.

25 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
26 answered.

1 REQUEST FOR ADMISSION NO. 74

2 74. Admit that “communication and electronic transmission related services” in international
3 class 38 involves accurate transmission of information by electronic means for others.

4 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
5 answered.

6
7 REQUEST FOR ADMISSION NO. 75

8 75. Admit that “communications services” in international class 38 does not involve the
9 addition of Opposer’s information to the information supplied for transmission by others.

10 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
11 answered.

12
13 REQUEST FOR ADMISSION NO. 76

14 76. Admit that “communication and electronic transmission related services” in international
15 class 38 does not involve the addition of information by Opposer to the information
16 supplied for transmission by others.

17 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
18 answered.

19
20 REQUEST FOR ADMISSION NO. 77

21 77. Admit the documents numbered CPR 000176 - CPR 000178, produced by Opposer with
22 Opposer’s Responses to Applicants Second Set of Requests for Production of Documents
23 and Things, which documents are attached hereto, are genuine.

24 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
25 answered.

26
27 REQUEST FOR ADMISSION NO. 78

1 78. Admit the documents numbered CPR 000207 - CPR 000208, produced by Opposer with
2 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
3 and Things, which documents are attached hereto, are genuine.

4 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
5 answered.

6
7 REQUEST FOR ADMISSION NO. 79

8 79. Admit the documents numbered CPR 000207 - CPR 000208, produced by Opposer with
9 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
10 and Things, which documents are attached hereto, shows Opposer has described itself as
11 a "high-tech public relations firm," which has specialized in media relations for the
12 connectivity and Internet infrastructure industries.

13 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
14 answered.

15
16 REQUEST FOR ADMISSION NO. 80

17 80. Admit the documents numbered CPR 000207 - CPR 000208, produced by Opposer with
18 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
19 and Things, which documents are attached hereto, shows Opposer has provided its "high-
20 tech public relations" to for the connectivity and Internet infrastructure industries to
21 Symantec, Siemens and F5 Networks.

22 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
23 answered.

24
25 REQUEST FOR ADMISSION NO. 81

26 81. Admit Symantec, Siemens and F5 Networks are all high-tech companies.

27 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and

1 answered.

2

3 REQUEST FOR ADMISSION NO. 82

4 82. Admit Opposer offers its services only to high-tech companies.

5 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
6 answered.

7

8 REQUEST FOR ADMISSION NO. 83

9 83. Admit Opposer specializes in public relations services to high-tech companies.

10 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
11 answered.

12

13 REQUEST FOR ADMISSION NO. 84

14 84. Admit Opposer provides over 50% of its public relations services to high-tech
15 companies.

16 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
17 answered.

18

19 REQUEST FOR ADMISSION NO. 85

20 85. Admit Opposer provides over 60% of its public relations services to high-tech
21 companies.

22 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
23 answered.

24

25 REQUEST FOR ADMISSION NO. 86

26 86. Admit Opposer provides over 70% of its public relations services to high-tech
27 companies.

28

1 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
2 answered.

3
4 REQUEST FOR ADMISSION NO. 87

5 87. Admit Opposer provides over 80% of its public relations services to high-tech
6 companies.

7 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
8 answered.

9
10 REQUEST FOR ADMISSION NO. 88

11 88. Admit Opposer provides over 90% of its public relations services to high-tech
12 companies.

13 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
14 answered.

15
16 REQUEST FOR ADMISSION NO. 89

17 89. Admit Opposer provides over 95% of its public relations services to high-tech
18 companies.

19 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
20 answered.

21
22 REQUEST FOR ADMISSION NO. 90

23 90. Admit Opposer provides over 98% of its public relations services to high-tech
24 companies.

25 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
26 answered.

1 REQUEST FOR ADMISSION NO. 91

2 91. Admit the documents numbered CPR 000345 - CPR 000360, produced by Opposer with
3 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
4 and Things, which documents are attached hereto, are genuine.

5 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
6 answered.

7
8 REQUEST FOR ADMISSION NO. 92

9 92. Admit the documents numbered CPR 000345 - CPR 000360 show Opposer's Combined
10 Declaration of Use filed at the U.S. Patent & Trademark Office after registration of the
11 mark CONNECT PUBLIC RELATIONS, which mark was registered under registration
12 number 2373504.

13 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
14 answered.

15
16 REQUEST FOR ADMISSION NO. 93

17 93. Admit registration number 2373504 issued with the following identification of services:
18 "Marketing and market research and consulting services; public and media relations
19 services and sales promotion services."

20 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
21 answered.

22
23 REQUEST FOR ADMISSION NO. 94

24 94. Admit the documents numbered CPR 000345 - CPR 000360 show Opposer stated, in its
25 Declaration of Use filed at the U.S. Patent & Trademark Office, that "the mark is in use
26 in commerce on or in connection with all goods or services listed in the existing
27 registration for this specific class: Marketing and market research and consulting

1 services; public and media relations services.”

2 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
3 answered.

4
5 REQUEST FOR ADMISSION NO. 95

6 95. Admit the phrase “Marketing and market research and consulting services; public and
7 media relations services” does not include the phrase “sales promotion services.”

8 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
9 answered.

10
11 REQUEST FOR ADMISSION NO. 96

12 96. Admit the documents numbered CPR 000345 - CPR 000360 do not show Opposer is
13 continuing to use the mark CONNECT PUBLIC RELATIONS for “sales promotion
14 services.”

15 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
16 answered.

17
18 REQUEST FOR ADMISSION NO. 97

19 97. Admit the phrase “Marketing and market research and consulting services” identifies a
20 particular kind of research and consulting services.

21 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
22 answered.

23
24 REQUEST FOR ADMISSION NO. 98

25 98. Admit the particular kind of research and consulting services supplied in Opposer’s
26 “Marketing and market research and consulting services” is research and consulting
27 services about marketing and markets.

1 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
2 answered.

3
4 REQUEST FOR ADMISSION NO. 99

5 99. Admit the phrase “Marketing and market research and consulting services” identifies
6 both marketing services, and also market research and consulting services.

7 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
8 answered.

9
10 REQUEST FOR ADMISSION NO. 100

11 100. Admit the phrase “Marketing and market research and consulting services” identifies
12 marketing services, and also market research services, and also market consulting
13 services.

14 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
15 answered.

16
17 REQUEST FOR ADMISSION NO. 101

18 101. Admit Opposer’s “Marketing and market research and consulting services” are offered to
19 and supplied to Opposer’s clients.

20 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
21 answered.

22
23 REQUEST FOR ADMISSION NO. 102

24 102. Admit Opposer’s “Marketing and market research and consulting services” are offered to
25 and supplied to Opposer’s clients.

26 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
27 answered.

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REQUEST FOR ADMISSION NO. 103

103. Admit Opposer’s “Marketing and market research and consulting services” are offered to and supplied to Opposer’s clients so Opposer’s clients can better market their services.

RESPONSE: Opposer objects to this request to the extent that it has been previously asked and answered.

REQUEST FOR ADMISSION NO. 104

104. Admit Opposer’s “Marketing and market research and consulting services” often result in greater market exposure for the names of Opposer’s clients.

RESPONSE: Opposer objects to this request to the extent that it has been previously asked and answered.

REQUEST FOR ADMISSION NO. 105

105. Admit greater market exposure for the names of Opposer’s clients resulting from Opposer’s “Marketing and market research and consulting services” involves various means to present the names of Opposer’s clients to their customers.

RESPONSE: Opposer objects to this request to the extent that it has been previously asked and answered.

REQUEST FOR ADMISSION NO. 106

106. Admit Opposer presents its Opposer’s Marks to its clients as Opposer markets its “Marketing and market research and consulting services” to Opposer’s clients.

RESPONSE: Opposer objects to this request to the extent that it has been previously asked and answered.

REQUEST FOR ADMISSION NO. 107

1 107. Admit Opposer presents its Opposer's Marks to its client's customers as Opposer markets
2 its "Marketing and market research and consulting services" to Opposer's clients.

3 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
4 answered.

5
6 REQUEST FOR ADMISSION NO. 108

7 108. Admit Opposer rarely presents its Opposer's Marks to its client's customers as Opposer
8 markets its "Marketing and market research and consulting services" to Opposer's
9 clients.

10 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
11 answered.

12
13 REQUEST FOR ADMISSION NO. 109

14 109. Admit Opposer never presents its Opposer's Marks to its client's customers Opposer
15 markets its "Marketing and market research and consulting services" to Opposer's
16 clients.

17 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
18 answered.

19
20 REQUEST FOR ADMISSION NO. 110

21 110. Admit Opposer presents its Opposer's Marks to its clients as Opposer performs its
22 "Marketing and market research and consulting services" to Opposer's clients.

23 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
24 answered.

25
26 REQUEST FOR ADMISSION NO. 111

27 111. Admit Opposer presents its Opposer's Marks to its client's customers as Opposer

1 performs its “Marketing and market research and consulting services” to Opposer’s
2 clients.

3 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
4 answered.

5
6 REQUEST FOR ADMISSION NO. 112

7 112. Admit Opposer rarely presents its Opposer’s Marks to its client’s customers as Opposer
8 performs its “Marketing and market research and consulting services” to Opposer’s
9 clients.

10 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
11 answered.

12
13 REQUEST FOR ADMISSION NO. 113

14 113. Admit Opposer never presents its Opposer’s Marks to its client’s customers as Opposer
15 performs its “Marketing and market research and consulting services” to Opposer’s
16 clients.

17 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
18 answered.

19
20 REQUEST FOR ADMISSION NO. 114

21 114. Admit Opposer presents its Opposer’s Marks to its client’s consumer customers as
22 Opposer performs its “Marketing and market research and consulting services” to
23 Opposer’s clients.

24 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
25 answered.

26
27 REQUEST FOR ADMISSION NO. 115

1 115. Admit Opposer rarely presents its Opposer's Marks to its client's consumer customers as
2 Opposer performs its "Marketing and market research and consulting services" to
3 Opposer's clients.

4 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
5 answered.

6
7 REQUEST FOR ADMISSION NO. 116

8 116. Admit Opposer never presents its Opposer's Marks to its client's consumer customers as
9 Opposer performs its "Marketing and market research and consulting services" to
10 Opposer's clients.

11 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
12 answered.

13
14 REQUEST FOR ADMISSION NO. 117

15 117. Admit Opposer never presents its Opposer's Marks to consumers so that Opposer may
16 perform its "Marketing and market research and consulting services."

17 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
18 answered.

19
20 REQUEST FOR ADMISSION NO. 118

21 118. Admit the documents numbered CPR 000345 - CPR 000360 show Opposer stated, in its
22 application for registration of the mark CONNECT PUBLIC RELATIONS at the U.S.
23 Patent & Trademark office in serial number 75/456, 520 that the phrase "communications
24 services" "claims the entirety of international class 38 and all its forms of communication
25 and electronic transmission related services, until narrowed further as applicant has done
26 by this amendment."

27 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and

1 answered.

2
3 REQUEST FOR ADMISSION NO. 119

4 119. Admit that the phrase “communications services” in international class 38 means
5 transmission of information by electronic means for others.

6 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
7 answered.

8
9 REQUEST FOR ADMISSION NO. 120

10 120. Admit that the phrase “communication and electronic transmission related services” in
11 international class 38 means transmission of information by electronic means for others.

12 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
13 answered.

14
15 REQUEST FOR ADMISSION NO. 121

16 121. Admit that “communications services” in international class 38 involves accurate
17 transmission of information by electronic means for others.

18 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
19 answered.

20
21 REQUEST FOR ADMISSION NO. 122

22 122. Admit that “communication and electronic transmission related services” in international
23 class 38 involves accurate transmission of information by electronic means for others.

24 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
25 answered.

26
27 REQUEST FOR ADMISSION NO. 123

1 123. Admit that “communications services” in international class 38 does not involve the
2 addition of Opposer’s information to the information supplied for transmission by others.

3 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
4 answered.

5
6 REQUEST FOR ADMISSION NO. 124

7 124. Admit that “communication and electronic transmission related services” in international
8 class 38 does not involve the addition of information by Opposer to the information
9 supplied for transmission by others.

10 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
11 answered.

12
13 REQUEST FOR ADMISSION NO. 125

14 125. Admit the documents numbered CPR 000375 - CPR 000376 produced by Opposer with
15 Opposer’s Responses to Applicants Second Set of Requests for Production of Documents
16 and Things, which documents are attached hereto, are genuine.

17 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
18 answered.

19
20 REQUEST FOR ADMISSION NO. 126

21 126. Admit the documents numbered CPR 000375 - CPR 000376 produced by Opposer with
22 Opposer’s Responses to Applicants Second Set of Requests for Production of Documents
23 and Things, states Opposer was, at the time the statement was made, using “the mark” in
24 commerce on or in connection with all goods and/or services “listed in the existing
25 registration.”

26 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
27 answered.

1 REQUEST FOR ADMISSION NO. 127

2 127. Admit the documents numbered CPR 000375 - CPR 000376 refer to the registration of
3 the mark CONNECT PUBLIC RELATIONS, registered under number 2373504, and that
4 all goods and/or services “listed in the existing registration” comprise: “Marketing and
5 market research and consulting services; public and media relations services and sales
6 promotion services.”

7 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
8 answered.

9
10 REQUEST FOR ADMISSION NO. 128

11 128. Admit at the time Opposer made the statement it was using the mark CONNECT
12 PUBLIC RELATIONS, registered under number 2373504, for all goods and/or services
13 “listed in the existing registration,” as set forth in documents numbered CPR 000375 -
14 CPR 000376, Opposer was not using its mark on all “marketing” services.

15 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
16 answered.

17
18 REQUEST FOR ADMISSION NO. 129

19 129. Admit at the time Opposer made the statement it was using the mark CONNECT
20 PUBLIC RELATIONS, registered under number 2373504, for all goods and/or services
21 “listed in the existing registration,” as set forth in documents numbered CPR 000375 -
22 CPR 000376, Opposer was not using its mark on all “market research” services.

23 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
24 answered.

25
26 REQUEST FOR ADMISSION NO. 130

27 130. Admit at the time Opposer made the statement it was using the mark CONNECT

1 PUBLIC RELATIONS, registered under number 2373504, for all goods and/or services
2 “listed in the existing registration,” as set forth in documents numbered CPR 000375 -
3 CPR 000376, Opposer was not using its mark on all “consulting services.”

4 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
5 answered.

6
7 REQUEST FOR ADMISSION NO. 131

8 131. Admit at the time Opposer made the statement it was using the mark CONNECT
9 PUBLIC RELATIONS, registered under number 2373504, for all goods and/or services
10 “listed in the existing registration,” as set forth in documents numbered CPR 000375 -
11 CPR 000376, Opposer was not using its mark on all “research and consulting services.”

12 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
13 answered.

14
15 REQUEST FOR ADMISSION NO. 132

16 132. Admit at the time Opposer made the statement it was using the mark CONNECT
17 PUBLIC RELATIONS, registered under number 2373504, for all goods and/or services
18 “listed in the existing registration,” as set forth in documents numbered CPR 000375 -
19 CPR 000376, Opposer was not using its mark on all “market research and consulting
20 services.”

21 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
22 answered.

23
24 REQUEST FOR ADMISSION NO. 133

25 133. Admit at the time Opposer made the statement it was using the mark CONNECT
26 PUBLIC RELATIONS, registered under number 2373504, for all goods and/or services
27 “listed in the existing registration,” as set forth in documents numbered CPR 000375 -

1 CPR 000376, Opposer was not using its mark on all “Marketing and market research”
2 services.

3 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
4 answered.

5
6 REQUEST FOR ADMISSION NO. 134

7 134. Admit at the time Opposer made the statement it was using the mark CONNECT
8 PUBLIC RELATIONS, registered under number 2373504, for all goods and/or services
9 “listed in the existing registration,” as set forth in documents numbered CPR 000375 -
10 CPR 000376, Opposer was not using its mark on all “sales promotion services.”

11 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
12 answered.

13
14 REQUEST FOR ADMISSION NO. 135

15 135. Admit at the time Opposer made the statement it was using the mark CONNECT
16 PUBLIC RELATIONS, registered under number 2373504, for all goods and/or services
17 “listed in the existing registration,” as set forth in documents numbered CPR 000375 -
18 CPR 000376, Opposer was using its mark for all possible “marketing” services.

19 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
20 answered.

21
22 REQUEST FOR ADMISSION NO. 136

23 136. Admit at the time Opposer made the statement it was using the mark CONNECT
24 PUBLIC RELATIONS, registered under number 2373504, for all goods and/or services
25 “listed in the existing registration,” as set forth in documents numbered CPR 000375 -
26 CPR 000376, Opposer was using its mark for all possible “market research” services.

27 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and

1 answered.

2
3 REQUEST FOR ADMISSION NO. 137

4 137. Admit at the time Opposer made the statement it was using the mark CONNECT
5 PUBLIC RELATIONS, registered under number 2373504, for all goods and/or services
6 “listed in the existing registration,” as set forth in documents numbered CPR 000375 -
7 CPR 000376, Opposer was using its mark for all possible “consulting services.”

8 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
9 answered.

10
11 REQUEST FOR ADMISSION NO. 138

12 138. Admit at the time Opposer made the statement it was using the mark CONNECT
13 PUBLIC RELATIONS, registered under number 2373504, for all goods and/or services
14 “listed in the existing registration,” as set forth in documents numbered CPR 000375 -
15 CPR 000376, Opposer was using its mark for all possible “research and consulting
16 services.”

17 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
18 answered.

19
20 REQUEST FOR ADMISSION NO. 139

21 139. Admit at the time Opposer made the statement it was using the mark CONNECT
22 PUBLIC RELATIONS, registered under number 2373504, for all goods and/or services
23 “listed in the existing registration,” as set forth in documents numbered CPR 000375 -
24 CPR 000376, Opposer was using its mark for all possible “market research and
25 consulting services.”

26 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
27 answered.

1 REQUEST FOR ADMISSION NO. 140

2 140. Admit at the time Opposer made the statement it was using the mark CONNECT
3 PUBLIC RELATIONS, registered under number 2373504, for all goods and/or services
4 “listed in the existing registration,” as set forth in documents numbered CPR 000375 -
5 CPR 000376, Opposer was using its mark for all possible “Marketing and market
6 research” services.

7 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
8 answered.

9
10 REQUEST FOR ADMISSION NO. 141

11 141. Admit at the time Opposer made the statement it was using the mark CONNECT
12 PUBLIC RELATIONS, registered under number 2373504, for all goods and/or services
13 “listed in the existing registration,” as set forth in documents numbered CPR 000375 -
14 CPR 000376, Opposer was using its mark for all possible “sales promotion services.”

15 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
16 answered.

17
18 REQUEST FOR ADMISSION NO. 142

19 142. Admit the documents numbered CPR 000388 - CPR 000393 produced by Opposer with
20 Opposer’s Responses to Applicants Second Set of Requests for Production of Documents
21 and Things, which documents are attached hereto, are genuine.

22 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
23 answered.

24
25 REQUEST FOR ADMISSION NO. 143

26 143. Admit the documents numbered CPR 000388 - CPR 000393 produced by Opposer is a
27 writing about marketing in the technology market.

1 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
2 answered.

3
4 REQUEST FOR ADMISSION NO. 144

5 144. Admit the documents numbered CPR 000388 - CPR 000393 produced by Opposer is a
6 writing about marketing in the “connectivity” market.

7 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
8 answered.

9
10 REQUEST FOR ADMISSION NO. 145

11 145. Admit the documents numbered CPR 000388 - CPR 000393 produced by Opposer
12 describe “public relations” functions, as practiced by Opposer or others.

13 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
14 answered.

15
16 REQUEST FOR ADMISSION NO. 146

17 146. Admit Opposer is a “public relations” company.

18 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
19 answered.

20
21 REQUEST FOR ADMISSION NO. 147

22 147. Admit Opposer provides many of the “public relations” functions described in documents
23 numbered CPR 000388 - CPR 000393.

24 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
25 answered.

26
27 REQUEST FOR ADMISSION NO. 148

1 148. Admit Opposer provides only “public relations” functions, many of which are described
2 in documents numbered CPR 000388 - CPR 000393.

3 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
4 answered.

5
6 REQUEST FOR ADMISSION NO. 149

7 149. Admit Opposer is a “public relations” company.

8 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
9 answered.

10
11 REQUEST FOR ADMISSION NO. 150

12 150. Admit Opposer supplies marketing services to the “connectivity” market.

13 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
14 answered.

15
16 REQUEST FOR ADMISSION NO. 151

17 151. Admit Opposer supplies marketing services to the “high technology” market.

18 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
19 answered.

20
21 REQUEST FOR ADMISSION NO. 152

22 152. Admit Opposer supplies marketing services to some “technology segments,” as that
23 phrase is used Opposer’s documents numbered CPR 000388 - CPR 000393 (bottom of
24 CPR 000389).

25 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
26 answered.

1 REQUEST FOR ADMISSION NO. 153

2 153. Admit Opposer supplies marketing services to “clients,” as that phrase is used in
3 Opposer’s documents numbered CPR 000388 - CPR 000393 (middle of CPR 000392).

4 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
5 answered.

6
7 REQUEST FOR ADMISSION NO. 154

8 154. Admit Opposer supplies marketing services to companies only under an agreement for
9 marketing services with its “clients,” as that phrase is used in Opposer’s documents
10 numbered CPR 000388 - CPR 000393 (middle of CPR 000392).

11 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
12 answered.

13
14 REQUEST FOR ADMISSION NO. 155

15 155. Admit Opposer provides its marketing services to clients under an agreement for fees.

16 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
17 answered.

18
19 REQUEST FOR ADMISSION NO. 156

20 156. Admit Opposer provides its marketing services to clients under an agreement for set fees.

21 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
22 answered.

23
24 REQUEST FOR ADMISSION NO. 157

25 157. Admit Opposer provides some or all of its supplies marketing services to clients under an
26 agreement for fees.

27 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and

1 answered.

2
3 REQUEST FOR ADMISSION NO. 158

4 158. Admit Opposer provides some or all of its marketing services to clients under an
5 agreement in which fees are set for those marketing services Opposer provides.

6 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
7 answered.

8
9 REQUEST FOR ADMISSION NO. 159

10 159. Admit the phrase “Marketing and market research and consulting services” is indefinite.

11 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
12 answered.

13
14 REQUEST FOR ADMISSION NO. 160

15 160. Admit the documents numbered CPR 000542 - CPR 000550 produced by Opposer with
16 Opposer’s Responses to Applicants Second Set of Requests for Production of Documents
17 and Things, which documents are attached hereto, are genuine.

18 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
19 answered.

20
21 REQUEST FOR ADMISSION NO. 161

22 161. Admit the documents numbered CPR 000542 - CPR 000550 produced by Opposer with
23 Opposer’s Responses to Applicants Second Set of Requests for Production of Documents
24 and Things, states Opposer was, at the time the statement was made, using “the mark” in
25 commerce on or in connection with all goods and/or services “listed in the existing
26 registration.”

27 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and

1 answered.

2
3 REQUEST FOR ADMISSION NO. 162

4 162. Admit the documents numbered CPR 000542 - CPR 000550 refer to the registration of
5 the mark CONNECT PR, registered under number 2366850, and that all goods and/or
6 services “listed in the existing registration” comprise: “Marketing and market research
7 and consulting services; public and media relations services and sales promotion
8 services.”

9 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
10 answered.

11
12 REQUEST FOR ADMISSION NO. 163

13 163. Admit at the time Opposer made the statement it was using the mark CONNECTPR,
14 registered under number 2366850, for all goods and/or services “listed in the existing
15 registration,” as set forth in documents numbered CPR 000542 - CPR 000550, Opposer
16 was not using this mark on all “marketing” services.

17 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
18 answered.

19
20 REQUEST FOR ADMISSION NO. 164

21 164. Admit at the time Opposer made the statement it was using the mark CONNECTPR,
22 registered under number 2366850, for all goods and/or services “listed in the existing
23 registration,” as set forth in documents numbered CPR 000542 - CPR 000550, Opposer
24 was not using its mark on all “market research” services.

25 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
26 answered.

1 REQUEST FOR ADMISSION NO. 165

2 165. Admit at the time Opposer made the statement it was using the mark CONNECTPR,
3 registered under number 2366850, for all goods and/or services “listed in the existing
4 registration,” as set forth in documents numbered CPR 000542 - CPR 000550, Opposer
5 was not using its mark on all “consulting services.”

6 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
7 answered.

8
9 REQUEST FOR ADMISSION NO. 166

10 166. Admit at the time Opposer made the statement it was using the mark CONNECTPR,
11 registered under number 2366850, for all goods and/or services “listed in the existing
12 registration,” as set forth in documents numbered CPR 000542 - CPR 000550, Opposer
13 was not using its mark on all “research and consulting services.”

14 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
15 answered.

16
17 REQUEST FOR ADMISSION NO. 167

18 167. Admit at the time Opposer made the statement it was using the mark CONNECTPR,
19 registered under number 2366850, for all goods and/or services “listed in the existing
20 registration,” as set forth in documents numbered CPR 000542 - CPR 000550, Opposer
21 was not using its mark on all “market research and consulting services.”

22 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
23 answered.

24
25 REQUEST FOR ADMISSION NO. 168

26 168. Admit at the time Opposer made the statement it was using the mark CONNECTPR,
27 registered under number 2366850, for all goods and/or services “listed in the existing

1 registration,” as set forth in documents numbered CPR 000542 - CPR 000550, Opposer
2 was not using its mark on all “Marketing and market research” services.

3 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
4 answered.

5
6 REQUEST FOR ADMISSION NO. 169

7 169. Admit at the time Opposer made the statement it was using the mark CONNECTPR,
8 registered under number 2366850, for all goods and/or services “listed in the existing
9 registration,” as set forth in documents numbered CPR 000542 - CPR 000550, Opposer
10 was not using its mark on all “sales promotion services.”

11 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
12 answered.

13
14 REQUEST FOR ADMISSION NO. 170

15 170. Admit at the time Opposer made the statement it was using the mark CONNECTPR,
16 registered under number 2366850, for all goods and/or services “listed in the existing
17 registration,” as set forth in documents numbered CPR 000542 - CPR 000550, Opposer
18 was using its mark for all possible “marketing” services.

19 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
20 answered.

21
22 REQUEST FOR ADMISSION NO. 171

23 171. Admit at the time Opposer made the statement it was using the mark CONNECTPR,
24 registered under number 2366850, for all goods and/or services “listed in the existing
25 registration,” as set forth in documents numbered CPR 000542 - CPR 000550, Opposer
26 was using its mark for all possible “market research” services.

27 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and

1 answered.

2
3 REQUEST FOR ADMISSION NO. 172

4 172. Admit at the time Opposer made the statement it was using the mark CONNECTPR,
5 registered under number 2366850, for all goods and/or services “listed in the existing
6 registration,” as set forth in documents numbered CPR 000542 - CPR 000550, Opposer
7 was using its mark for all possible “consulting services.”

8 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
9 answered.

10
11
12 REQUEST FOR ADMISSION NO. 173

13 173. Admit at the time Opposer made the statement it was using the mark CONNECTPR,
14 registered under number 2366850, for all goods and/or services “listed in the existing
15 registration,” as set forth in documents numbered CPR 000542 - CPR 000550, Opposer
16 was using its mark for all possible “research and consulting services.”

17 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
18 answered.

19
20 REQUEST FOR ADMISSION NO. 174

21 174. Admit at the time Opposer made the statement it was using the mark CONNECTPR,
22 registered under number 2366850, for all goods and/or services “listed in the existing
23 registration,” as set forth in documents numbered CPR 000542 - CPR 000550, Opposer
24 was using its mark for all possible “market research and consulting services.”

25 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
26 answered.

1 REQUEST FOR ADMISSION NO. 175

2 175. Admit at the time Opposer made the statement it was using the mark CONNECTPR,
3 registered under number 2366850, for all goods and/or services “listed in the existing
4 registration,” as set forth in documents numbered CPR 000542 - CPR 000550, Opposer
5 was using its mark for all possible “Marketing and market research” services.

6 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
7 answered.

8
9 REQUEST FOR ADMISSION NO. 176

10 176. Admit at the time Opposer made the statement it was using the mark CONNECTPR,
11 registered under number 2366850, for all goods and/or services “listed in the existing
12 registration,” as set forth in documents numbered CPR 000542 - CPR 000550, Opposer
13 was using its mark for all possible “sales promotion services.”

14 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
15 answered.

16
17 REQUEST FOR ADMISSION NO. 177

18 177. Admit the document numbered CPR 000643 produced by Opposer with Opposer’s
19 Responses to Applicants Second Set of Requests for Production of Documents and
20 Things, which document is attached hereto, is genuine.

21 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
22 answered.

23
24 REQUEST FOR ADMISSION NO. 178

25 178. Admit Opposer, in the document numbered CPR 000643 produced by Opposer, states:
26 “Since our inception in 1990, serving clients in this specific market-place has been our
27 only goal. Through focus and determination, we have quickly become the largest

1 connectivity-specific PR firm in the world.”

2 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
3 answered.

4
5 REQUEST FOR ADMISSION NO. 179

6 179. Admit Opposer statement about serving “this specific market-place” in the document
7 numbered CPR 000643 is true.

8 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
9 answered.

10
11 REQUEST FOR ADMISSION NO. 180

12 180. Admit Opposer statement about being a “connectivity-specific PR firm” in the document
13 numbered CPR 000643 is true.

14 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
15 answered.

16
17 REQUEST FOR ADMISSION NO. 181

18 181. Admit Opposer, in the document numbered CPR 000643 produced by Opposer, states
19 that it serves only the “connectivity market,” as that phrase is used in document
20 numbered CPR 000643.

21 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
22 answered.

23
24 REQUEST FOR ADMISSION NO. 182

25 182. Admit document numbered CPR 000643 produced by Opposer is or was a promotional
26 piece used by Opposer to secure clients in the “connectivity market.”

27 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and

1 answered.

2
3 REQUEST FOR ADMISSION NO. 183

4 183. Admit document numbered CPR 000643 produced by Opposer could only be used as a
5 promotional piece Opposer with clients or prospective clients in the “connectivity
6 market.”

7 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
8 answered.

9
10 REQUEST FOR ADMISSION NO. 184

11 184. Admit Opposer’s pending application for registration of CONNECT MARKETING,
12 serial number 85061227, identifies as the services to be provided under this mark:
13 “Marketing, namely, business marketing services; market research and marketing
14 consulting services; public and media relations services; sales promotion services;
15 marketing consultation services in the fields of computer hardware and software;
16 marketing consultation services in the field of computer networks; marketing services,
17 namely, designing online marketing programs for social networking websites and
18 business networking websites.”

19 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
20 answered.

21
22 REQUEST FOR ADMISSION NO. 185

23 185. Admit Opposer’s pending application for registration of CONNECT MARKETING,
24 serial number 85061227, has received an “office action” in which the examining attorney
25 states, by authority of TMEP §§1402.01, 1402.11(e): “The wording ‘Marketing and
26 market research and consulting services’ in the identification of services is indefinite and
27 must be clarified to specify the type(s) of ‘marketing’ services. Applicant must also

1 specify the subject matter of the ‘consulting services’ to enable proper classification of
2 those services.”

3 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
4 answered.

5
6 REQUEST FOR ADMISSION NO. 186

7 186. Admit Opposer’s pending application for registration of CONNECT MARKETING,
8 serial number 85061227, has received an “office action” in which the examining attorney
9 states, by authority of TMEP §1402.01.: “In addition, the wording ‘Computer hardware
10 and software marketing consultation services, and computer network marketing
11 consultation services’ must be rewritten to more clearly identify the nature of the
12 services.”

13 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
14 answered.

15
16 REQUEST FOR ADMISSION NO. 187

17 187. Admit Opposer’s has responded to the requirements of the examining attorney in pending
18 application for registration of CONNECT MARKETING, serial number 85061227, by
19 amending its identification of services, to the following: “Marketing, namely, business
20 marketing services; market research and marketing consulting services; public and media
21 relations services; sales promotion services; marketing consultation services in the fields
22 of computer hardware and software; marketing consultation services in the field of
23 computer networks; marketing services, namely, designing online marketing programs
24 for social networking websites and business networking websites.”

25 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
26 answered.

1 REQUEST FOR ADMISSION NO. 188

2 188. Admit Opposer’s amendment in pending application for registration of CONNECT
3 MARKETING, serial number 85061227, was entered in part to make the identification of
4 services as originally filed by Opposer definite.

5 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
6 answered.

7
8 REQUEST FOR ADMISSION NO. 189

9 189. Admit Opposer’s amendment in pending application for registration of CONNECT
10 MARKETING, serial number 85061227, included Opposer’s statement: “Applicant has
11 amended the recitation of the services patterned after the suggestions made in the Office
12 Action and to reflect terminology used in the marketplace, to be acceptably definite, and
13 to satisfy the requirements raised in the Office Action.”

14 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
15 answered.

16
17 REQUEST FOR ADMISSION NO. 190

18 190. Admit that part of Opposer’s statement that it was amending its identification of services
19 in pending application for registration of CONNECT MARKETING, serial number
20 85061227, “...to be acceptably definite...” refers specifically to meeting the examining
21 attorney’s statement: “The wording ‘Marketing and market research and consulting
22 services’ in the identification of services is indefinite and must be clarified to specify the
23 type(s) of ‘marketing’ services.”

24 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
25 answered.

26
27 REQUEST FOR ADMISSION NO. 191

1 191. Admit that Opposer's has in its amendment to its identification of services in pending
2 application for registration of CONNECT MARKETING, serial number 85061227,
3 admitted the wording "Marketing and market research and consulting services" in the
4 identification of services of this application is indefinite.

5 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
6 answered.

7
8 REQUEST FOR ADMISSION NO. 192

9 192. Admit the wording "Marketing and market research and consulting services" is
10 indefinite.

11 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
12 answered.

13
14 REQUEST FOR ADMISSION NO. 193

15 193. Admit the wording "Marketing and market research and consulting services" identified
16 as the services in the registration of the mark CONNECTPR, registered under number
17 2366850, is indefinite.

18 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
19 answered.

20
21 REQUEST FOR ADMISSION NO. 194

22 194. Admit the wording "Marketing and market research and consulting services" identified
23 as the services in the registration of the mark CONNECT PUBLIC RELATIONS,
24 registered under number 2373504, is indefinite.

25 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
26 answered.

1 REQUEST FOR ADMISSION NO. 195

2 195. Admit indefinite wording is not allowed at the U.S. Patent & Trademark Office because
3 such wording does not allow others to be apprized of the nature of services thereby
4 identified.

5 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
6 answered.

7
8 REQUEST FOR ADMISSION NO. 196

9 196. Admit indefinite wording is not allowed at the U.S. Patent & Trademark Office because
10 such wording does not allow others to be apprized of the nature of services thereby
11 identified because such wording is too broad.

12 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
13 answered.

14
15 REQUEST FOR ADMISSION NO. 197

16 197. Admit the services Opposer offers or intends to offer, as identified in pending application
17 for registration of CONNECT MARKETING, serial number 85061227, are now
18 accurately described for that mark, i.e.: “Marketing, namely, business marketing services;
19 market research and marketing consulting services; public and media relations services;
20 sales promotion services; marketing consultation services in the fields of computer
21 hardware and software; marketing consultation services in the field of computer
22 networks; marketing services, namely, designing online marketing programs for social
23 networking websites and business networking websites.”

24 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
25 answered.

26
27 REQUEST FOR ADMISSION NO. 198

1 198. Admit the services Opposer has offered under its mark CONNECT PUBLIC
2 RELATIONS, registered under number 2373504, are the same services it intends to offer
3 under its mark CONNECT MARKETING, pending application serial number 85061227.

4 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
5 answered.

6
7 REQUEST FOR ADMISSION NO. 199

8 199. Admit the services Opposer has offered under its mark CONNECT PUBLIC
9 RELATIONS, registered under number 2373504, are accurately described as follows:
10 “Marketing, namely, business marketing services; market research and marketing
11 consulting services; public and media relations services; sales promotion services;
12 marketing consultation services in the fields of computer hardware and software;
13 marketing consultation services in the field of computer networks; marketing services,
14 namely, designing online marketing programs for social networking websites and
15 business networking websites.”

16 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
17 answered.

18
19 REQUEST FOR ADMISSION NO. 200

20 200. Admit the services Opposer has offered under its mark CONNECTPR, registered under
21 number 2366850, are the same services it intends to offer under its mark CONNECT
22 MARKETING, pending application serial number 85061227.

23 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
24 answered.

25
26 REQUEST FOR ADMISSION NO. 201

27 201. Admit the services Opposer has offered under its mark CONNECTPR, registered under

1 number 2366850, are accurately described as follows: “Marketing, namely, business
2 marketing services; market research and marketing consulting services; public and media
3 relations services; sales promotion services; marketing consultation services in the fields
4 of computer hardware and software; marketing consultation services in the field of
5 computer networks; marketing services, namely, designing online marketing programs
6 for social networking websites and business networking websites.”

7 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
8 answered.

9
10 REQUEST FOR ADMISSION NO. 202

11 202. Admit the following services are offered by Opposer to businesses: “Marketing, namely,
12 business marketing services; market research and marketing consulting services; public
13 and media relations services; sales promotion services; marketing consultation services in
14 the fields of computer hardware and software; marketing consultation services in the field
15 of computer networks; marketing services, namely, designing online marketing programs
16 for social networking websites and business networking websites.”

17 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
18 answered.

19
20 REQUEST FOR ADMISSION NO. 203

21 203. Admit the following services are offered by Opposer to businesses in the connectivity
22 market: “Marketing, namely, business marketing services; market research and marketing
23 consulting services; public and media relations services; sales promotion services;
24 marketing consultation services in the fields of computer hardware and software;
25 marketing consultation services in the field of computer networks; marketing services,
26 namely, designing online marketing programs for social networking websites and
27 business networking websites.”

1 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
2 answered.

3
4 REQUEST FOR ADMISSION NO. 204

5 204. Admit the following services are offered by Opposer only to businesses: “Marketing,
6 namely, business marketing services; market research and marketing consulting services;
7 public and media relations services; sales promotion services; marketing consultation
8 services in the fields of computer hardware and software; marketing consultation services
9 in the field of computer networks; marketing services, namely, designing online
10 marketing programs for social networking websites and business networking websites.”

11 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
12 answered.

13
14 REQUEST FOR ADMISSION NO. 205

15 205. Admit Opposer provides to businesses in the connectivity market: “Marketing, namely,
16 business marketing services; market research and marketing consulting services; public
17 and media relations services; sales promotion services; marketing consultation services in
18 the fields of computer hardware and software; marketing consultation services in the field
19 of computer networks; marketing services, namely, designing online marketing programs
20 for social networking websites and business networking websites.”

21 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
22 answered.

23
24 REQUEST FOR ADMISSION NO. 206

25 206. Admit Opposer does not present its Opposer’s Marks, any of them, to consumers.

26 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
27 answered.

1 REQUEST FOR ADMISSION NO. 207

2 207. Admit Opposer does not present its Opposer's Marks, any of them, to clients or
3 prospective clients outside "the connectivity market," as this term is used by Opposer in
4 document CPR 000643.

5 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
6 answered.

7
8 REQUEST FOR ADMISSION NO. 208

9 208. Admit Opposer does not present its Opposer's Marks, any of them, to clients or
10 prospective clients having business outside the high technology markets.

11 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
12 answered.

13
14 REQUEST FOR ADMISSION NO. 209

15 209. Admit Opposer does not present its Opposer's Marks, any of them, to clients or
16 prospective clients having business outside the technology markets.

17 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
18 answered.

19
20 REQUEST FOR ADMISSION NO. 210

21 210. Admit all Opposer's clients are within "the connectivity market," as this term is used by
22 Opposer in document CPR 000643.

23 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
24 answered.

25
26 REQUEST FOR ADMISSION NO. 211

27 211. Admit Opposer's clients which are not within "the connectivity market," as this term is

1 used by Opposer in document CPR 000643, are within the high technology markets.

2 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
3 answered.

4
5 REQUEST FOR ADMISSION NO. 212

6 212. Admit “the connectivity market” of Opposer, as this term is used by Opposer in
7 document CPR 000643, is a segment of the high technology markets.

8 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
9 answered.

10
11 REQUEST FOR ADMISSION NO. 213

12 213. Admit all of Opposer’s clients provide high technology goods or services.

13 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
14 answered.

15
16 REQUEST FOR ADMISSION NO. 214

17 214. Admit all of Opposer’s clients provide technology goods or services.

18 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
19 answered.

20
21 REQUEST FOR ADMISSION NO. 215

22 215. Admit Opposer has never supplied any of its goods or services to consumers.

23 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
24 answered.

25
26 REQUEST FOR ADMISSION NO. 216

27 216. Admit Opposer’s goods and/or services are limited to “connectivity” services, as this

1 term is used by Opposer in document CPR 000643.

2 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
3 answered.

4
5 REQUEST FOR ADMISSION NO. 217

6 217. Admit Opposer's goods and/or services are limited to "high technology" services.

7 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
8 answered.

9
10 REQUEST FOR ADMISSION NO. 218

11 218. Admit Opposer offers or supplies its goods or services to clients which make or distribute
12 high technology goods or services.

13 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
14 answered.

15
16 REQUEST FOR ADMISSION NO. 219

17 219. Admit Opposer intends to offer or supply under the mark CONNECT MARKETING
18 only those goods or services identified in its pending application for registration of
19 CONNECT MARKETING, serial number 85061227.

20 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
21 answered.

22
23 REQUEST FOR ADMISSION NO. 220

24 220. Admit Opposer has offered or supplied under the mark CONNECTPR only those goods
25 or services identified in its pending application for registration of CONNECT
26 MARKETING, serial number 85061227.

27 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and

1 answered.

2

3 REQUEST FOR ADMISSION NO. 222

4 221. Admit Opposer has offered or supplied under the mark CONNECT PUBLIC
5 RELATIONS only those goods or services identified in its pending application for
6 registration of CONNECT MARKETING, serial number 85061227.

7 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
8 answered.

9

10 REQUEST FOR ADMISSION NO. 222

11 222. Admit Opposer has offered or supplied the same goods or services under the mark
12 CONNECTPR as it has offered or supplied under the mark CONNECT PUBLIC
13 RELATIONS.

14 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
15 answered.

16

17 REQUEST FOR ADMISSION NO. 223

18 223. Admit Opposer does not offer only some of its goods or services under the mark
19 CONNECTPR.

20 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
21 answered.

22

23 REQUEST FOR ADMISSION NO. 224

24 224. Admit Opposer offers all of its goods and services under the mark CONNECTPR.

25 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
26 answered.

27

28

1 REQUEST FOR ADMISSION NO. 225

2 225. Admit Opposer does not offer only some of its goods or services under the mark
3 CONNECT PUBLIC RELATIONS.

4 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
5 answered.

6
7 REQUEST FOR ADMISSION NO. 226

8 226. Admit Opposer offers all of its goods and services under the mark CONNECT PUBLIC
9 RELATIONS.

10 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
11 answered.

12
13 REQUEST FOR ADMISSION NO. 227

14 227. Admit Opposer intends to offer or supply the same goods or services under the mark
15 CONNECT MARKETING, serial number 85061227, as it has offered or supplied under
16 the mark CONNECT PUBLIC RELATIONS.

17 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
18 answered.

19
20 REQUEST FOR ADMISSION NO. 228

21 228. Admit Opposer intends to offer or supply the same goods or services under the mark
22 CONNECT MARKETING, serial number 85061227, as it has offered or supplied under
23 the mark CONNECTPR.

24 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
25 answered.

26
27 REQUEST FOR ADMISSION NO. 229

1 229. Admit Opposer does not intend to offer only some of its goods or services under the mark
2 CONNECT MARKETING, serial number 85061227.

3 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
4 answered.

5
6 REQUEST FOR ADMISSION NO. 230

7 230. Admit Opposer intends to offer all of its goods and services under the mark CONNECT
8 MARKETING, serial number 85061227.

9 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
10 answered.

11
12 REQUEST FOR ADMISSION NO. 231

13 231. Admit Opposer does not offer or provide all services which may be described by the
14 words: "Marketing and market research and consulting services; public and media
15 relations services and sales promotion services."

16 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
17 answered.

18
19 REQUEST FOR ADMISSION NO. 232

20 232. Admit the documents numbered CPR 000673 - CPR 000674 produced by Opposer with
21 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
22 and Things, which documents are attached hereto, are genuine.

23 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
24 answered.

25
26 REQUEST FOR ADMISSION NO. 233

27 233. Admit the activity referred to as "building rapport" in documents numbered CPR 000673

1 - CPR 000674, produced by Opposer with Opposer's Responses to Applicants Second
2 Set of Requests for Production of Documents and Things, is an activity conducted by
3 firms which engage in "public relations" work for others.

4 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
5 answered.

6
7 REQUEST FOR ADMISSION NO. 234

8 234. Admit the activity referred to as "educating press and analysts" in documents numbered
9 CPR 000673 - CPR 000674, produced by Opposer with Opposer's Responses to
10 Applicants Second Set of Requests for Production of Documents and Things, is an
11 activity conducted by firms which engage in "public relations" work for others.

12 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
13 answered.

14
15
16 REQUEST FOR ADMISSION NO. 235

17 235. Admit the activity referred to as "selling your model" in documents numbered CPR
18 000673 - CPR 000674, produced by Opposer with Opposer's Responses to Applicants
19 Second Set of Requests for Production of Documents and Things, is an activity
20 conducted by firms which engage in "public relations" work for others.

21 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
22 answered.

23
24 REQUEST FOR ADMISSION NO. 236

25 236. Admit the activity referred to as "garnering effective coverage" in documents numbered
26 CPR 000673 - CPR 000674, produced by Opposer with Opposer's Responses to
27 Applicants Second Set of Requests for Production of Documents and Things, is an

1 activity conducted by firms which engage in “public relations” work for others.

2 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
3 answered.

4
5 REQUEST FOR ADMISSION NO. 237

6 237. Admit Opposer undertakes projects for clients after submitting fixed-cost bids, consistent
7 with its statement contained in documents numbered CPR 000673 - CPR 000674.

8 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
9 answered.

10
11 REQUEST FOR ADMISSION NO. 238

12 238. Admit Opposer works on projects for clients after submitting fixed-cost bids, consistent
13 with its statement contained in documents numbered CPR 000673 - CPR 000674.

14 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
15 answered.

16
17 REQUEST FOR ADMISSION NO. 239

18 239. Admit Opposer works for its clients on a project basis, consistent with its fixed-cost bids.

19 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
20 answered.

21
22 REQUEST FOR ADMISSION NO. 240

23 240. Admit Opposer only works for its clients on a project basis, consistent with its fixed-cost
24 bids.

25 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
26 answered.

1 REQUEST FOR ADMISSION NO. 241

2 241. Admit the documents numbered CPR 000693 - CPR 000694 produced by Opposer with
3 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
4 and Things, which documents are attached hereto, are genuine.

5 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
6 answered.

7
8 REQUEST FOR ADMISSION NO. 242

9 242. Admit the product referred to as "media kits" in documents numbered CPR 000693 -
10 CPR 000694, produced by Opposer with Opposer's Responses to Applicants Second Set
11 of Requests for Production of Documents and Things, is an item produced by firms
12 which engage in "public relations" work for others.

13 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
14 answered.

15
16
17 REQUEST FOR ADMISSION NO. 243

18 243. Admit the product referred to as "press releases" in documents numbered CPR 000693 -
19 CPR 000694, produced by Opposer with Opposer's Responses to Applicants Second Set
20 of Requests for Production of Documents and Things, is an item produced by firms
21 which engage in "public relations" work for others.

22 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
23 answered.

24
25 REQUEST FOR ADMISSION NO. 244

26 244. Admit the product referred to as "product backgrounders" in documents numbered CPR
27 000693 - CPR 000694, produced by Opposer with Opposer's Responses to Applicants

1 Second Set of Requests for Production of Documents and Things, is an item produced by
2 firms which engage in “public relations” work for others.

3 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
4 answered.

5
6 REQUEST FOR ADMISSION NO. 245

7 245. Admit the product referred to as “market white papers” in documents numbered CPR
8 000693 - CPR 000694, produced by Opposer with Opposer’s Responses to Applicants
9 Second Set of Requests for Production of Documents and Things, is an item produced by
10 firms which engage in “public relations” work for others.

11 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
12 answered.

13
14 REQUEST FOR ADMISSION NO. 246

15 246. Admit the product referred to as “technology briefs” in documents numbered CPR
16 000693 - CPR 000694, produced by Opposer with Opposer’s Responses to Applicants
17 Second Set of Requests for Production of Documents and Things, is an item produced by
18 firms which engage in “public relations” work for others.

19 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
20 answered.

21
22 REQUEST FOR ADMISSION NO. 247

23 247. Admit the product referred to as “announcement videos” in documents numbered CPR
24 000693 - CPR 000694, produced by Opposer with Opposer’s Responses to Applicants
25 Second Set of Requests for Production of Documents and Things, is an item produced by
26 firms which engage in “public relations” work for others.

27 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and

1 answered.

2
3 REQUEST FOR ADMISSION NO. 248

4 248. Admit the document numbered CPR 000963 produced by Opposer with Opposer's
5 Responses to Applicants Second Set of Requests for Production of Documents and
6 Things, which document is attached hereto, is genuine.

7 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
8 answered.

9
10 REQUEST FOR ADMISSION NO. 249

11 249. Admit the phrase "high-tech PR firm," as that phrase is used by Opposer in the document
12 numbered CPR 000963, implies Opposer markets its services to high-tech clients and
13 potential clients.

14 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
15 answered.

16
17 REQUEST FOR ADMISSION NO. 250

18 250. Admit the phrase "high-tech PR firm," as that phrase is used by Opposer in the document
19 numbered CPR 000963, implies Opposer markets its services only to high-tech clients
20 and potential clients.

21 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
22 answered.

23
24 REQUEST FOR ADMISSION NO. 251

25 251. Admit the meaning implied by the phrase "high-tech PR firm," as that phrase is used by
26 Opposer in the document numbered CPR 000963, is true.

27 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and

1 answered.

2
3 REQUEST FOR ADMISSION NO. 252

4 252. Admit Opposer is a “high-tech PR firm,” as that phrase is used by Opposer in the
5 document numbered CPR 000963.

6 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
7 answered.

8
9 REQUEST FOR ADMISSION NO. 253

10 253. Admit Opposer markets its goods and services to high-tech clients and potential clients.

11 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
12 answered.

13
14 REQUEST FOR ADMISSION NO. 254

15 254. Admit Opposer markets its services only to high-tech clients and potential clients.

16 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
17 answered.

18
19 REQUEST FOR ADMISSION NO. 255

20 255. Admit the to high-tech clients and potential clients to which Opposer directs its own
21 marketing efforts are those in the “connectivity market.”

22 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
23 answered.

24
25 REQUEST FOR ADMISSION NO. 256

26 256. Admit the to high-tech clients and potential clients to which Opposer directs its own
27 marketing efforts are only those in the “connectivity market.”

1 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
2 answered.

3
4 REQUEST FOR ADMISSION NO. 257

5 257. Admit the statement “Connectivity has been our sole focus for 18 years,” as that phrase is
6 used by Opposer in the document numbered CPR 000963, implies Opposer markets its
7 services only to clients and potential clients within the “connectivity market.”

8 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
9 answered.

10
11 REQUEST FOR ADMISSION NO. 258

12 258. Admit the statement “Connectivity has been our sole focus for 18 years,” as that phrase is
13 used by Opposer in the document numbered CPR 000963, is true.

14 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
15 answered.

16
17 REQUEST FOR ADMISSION NO. 259

18 259. Admit the document numbered CPR 001016 produced by Opposer with Opposer’s
19 Responses to Applicants Second Set of Requests for Production of Documents and
20 Things, which document is attached hereto, is genuine.

21 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
22 answered.

23
24 REQUEST FOR ADMISSION NO. 260

25 260. Admit Opposer sponsors “press summits,” as that phrase is used in the document
26 numbered CPR 001016 produced by Opposer.

27 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and

1 answered.

2

3 REQUEST FOR ADMISSION NO. 261

4 261. Admit Opposer routinely sponsors “press summits,” as that phrase is used in the
5 document numbered CPR 001016 produced by Opposer, in the normal course of its
6 services for its clients.

7 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
8 answered.

9

10 REQUEST FOR ADMISSION NO. 262

11 262. Admit Opposer’s “press summits” involves “face-to-face” interaction between Opposer
12 and journalists.

13 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
14 answered.

15

16 REQUEST FOR ADMISSION NO. 263

17 263. Admit Opposer’s “press summits” involves “face-to-face” interaction between Opposer’s
18 clients and journalists.

19 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
20 answered.

21

22 REQUEST FOR ADMISSION NO. 264

23 264. Admit Opposer’s “press summits” involves “one-on-one” interaction between Opposer
24 and journalists.

25 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
26 answered.

27

1 REQUEST FOR ADMISSION NO. 265

2 265. Admit Opposer's "press summits" involves "one-on-one" interaction between Opposer's
3 clients and journalists.

4 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
5 answered.

6
7 REQUEST FOR ADMISSION NO. 266

8 266. Admit the document numbered CPR 001086 produced by Opposer with Opposer's
9 Responses to Applicants Second Set of Requests for Production of Documents and
10 Things, which document is attached hereto, is genuine.

11 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
12 answered.

13
14 REQUEST FOR ADMISSION NO. 267

15 267. Admit the phrase "connectivity clients," as that phrase is used in the document numbered
16 CPR 001086 produced by Opposer, means clients which are in the telecommunications
17 industry.

18 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
19 answered.

20
21 REQUEST FOR ADMISSION NO. 268

22 268. Admit the phrase "connectivity clients," as that phrase is used in the document numbered
23 CPR 001086 produced by Opposer, includes clients which are in the telecommunications
24 industry.

25 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
26 answered.

1 REQUEST FOR ADMISSION NO. 269

2 269. Admit the phrase “connectivity clients,” as that phrase is used in the document numbered
3 CPR 001086 produced by Opposer, means clients which supply communications for
4 others.

5 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
6 answered.

7
8 REQUEST FOR ADMISSION NO. 270

9 270. Admit the phrase “connectivity clients,” as that phrase is used in the document numbered
10 CPR 001086 produced by Opposer, includes clients which supply communications for
11 others.

12 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
13 answered.

14
15 REQUEST FOR ADMISSION NO. 271

16 271. Admit the phrase “connectivity clients,” as that phrase is used in the document numbered
17 CPR 001086 produced by Opposer, means only clients which supply communications for
18 others.

19 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
20 answered.

21
22 REQUEST FOR ADMISSION NO. 272

23 272. Admit the phrase “connectivity clients,” as that phrase is used in the document numbered
24 CPR 001086 produced by Opposer, includes only clients which supply communications
25 for others.

26 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
27 answered.

1 REQUEST FOR ADMISSION NO. 273

2 273. Admit the phrase “connectivity clients,” as that phrase is used in the document numbered
3 CPR 001086 produced by Opposer, includes clients which supply communications for
4 consumers.

5 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
6 answered.

7
8 REQUEST FOR ADMISSION NO. 274

9 274. Admit the documents numbered CPR 001130 - CPR 001145 produced by Opposer with
10 Opposer’s Responses to Applicants Second Set of Requests for Production of Documents
11 and Things, which documents are attached hereto, are genuine.

12 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
13 answered.

14
15 REQUEST FOR ADMISSION NO. 275

16 275. Admit the documents numbered CPR 001130 - CPR 001145 produced by Opposer, says
17 Opposer “manages stories” relating to its clients.

18 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
19 answered.

20
21 REQUEST FOR ADMISSION NO. 276

22 276. Admit the statement by Opposer in which its says Opposer “manages stories” relating to
23 its clients, as set forth in documents numbered CPR 001130 - CPR 001145 produced by
24 Opposer, is true.

25 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
26 answered.

1 REQUEST FOR ADMISSION NO. 277

2 277. Admit the documents numbered CPR 001130 - CPR 001145 produced by Opposer, says
3 Opposer “scans published editorial calendars” for its clients.

4 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
5 answered.

6
7 REQUEST FOR ADMISSION NO. 278

8 278. Admit the statement by Opposer in which its says Opposer “scans published editorial
9 calendars” for its clients, as set forth in documents numbered CPR 001130 - CPR 001145
10 produced by Opposer, is true.

11 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
12 answered.

13
14 REQUEST FOR ADMISSION NO. 279

15 279. Admit the documents numbered CPR 001130 - CPR 001145 produced by Opposer, says
16 Opposer “manage the review process” for its clients.

17 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
18 answered.

19
20 REQUEST FOR ADMISSION NO. 280

21 280. Admit the statement by Opposer in which its says Opposer “manage the review process”
22 for its clients, as set forth in documents numbered CPR 001130 - CPR 001145 produced
23 by Opposer, is true.

24 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
25 answered.

26
27 REQUEST FOR ADMISSION NO. 281

1 281. Admit the documents numbered CPR 001130 - CPR 001145 produced by Opposer, says
2 Opposer “pitch stories” for its clients.

3 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
4 answered.

5
6 REQUEST FOR ADMISSION NO. 282

7 282. Admit the statement by Opposer in which its says Opposer “pitch stories” for its clients,
8 as set forth in documents numbered CPR 001130 - CPR 001145 produced by Opposer, is
9 true.

10 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
11 answered.

12
13 REQUEST FOR ADMISSION NO. 283

14 283. Admit the documents numbered CPR 001130 - CPR 001145 produced by Opposer, says
15 Opposer’s goal for its clients is to obtain press coverage of the following kinds: “product
16 stories” and “case studies” and “Q&A’s” [sic] and “company and executive profiles” and
17 by-lined technical articles” and “column ideas” and “managed reviews.”

18 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
19 answered.

20
21 REQUEST FOR ADMISSION NO. 284

22 284. Admit the statement by Opposer in which its says Opposer’s goal for its clients about
23 “product stories” and “case studies” and “Q&A’s” [sic] and “company and executive
24 profiles” and by-lined technical articles” and “column ideas” and “managed reviews,” as
25 set forth in documents numbered CPR 001130 - CPR 001145 produced by Opposer, is
26 true.

27 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and

1 answered.

2
3 REQUEST FOR ADMISSION NO. 285

4 285. Admit the documents numbered CPR 001459 - CPR 001473 produced by Opposer with
5 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
6 and Things, which documents are attached hereto, are genuine.

7 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
8 answered.

9
10 REQUEST FOR ADMISSION NO. 286

11 286. Admit the documents numbered CPR 001459 - CPR 001473 produced by Opposer is an
12 analysis of "social media."

13 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
14 answered.

15
16 REQUEST FOR ADMISSION NO. 287

17 287. Admit the documents numbered CPR 001459 - CPR 001473 produced by Opposer is an
18 analysis which measures "social media."

19 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
20 answered.

21
22 REQUEST FOR ADMISSION NO. 288

23 288. Admit the documents numbered CPR 001459 - CPR 001473 produced by Opposer is an
24 analysis of "social media" which may be used as Opposer supplies its goods and services
25 to its clients.

26 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
27 answered.

1 REQUEST FOR ADMISSION NO. 289

2 289. Admit the documents numbered CPR 001459 - CPR 001473 produced by Opposer is an
3 analysis of “social media” which may be presented to its clients.

4 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
5 answered.

6
7 REQUEST FOR ADMISSION NO. 290

8 290. Admit the documents numbered CPR 001459 - CPR 001473 produced by Opposer about
9 “social media” may be presented to Opposer’s social media clients.

10 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
11 answered.

12
13 REQUEST FOR ADMISSION NO. 291

14 291. Admit the documents numbered CPR 001459 - CPR 001473 produced by Opposer about
15 “social media” may be particularly useful in providing Opposer’s goods and services to
16 its social media clients.

17 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
18 answered.

19
20 REQUEST FOR ADMISSION NO. 292

21 292. Admit the documents numbered CPR 001459 - CPR 001473 produced by Opposer about
22 “social media” was developed to be useful in providing Opposer’s goods and services to
23 its social media clients.

24 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
25 answered.

26
27 REQUEST FOR ADMISSION NO. 293

1 293. Admit the documents numbered CPR 001459 - CPR 001473 produced by Opposer about
2 “social media” may be particularly useful in providing Opposer’s goods and services to
3 its social media clients.

4 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
5 answered.

6
7 REQUEST FOR ADMISSION NO. 294

8 294. Admit the documents numbered CPR 001459 - CPR 001473 produced by Opposer about
9 “social media” may be particularly useful in providing Opposer’s PR services to its social
10 media clients.

11 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
12 answered.

13
14 REQUEST FOR ADMISSION NO. 295

15 295. Admit the documents numbered CPR 001459 - CPR 001473 produced by Opposer about
16 “social media” does not say Opposer is itself a supplier of “social media” services.

17 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
18 answered.

19
20 REQUEST FOR ADMISSION NO. 296

21 296. Admit the analysis set forth in documents numbered CPR 001459 - CPR 001473
22 produced by Opposer about “social media” may allow Opposer’s clients to better present
23 their brands to those who use “social media” services.

24 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
25 answered.

26
27 REQUEST FOR ADMISSION NO. 297

1 297. Admit Opposer, in providing the analysis set forth in documents numbered CPR 001459 -
2 CPR 001473 produced by Opposer, does not present Opposer's Marks to those who use
3 "social media" services.

4 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
5 answered.

6
7 REQUEST FOR ADMISSION NO. 298

8 298. Admit Opposer, in providing any measurement or service referred to in documents
9 numbered CPR 001459 - CPR 001473 produced by Opposer, does not present Opposer's
10 Marks to those who use "social media" services.

11 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
12 answered.

13
14 REQUEST FOR ADMISSION NO. 299

15 299. Admit Opposer is not itself a supplier of "social media" services.

16 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
17 answered.

18
19 REQUEST FOR ADMISSION NO. 300

20 300. Admit Opposer is itself a supplier of "social media" services.

21 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
22 answered.

23
24 REQUEST FOR ADMISSION NO. 301

25 301. Admit the documents numbered CPR 001830 - CPR 001843 produced by Opposer with
26 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
27 and Things, which documents are attached hereto, are genuine.

1 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
2 answered.

3
4 REQUEST FOR ADMISSION NO. 302

5 302. Admit the documents numbered CPR 001830 - CPR 001843 produced by Opposer is an
6 analysis of the “technology market.”

7 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
8 answered.

9
10 REQUEST FOR ADMISSION NO. 303

11 303. Admit the documents numbered CPR 001830 - CPR 001843 produced by Opposer is an
12 analysis of the “technology market” which may be used as Opposer supplies its goods
13 and services to its clients.

14 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
15 answered.

16
17 REQUEST FOR ADMISSION NO. 304

18 304. Admit the documents numbered CPR 001830 - CPR 001843 produced by Opposer is an
19 analysis of the “technology market” which may be presented to its clients.

20 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
21 answered.

22
23 REQUEST FOR ADMISSION NO. 305

24 305. Admit the documents numbered CPR 001830 - CPR 001843 produced by Opposer about
25 the “technology market” may be presented to Opposer’s social media clients.

26 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
27 answered.

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REQUEST FOR ADMISSION NO. 306

306. Admit the documents numbered CPR 001830 - CPR 001843 produced by Opposer about the “technology market” may be particularly useful in providing Opposer’s goods and services to its “technology” clients.

RESPONSE: Opposer objects to this request to the extent that it has been previously asked and answered.

REQUEST FOR ADMISSION NO. 307

307. Admit the documents numbered CPR 001830 - CPR 001843 produced by Opposer about the “technology market” was developed to be useful in providing Opposer’s goods and services to its “technology” clients.

RESPONSE: Opposer objects to this request to the extent that it has been previously asked and answered.

REQUEST FOR ADMISSION NO. 308

308. Admit the documents numbered CPR 001830 - CPR 001843 produced by Opposer about the “technology market” may be particularly useful in providing Opposer’s goods and services to its “technology” clients.

RESPONSE: Opposer objects to this request to the extent that it has been previously asked and answered.

REQUEST FOR ADMISSION NO. 309

309. Admit the documents numbered CPR 001830 - CPR 001843 produced by Opposer about the “technology market” may be particularly useful in providing Opposer’s PR services to its “technology” clients.

RESPONSE: Opposer objects to this request to the extent that it has been previously asked and

1 answered.

2
3 REQUEST FOR ADMISSION NO. 310

4 310. Admit the documents numbered CPR 001830 - CPR 001843 produced by Opposer about
5 the “technology market” does not say Opposer is itself a supplier of “technology”
6 services.

7 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
8 answered.

9
10 REQUEST FOR ADMISSION NO. 311

11 311. Admit the analysis set forth in documents numbered CPR 001830 - CPR 001843
12 produced by Opposer about the “technology market” may allow Opposer’s clients to
13 better present their brands to those who use “technology” services.

14 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
15 answered.

16
17 REQUEST FOR ADMISSION NO. 312

18 312. Admit Opposer, in providing the analysis set forth in documents numbered CPR 001830 -
19 CPR 001843 produced by Opposer, does not present Opposer’s Marks to those who use
20 “technology” services.

21 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
22 answered.

23
24 REQUEST FOR ADMISSION NO. 313

25 313. Admit Opposer, in providing any measurement or service referred to in documents
26 numbered CPR 001830 - CPR 001843 produced by Opposer, does not present Opposer’s
27 Marks to those who use “technology” services.

1 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
2 answered.

3
4 REQUEST FOR ADMISSION NO. 314

5 314. Admit Opposer is not itself a supplier of “technology” services.

6 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
7 answered.

8
9 REQUEST FOR ADMISSION NO. 315

10 315. Admit Opposer is itself a supplier of “technology” services.

11 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
12 answered.

13
14 REQUEST FOR ADMISSION NO. 316

15 316. Admit the documents numbered CPR 001900 - CPR 001927 produced by Opposer with
16 Opposer’s Responses to Applicants Second Set of Requests for Production of Documents
17 and Things, which documents are attached hereto, are genuine.

18 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
19 answered.

20
21 REQUEST FOR ADMISSION NO. 317

22 317. Admit the documents numbered CPR 001900 - CPR 001927 produced by Opposer, was
23 created on or about the time Opposer applied to register its mark CONNECTPR with the
24 U.S. Patent & Trademark Office.

25 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
26 answered.

1 REQUEST FOR ADMISSION NO. 318

2 318. Admit the documents numbered CPR 001900 - CPR 001927 produced by Opposer, was
3 created on or about the time Opposer applied to register its mark CONNECT PUBLIC
4 RELATIONS with the U.S. Patent & Trademark Office.

5 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
6 answered.

7
8 REQUEST FOR ADMISSION NO. 319

9 319. Admit the documents numbered CPR 001900 - CPR 001927 produced by Opposer with
10 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
11 and Things, is about Opposer's business.

12 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
13 answered.

14
15 REQUEST FOR ADMISSION NO. 320

16 320. Admit the documents numbered CPR 001928 - CPR 001936 produced by Opposer with
17 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
18 and Things, which documents are attached hereto, are genuine.

19 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
20 answered.

21
22 REQUEST FOR ADMISSION NO. 321

23 321. Admit the documents numbered CPR 001928 - CPR 001936 produced by Opposer with
24 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
25 and Things, is about Opposer's business.

26 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
27 answered.

1 REQUEST FOR ADMISSION NO. 322

2 322. Admit the documents numbered CPR 001928 - CPR 001936 produced by Opposer with
3 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
4 and Things, specifically discusses the markets for Opposer's business.

5 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
6 answered.

7
8 REQUEST FOR ADMISSION NO. 323

9 323. Admit the documents numbered CPR 001928 - CPR 001936 produced by Opposer with
10 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
11 and Things, specifically discusses the tools of Opposer's business.

12 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
13 answered.

14
15
16 REQUEST FOR ADMISSION NO. 324

17 324. Admit the documents numbered CPR 001928 - CPR 001936 produced by Opposer with
18 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
19 and Things, locates the offices of Opposer.

20 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
21 answered.

22
23 REQUEST FOR ADMISSION NO. 325

24 325. Admit the documents numbered CPR 002050 - CPR 002071 produced by Opposer with
25 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
26 and Things, which documents are attached hereto, are genuine.

27 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and

1 answered.

2
3 REQUEST FOR ADMISSION NO. 326

4 326. Admit the documents numbered CPR 002050 - CPR 002071 produced by Opposer shows
5 individuals in the “media” with whom Opposer’s has or may discuss its clients.

6 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
7 answered.

8
9 REQUEST FOR ADMISSION NO. 327

10 327. Admit the documents numbered CPR 002050 - CPR 002071 produced by Opposer shows
11 individuals in the “media” with whom Opposer’s has or may discuss its clients for the
12 benefit of Opposer’s clients.

13 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
14 answered.

15
16 REQUEST FOR ADMISSION NO. 328

17 328. Admit the documents numbered CPR 002050 - CPR 002071 produced by Opposer shows
18 individuals in the “media” with whom Opposer’s has or may discuss its clients to gain
19 additional media coverage for Opposer’s clients.

20 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
21 answered.

22
23 REQUEST FOR ADMISSION NO. 329

24 329. Admit the documents numbered CPR 002050 - CPR 002071 produced by Opposer shows
25 Opposer uses discussions with individuals in the “media” as a means to conduct
26 Opposer’s business.

27 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and

1 answered.

2
3 REQUEST FOR ADMISSION NO. 330

4 330. Admit the documents numbered CPR 002050 - CPR 002071 produced by Opposer shows
5 Opposer uses discussions with individuals in the “media” as a primary means to conduct
6 Opposer’s business.

7 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
8 answered.

9
10 REQUEST FOR ADMISSION NO. 331

11 331. Admit the documents numbered CPR 002072 - CPR 002077 produced by Opposer with
12 Opposer’s Responses to Applicants Second Set of Requests for Production of Documents
13 and Things, which documents are attached hereto, are genuine.

14 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
15 answered.

16
17
18 REQUEST FOR ADMISSION NO. 332

19 332. Admit the documents numbered CPR 002072 - CPR 002077 produced by Opposer shows
20 individuals who are “analysts” with whom Opposer’s has or may discuss its clients.

21 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
22 answered.

23
24 REQUEST FOR ADMISSION NO. 333

25 333. Admit the documents numbered CPR 002072 - CPR 002077 produced by Opposer shows
26 individuals who are “analysts” with whom Opposer’s has or may discuss its clients for
27 the benefit of Opposer’s clients.

1 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
2 answered.

3
4 REQUEST FOR ADMISSION NO. 334

5 334. Admit the documents numbered CPR 002072 - CPR 002077 produced by Opposer shows
6 individuals who are “analysts” with whom Opposer’s has or may discuss its clients to
7 gain additional favorable coverage for Opposer’s clients.

8 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
9 answered.

10
11 REQUEST FOR ADMISSION NO. 335

12 335. Admit the documents numbered CPR 002072 - CPR 002077 produced by Opposer shows
13 Opposer uses discussions with individuals who are “analysts” as a means to conduct
14 Opposer’s business.

15 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
16 answered.

17
18 REQUEST FOR ADMISSION NO. 336

19 336. Admit the documents numbered CPR 002072 - CPR 002077 produced by Opposer shows
20 Opposer uses discussions with individuals who are “analysts” as a primary means to
21 conduct Opposer’s business.

22 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
23 answered.

24
25 REQUEST FOR ADMISSION NO. 337

26 337. Admit the documents numbered CPR 002078 - CPR 002097 produced by Opposer with
27 Opposer’s Responses to Applicants Second Set of Requests for Production of Documents

1 and Things, which documents are attached hereto, are genuine.

2 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
3 answered.

4
5 REQUEST FOR ADMISSION NO. 338

6 338. Admit the documents numbered CPR 002078 - CPR 002097 produced by Opposer shows
7 individuals in the “social media” with whom Opposer’s has or may discuss its clients.

8 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
9 answered.

10
11 REQUEST FOR ADMISSION NO. 339

12 339. Admit the documents numbered CPR 002078 - CPR 002097 produced by Opposer shows
13 individuals in the “social media” with whom Opposer’s has or may discuss its clients for
14 the benefit of Opposer’s clients.

15 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
16 answered.

17
18 REQUEST FOR ADMISSION NO. 340

19 340. Admit the documents numbered CPR 002078 - CPR 002097 produced by Opposer shows
20 individuals in the “social media” with whom Opposer’s has or may discuss its clients to
21 gain additional media coverage for Opposer’s clients.

22 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
23 answered.

24
25 REQUEST FOR ADMISSION NO. 341

26 341. Admit the documents numbered CPR 002078 - CPR 002097 produced by Opposer shows
27 Opposer uses discussions with individuals in the “social media” as a means to conduct

1 Opposer's business.

2 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
3 answered.

4
5 REQUEST FOR ADMISSION NO. 342

6 342. Admit the documents numbered CPR 002078 - CPR 002097 produced by Opposer shows
7 Opposer uses discussions with individuals in the "social media" as a primary means to
8 conduct Opposer's business.

9 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
10 answered.

11
12 REQUEST FOR ADMISSION NO. 343

13 343. Admit the document numbered CPR 002197 produced by Opposer with Opposer's
14 Responses to Applicants Second Set of Requests for Production of Documents and
15 Things, which document is attached hereto, is genuine.

16 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
17 answered.

18
19
20 REQUEST FOR ADMISSION NO. 344

21 344. Admit the document numbered CPR 002197 produced by Opposer sets forth a statement
22 about Opposer made by Opposer.

23 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
24 answered.

25
26 REQUEST FOR ADMISSION NO. 345

27 345. Admit the document numbered CPR 002197 produced by Opposer sets for a statement

1 about Opposer, and that statement is true.

2 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
3 answered.

4
5 REQUEST FOR ADMISSION NO. 346

6 346. Admit the document numbered CPR 002197 produced by Opposer sets for a statement
7 about Opposer, and that statement is at least in part false.

8 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
9 answered.

10
11 REQUEST FOR ADMISSION NO. 347

12 347. Admit the documents numbered CPR 002270 - CPR 002296 produced by Opposer with
13 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
14 and Things, which documents are attached hereto, are genuine.

15 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
16 answered.

17
18 REQUEST FOR ADMISSION NO. 348

19 348. Admit the documents numbered CPR 002270 - CPR 002296 produced by Opposer
20 describes Opposer's business in a general way.

21 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
22 answered.

23
24 REQUEST FOR ADMISSION NO. 349

25 349. Admit the documents numbered CPR 002270 - CPR 002296 produced by Opposer
26 describes Opposer's entire business in a general way.

27 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and

1 answered.

2
3 REQUEST FOR ADMISSION NO. 350

4 350. Admit the documents numbered CPR 002270 - CPR 002296 produced by Opposer
5 describes in a general way the industries served by Opposer.

6 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
7 answered.

8
9 REQUEST FOR ADMISSION NO. 351

10 351. Admit the documents numbered CPR 002270 - CPR 002296 produced by Opposer
11 describes in a general way the industries to which Opposer markets its services.

12 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
13 answered.

14
15 REQUEST FOR ADMISSION NO. 352

16 352. Admit the documents numbered CPR 002270 - CPR 002296 produced by Opposer
17 describes in a general way the industries to which Opposer presents its Opposer's Marks
18 when Opposer markets its services.

19 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
20 answered.

21
22 REQUEST FOR ADMISSION NO. 353

23 353. Admit the documents numbered CPR 002593 - CPR 002601 produced by Opposer with
24 Opposer's Responses to Applicants Second Set of Requests for Production of Documents
25 and Things, which documents are attached hereto, are genuine.

26 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
27 answered.

1 REQUEST FOR ADMISSION NO. 354

2 354. Admit the documents numbered CPR 002593 - CPR 002601 produced by Opposer
3 describes Opposer's business in a general way.

4 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
5 answered.

6
7 REQUEST FOR ADMISSION NO. 355

8 355. Admit the documents numbered CPR 002593 - CPR 002601 produced by Opposer
9 describes some of the things Opposer does as it conducts its business.

10 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
11 answered.

12
13 REQUEST FOR ADMISSION NO. 356

14 356. Admit the documents numbered CPR 002593 - CPR 002601 produced by Opposer
15 describes Opposer's some of the things Opposer does for its clients.

16 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
17 answered.

18
19 REQUEST FOR ADMISSION NO. 357

20 357. Admit Opposer provides no services to clients which operate in the field of manufacture
21 and sale of railroad boxcars.

22 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
23 answered.

24
25 REQUEST FOR ADMISSION NO. 358

26 358. Admit Opposer provides no services to clients which operate in the field of manufacture
27 and sale of bicycles.

1 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
2 answered.

3
4 REQUEST FOR ADMISSION NO. 359

5 359. Admit Opposer provides no services to clients which operate in the field of manufacture
6 and sale of basketballs.

7 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
8 answered.

9
10 REQUEST FOR ADMISSION NO. 360

11 360. Admit Opposer provides no services to clients which operate in the field of manufacture
12 and sale of oil products.

13 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
14 answered.

15
16 REQUEST FOR ADMISSION NO. 361

17 361. Admit Opposer provides no services to clients which operate in the field of utilities and
18 utility hook-ups.

19 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
20 answered.

21
22 REQUEST FOR ADMISSION NO. 362

23 362. Admit Opposer provides no services to clients which operate in the field of comparative
24 marketing and advertising services.

25 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
26 answered.

1 REQUEST FOR ADMISSION NO. 363

2 363. Admit Opposer provides no audio recordings featuring music.

3 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
4 answered.

5
6 REQUEST FOR ADMISSION NO. 364

7 364. Admit Opposer provides no prerecorded music on CD, DVD and other media.

8 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
9 answered.

10
11 REQUEST FOR ADMISSION NO. 365

12 365. Admit Opposer provides no business marketing services in the nature of agency
13 representation of companies marketing a variety of services to home owners and renters,
14 namely, utility hook-ups, telecommunication services, home security services, home
15 warranties, home and yard maintenance, furniture and appliance rental.

16 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
17 answered.

18
19
20 REQUEST FOR ADMISSION NO. 366

21 366. Admit Opposer provides no comparative marketing and advertising services for providers
22 of residential and business telecommunications services, namely, for providers of
23 broadband cable, DSL, fiber-optic and satellite Internet access services, cable and
24 satellite television, voice over IP, and long-distance telephone services.

25 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
26 answered.

1 REQUEST FOR ADMISSION NO. 367

2 367. Admit Opposer provides no operation of telephone call centers for others.

3 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
4 answered.

5
6 REQUEST FOR ADMISSION NO. 368

7 368. Admit Opposer provides no marketing of high speed telephone, Internet, and wireless
8 access, and directing consumers to access providers.

9 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
10 answered.

11
12 REQUEST FOR ADMISSION NO. 369

13 369. Admit Opposer provides no online directory information service featuring information
14 regarding, and in the nature of, classifieds.

15 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
16 answered.

17
18 REQUEST FOR ADMISSION NO. 370

19 370. Admit Opposer provides no advertising and information distribution services, namely,
20 providing classified advertising space via the global computer network.

21 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
22 answered.

23
24 REQUEST FOR ADMISSION NO. 371

25 371. Admit Opposer provides no promoting the goods and services of others over the Internet.

26 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
27 answered.

1 REQUEST FOR ADMISSION NO. 372

2 372. Admit Opposer provides no online computer databases and on-line searchable databases
3 featuring classified listings and want ads.

4 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
5 answered.

6
7 REQUEST FOR ADMISSION NO. 373

8 373. Admit Opposer provides no online business networking services.

9 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
10 answered.

11
12 REQUEST FOR ADMISSION NO. 374

13 374. Admit Opposer provides no telephone directory information via global communications
14 networks.

15 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
16 answered.

17
18
19 REQUEST FOR ADMISSION NO. 375

20 375. Admit Opposer provides no online interactive website obtaining users comments
21 concerning business organizations, service providers, and other resources.

22 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
23 answered.

24
25 REQUEST FOR ADMISSION NO. 376

26 376. Admit Opposer provides no information, namely, compilations, rankings, ratings,
27 reviews, referrals and recommendations relating to business organizations, service

1 providers, and other resources using a global computer network.

2 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
3 answered.

4
5 REQUEST FOR ADMISSION NO. 377

6 377. Admit Opposer provides no telephone directory information via global communications
7 networks.

8 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
9 answered.

10
11 REQUEST FOR ADMISSION NO. 378

12 378. Admit Opposer provides no arranging for others the initiation and termination of
13 telecommunication services and utility services in the nature of water, gas and electricity
14 and consultation rendered in connection therewith.

15 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
16 answered.

17
18 REQUEST FOR ADMISSION NO. 379

19 379. Admit Opposer provides no online chat rooms for registered users for transmission of
20 messages concerning classifieds, virtual community and social networking.

21 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
22 answered.

23
24 REQUEST FOR ADMISSION NO. 380

25 380. Admit Opposer provides no on-line chat rooms and electronic bulletin boards for
26 transmission of messages among users in the field of general interest.

27 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and

1 answered.

2

3 REQUEST FOR ADMISSION NO. 381

4 381. Admit Opposer provides no email and instant messaging services.

5 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
6 answered.

7

8 REQUEST FOR ADMISSION NO. 382

9 382. Admit Opposer provides no computer services, namely, creating an on-line community
10 for registered users to participate in discussions, get feedback from their peers, form
11 virtual communities, and engage in social networking.

12 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
13 answered.

14

15 REQUEST FOR ADMISSION NO. 383

16 383. Admit Opposer provides no computer software development.

17 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
18 answered.

19

20 REQUEST FOR ADMISSION NO. 384

21 384. Admit Opposer provides no application service provider (ASP) services featuring
22 software to enable uploading, posting, showing, displaying, tagging, blogging, sharing or
23 otherwise providing electronic media or information over the Internet or other
24 communications network.

25 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
26 answered.

27

28

1 REQUEST FOR ADMISSION NO. 385

2 385. Admit Opposer provides no temporary use of non-downloadable software applications
3 for classifieds, virtual community, social networking, photo sharing, video sharing, and
4 transmission of photographic images.

5 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
6 answered.

7
8 REQUEST FOR ADMISSION NO. 386

9 386. Admit Opposer provides no computer services, namely, hosting online web facilities for
10 others for organizing and conducting online meetings, gatherings, and interactive
11 discussions.

12 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
13 answered.

14
15 REQUEST FOR ADMISSION NO. 387

16 387. Admit Opposer provides no computer services in the nature of customized web pages
17 featuring user-defined information, personal profiles and information.

18 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
19 answered.

20
21 REQUEST FOR ADMISSION NO. 388

22 388. Admit Opposer provides no on-line social networking services; internet based dating,
23 introduction and social networking services.

24 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
25 answered.

26
27 REQUEST FOR ADMISSION NO. 389

1 389. Admit Applicant's Mark is not confusingly similar to Opposer's Marks.

2 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
3 answered.

4
5 REQUEST FOR ADMISSION NO. 390

6 390. Admit services provided to businesses may be unrelated to services provided to
7 Consumers.

8 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
9 answered.

10
11 REQUEST FOR ADMISSION NO. 391

12 391. Admit services provided to businesses may be unrelated to services provided to
13 Consumers, even when provided under the same mark.

14 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
15 answered.

16
17 REQUEST FOR ADMISSION NO. 392

18 392. Admit marks used to provide services to businesses may not be confusingly similar to
19 marks used to provide services to Consumers, if the services so provided to businesses
20 are unrelated to the services so provided to Consumers.

21 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
22 answered.

23
24 REQUEST FOR ADMISSION NO. 393

25 393. Admit a mark used to provide services to businesses may be identical to a mark used to
26 provide services to Consumers if the services so provided to businesses are unrelated to
27 the services so provided to Consumers.

1 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
2 answered.

3
4 REQUEST FOR ADMISSION NO. 394

5 394. Admit Opposer's Mark CONNECTPR, when used to provide services to businesses, may
6 be confusingly similar to Applicant's Mark CONNECT, when used to provide services to
7 Consumers if the services so provided to businesses are unrelated to the services so
8 provided to Consumers.

9 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
10 answered.

11
12 REQUEST FOR ADMISSION NO. 395

13 395. Admit the word "connect," as a commonly used English word, describes an ingredient,
14 quality, characteristic, function, feature, purpose, or use of many of Applicant's identified
15 services.

16 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
17 answered.

18
19 REQUEST FOR ADMISSION NO. 396

20 396. Admit businesses which supply services to Consumers present their marks to Consumers
21 to make sales.

22 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
23 answered.

24
25 REQUEST FOR ADMISSION NO. 397

26 397. Admit businesses which supply services to businesses present their marks to such
27 businesses to make sales.

1 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
2 answered.

3
4 REQUEST FOR ADMISSION NO. 398

5 398. Admit businesses and Consumers may be separate markets.

6 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
7 answered.

8
9 REQUEST FOR ADMISSION NO. 399

10 399. Admit a mark used by a businesses which supplies services only to other businesses may
11 not be presented to the same market as a mark used by a business which supplies services
12 only to Consumers.

13 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
14 answered.

15
16 REQUEST FOR ADMISSION NO. 400

17 400. Admit a mark used by a businesses which presents its mark only to other businesses may
18 not be confusingly similar to a mark used by a business which supplies services only to
19 Consumers.

20 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
21 answered.

22
23 REQUEST FOR ADMISSION NO. 401

24 401. Admit Opposer supplies its services only to other businesses.

25 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
26 answered.

1 REQUEST FOR ADMISSION NO. 402

2 402. Admit Opposer provides some services to Consumers.

3 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
4 answered.

5
6 REQUEST FOR ADMISSION NO. 403

7 403. Admit Opposer's Marks are generic.

8 RESPONSE: Opposer objects to this request to the extent that it has been previously asked and
9 answered.

10
11 REQUEST FOR ADMISSION NO. 404

12 404. Admit Opposer does not use Opposer's Mark CONNECT PUBLIC RELATIONS to
13 provide to its clients or customers "marketing services."

14 RESPONSE:

15 Denied.

16
17 REQUEST FOR ADMISSION NO. 405

18 405. Admit Opposer does not use Opposer's Mark CONNECT PUBLIC RELATIONS to
19 provide to its clients or customers "market research services."

20 RESPONSE:

21 Denied.

22
23 REQUEST FOR ADMISSION NO. 406

24 406. Admit Opposer does not use Opposer's Mark CONNECT PUBLIC RELATIONS to
25 provide to its clients or customers "consulting services."

26 RESPONSE:

27 Denied.

1 REQUEST FOR ADMISSION NO. 407

2 407. Admit Opposer does not use Opposer's Mark CONNECT PUBLIC RELATIONS to
3 provide to its clients or customers "public relations services."

4 RESPONSE:

5 Denied.

6
7 REQUEST FOR ADMISSION NO. 408

8 408. Admit Opposer does not use Opposer's Mark CONNECT PUBLIC RELATIONS to
9 provide to its clients or customers "media relations services."

10 RESPONSE:

11 Denied.

12
13 REQUEST FOR ADMISSION NO. 409

14 409. Admit Opposer does not use Opposer's Mark CONNECT PUBLIC RELATIONS to
15 provide to its clients or customers "sales promotion services."

16 RESPONSE:

17 Denied.

18
19 REQUEST FOR ADMISSION NO. 410

20 410. Admit Opposer does not use Opposer's Mark CONNECTPR to provide to its clients or
21 customers "marketing services."

22 RESPONSE:

23 Denied.

24
25 REQUEST FOR ADMISSION NO. 411

26 411. Admit Opposer does not use Opposer's Mark CONNECTPR to provide to its clients or
27 customers "market research services."

1 RESPONSE:

2 Denied.

3
4 REQUEST FOR ADMISSION NO. 412

5 412. Admit Opposer does not use Opposer's Mark CONNECTPR to provide to its clients or
6 customers "consulting services."

7 RESPONSE:

8 Denied.

9
10 REQUEST FOR ADMISSION NO. 413

11 413. Admit Opposer does not use Opposer's Mark CONNECTPR to provide to its clients or
12 customers "public relations services."

13 RESPONSE:

14 Denied.

15
16 REQUEST FOR ADMISSION NO. 414

17 414. Admit Opposer does not use Opposer's Mark CONNECTPR to provide to its clients or
18 customers "media relations services."

19 RESPONSE:

20 Denied.

21
22 REQUEST FOR ADMISSION NO. 415

23 415. Admit Opposer does not use Opposer's Mark CONNECTPR to provide to its clients or
24 customers "sales promotion services."

25 RESPONSE:

26 Denied.

1 REQUEST FOR ADMISSION NO. 416

2 416. Admit Opposer's current clients include some of the following companies:
3 Avidian, F5 Networks, Iconix, Inspiria, Multiling, Network Instruments, NKK Switches,
4 Nutricate, Radio Time, Nokia Siemens Networks, Siemens Communications, Symantec,
5 Veracity Networks, XMOS

6 RESPONSE:

7 Admitted.

8
9 REQUEST FOR ADMISSION NO. 417

10 417. Admit the companies which are among Opposer's current clients as set forth in Request
11 No. 416 above are representative clients for Opposer.

12 RESPONSE:

13 Denied.

14
15 REQUEST FOR ADMISSION NO. 418

16 418. Admit Opposer's current or former clients include some of the following companies:
17 @themoment, Acclaim, CommercePath, Computhink, Ectogenic, iConclude, Knowmatic,
18 Ncompass Labs, Noza, Portal Wave, Transoft, Zembu Labs

19 RESPONSE:

20 Opposer admits that the above listed companies are identified as current or former clients
21 on its website.

22
23 REQUEST FOR ADMISSION NO. 419

24 419. Admit Opposer characterizes the companies set forth in Request No. 418 as "eBusiness"
25 on Opposer's web site.

26 RESPONSE:

27 Admitted.

1 REQUEST FOR ADMISSION NO. 420

2 420. Admit Opposer's current or former clients include some of the following companies:
3 Access 360, Actiona,Arula, ASG, Attachmate, BindView Development, eMS, Dilithium,
4 FTP, Insevo, IP Dymanics, LanOptics, Neocore, Network Alchemy, NUKO Information
5 Systems, Wingra Tech.

6
7 RESPONSE:

8 Opposer admits that the above listed companies are identified as current or former clients
9 on its website.

10
11 REQUEST FOR ADMISSION NO. 421

12 421. Admit Opposer characterizes the companies set forth in Request No. 418 as "Infrastruct.
13 Software" on Opposer's web site.

14 RESPONSE:

15 Admitted.

16
17 REQUEST FOR ADMISSION NO. 422

18 422. Admit Opposer's current or former clients include some of the following companies:
19 Access 360, Cobalt, Sun, Cubix, Digital Products, Firefox, GT Software, Iomega, Kofax,
20 Linux Networx, Microtest, Monta Vista, Netspeed, NetWorth, Newport Systems, Ramp
21 Networks, Rockwell Network, Tricord Systems, Vinca

22 RESPONSE:

23 Opposer admits that the above listed companies are identified as current or former clients
24 on its website.

25
26 REQUEST FOR ADMISSION NO. 423

1 423. Admit Opposer characterizes the companies set forth in Request No. 422 as "Infrastruct.
2 Hardware" on Opposer's web site.

3 RESPONSE:

4 Admitted.

5
6 REQUEST FOR ADMISSION NO. 424

7 424. Admit Opposer's current or former clients include some of the following companies:
8 Applied Voice Technology, Apptrigger, Brooktrout, CallWare Technologies, Callwave,
9 Captaris, MediaLinq, RightFax, StarVox, Teriatech

10 RESPONSE:

11 Opposer admits that the above listed companies are identified as current or former clients
12 on its website.

13
14 REQUEST FOR ADMISSION NO. 425

15 425. Admit Opposer characterizes the companies set forth in Request No. 424s [sic]
16 "Telephony" on Opposer's web site.

17 RESPONSE:

18 Admitted.

19
20 REQUEST FOR ADMISSION NO. 426

21 426. Admit the words "eBusiness" and "Infrastruct. Software" and "Infrastruct. Software" and
22 "Telephony," as these words are used by Opposer on its web site, are intended to describe
23 the nature of the businesses conducted by Opposer's clients.

24 RESPONSE:

25 Opposer admits that the words "eBusiness" and "Infrastruct. Software" and "Infrastruct.
26 Software" and "Telephony" describe the nature of some of the businesses conducted by
27 Opposer's clients.

1 REQUEST FOR ADMISSION NO. 427

2 427. Admit the following text appears on Opposer's web site, at:

3 http://www.connectpr.com/sp_training.html:

4 "Connect offers a spokesperson training course designed to build the skills needed to
5 create excitement in a typical analyst or press meeting. Our course includes:

6 "Initial session to learn the dynamics of analysts and high tech media

7 "Initial session to learn how to build effective PowerPoint presentations

8 "Sessions to help fine-tune your PowerPoint presentation

9 "Training sessions to teach and fine-tune presentation skills"

10 RESPONSE:

11 Opposer admits that the above cited text appears on Opposer's former website.

12
13 REQUEST FOR ADMISSION NO. 428

14 428. Admit the following text appears on Opposer's web site, at:

15 http://www.connectpr.com/social_media.html:

16 "Blogs, podcasts, and wikis are enough to give any corporate marketer a headache. And
17 that's just a fraction of the new social media landscape, when you consider other elements
18 like RSS, vlogs, and virtual worlds. Connect (SM) understands that as the traditional
19 media landscape continues to transform itself, so too must PR adapt strategy and
20 execution."

21 RESPONSE:

22 Opposer admits that the above cited text appears on Opposer's former website.

23
24 REQUEST FOR ADMISSION NO. 429

25 429. Admit the following text appears on Opposer's web site, at:

26 http://www.connectpr.com/social_media.html:

1 "Welcome to PR 2.0, where social media is evolving the practice as we know it. "In the
2 spirit of the Cluetrain Manifesto's thesis "Markets are Conversations," the traditional PR
3 "push" model is evolving into a "pull" experience, where customers are drawn to
4 organizations that are open to, and facilitate, discussion. And much like the participatory
5 relationships generated in the traditional marketplace, customers and organizations now
6 have the means via social media channels to be media and let their voices be heard."

7 RESPONSE:

8 Opposer admits that the above cited text appears on Opposer's former website.
9

10 REQUEST FOR ADMISSION NO. 430

11 430. Admit the following text appears on Opposer's web site, at:

12 http://www.connectpr.com/social_media.html:

13 "For several years now, Connect (SM) has leveraged a variety of social media channels
14 to complement traditional media tactics. Our four-step method takes a market-oriented
15 approach, leveraging particular tools from blogs to video, and involves:

16 "Tracking the Conversation

17 "Engaging in the Conversation

18 "Influencing the Conversation

19 "Starting the Conversation

20 "To paraphrase BusinessWeek's May 2, 2005 cover, social media will change your
21 business. And their advice: "Catch up ... or catch you later.""

22 RESPONSE:

23 Opposer admits that the above cited text appears on Opposer's former website.
24

25 REQUEST FOR ADMISSION NO. 431

26 431. Admit the services described in Requests Nos. 428 and 429 of these Requests are
27 services provided only to businesses.

1 RESPONSE:

2 Opposer admits that the services described in Requests Nos. 428 and 429 may be
3 provided to businesses, but not exclusively.

4
5 REQUEST FOR ADMISSION NO. 432

6 432. Admit the following text appears on Opposer's web site, at:

7 <http://www.connectpr.com/message.html>:

8 "A clear, concise message is a requirement for a successful media campaign. A common
9 complaint of analysts and reporters is that spokespeople are unable to clearly explain
10 their product. Connect (SM) has been helping companies clarify their message for 15
11 years.

12 "We have a simple process for helping companies build their message. Our process is
13 based on answering the five key questions analysts and media have about any new
14 company or product.

15 "What need drives customers to look for your company's solution?

16 "What market drivers are making this need more acute as time passes?

17 "What are the alternative ways to meet this need today?

18 "What are the shortcomings with these alternatives?

19 "How does your solution overcome these shortcomings?

20 "he [sic] answers to these five questions form the basis of a clear, concise message. Over
21 the past 15 years we have developed an efficient process to discover and articulate our
22 client's message."

23 RESPONSE:

24 Opposer admits that the above cited text appears on Opposer's former website.

25
26 REQUEST FOR ADMISSION NO. 433

1 433. Admit Opposer's services, as described in Requests Nos. 427, 428, 429, and 432 are
2 important services for businesses.

3 RESPONSE:

4 Admitted.

5
6 REQUEST FOR ADMISSION NO. 434

7 434. Admit Opposer's services, as described in Requests Nos. 427, 428, and 429 are not
8 important services for consumers.

9 RESPONSE:

10 Denied.

11
12 REQUEST FOR ADMISSION NO. 435

13 435. Admit the following text appears on Opposer's web site, at:

14 <http://www.connectpr.com/focus.html>:

15 "Connectivity (SM) surrounds us: The CEO checking stock prices at the airport, the sales
16 executive reading email at Starbucks and the teenager instant messaging friends at the
17 game. Connectivity (SM) is technology that helps people interact with each other.

18 Hardware or software, computer or telephony, Connectivity (SM) today is a trillion dollar
19 market.

20 "Connect Public Relations® focused on this market from the earliest days. We've helped
21 more than 400 firms make their mark in the Connectivity (SM) space. We've met with
22 thousands of analysts and journalists. We've secured more than 200,000 articles for our
23 clients.

24 "In short, we know the Connectivity (SM) market. We should... it's been our only focus
25 since 1989."

26 RESPONSE:

27 Opposer admits that the above cited text appears on Opposer's former website.

1 REQUEST FOR ADMISSION NO. 436

2 436. Admit Opposer's use of the description of "connectivity" as set forth in Request No. 435
3 of these Requests, and on Opposer's web site, refers to "technology that helps people
4 interact with each other" which may be of use to Opposer's clients when dealing with
5 their customers.

6 RESPONSE:

7 Opposer admits that some of its clients use technology that helps people interact with
8 each other when dealing with their customers.

9
10 REQUEST FOR ADMISSION NO. 437

11 437. Admit Opposer's use of the description of "connectivity" as set forth in Request No. 435
12 of these Requests, and on Opposer's web site, does not refer to "technology that helps
13 people interact with each other" supplied by Opposer directly to consumers.

14 RESPONSE:

15 Opposer objects to this request as seeking information not relevant to the subject matter
16 of this proceeding and not calculated to lead to the discovery of admissible evidence as none of
17 the goods or services, classes of customers, or channels of trade in Opposer's registrations are
18 limited to the "connectivity."

19
20 REQUEST FOR ADMISSION NO. 438

21 438. Admit Opposer's use of the description of "connectivity" as set forth in Request No. 435
22 of these Requests, and on Opposer's web site, does not refer to "technology that helps
23 people interact with each other" supplied by Opposer directly to consumers.

24 RESPONSE:

25 Opposer objects to this request as seeking information not relevant to the subject matter
26 of this proceeding and not calculated to lead to the discovery of admissible evidence as none of
27

1 the goods or services, classes of customers, or channels of trade in Opposer’s registrations are
2 limited to the “connectivity.”

3
4 REQUEST FOR ADMISSION NO. 439

5 439. Admit Opposer's has never directly assisted a CEO to check stock prices at an airport.

6 RESPONSE:

7 Opposer objects to this request as seeking information not relevant to the subject matter
8 of this proceeding and not calculated to lead to the discovery of admissible evidence.

9
10 REQUEST FOR ADMISSION NO. 440

11 440. Admit Opposer's has never directly assisted a sales executive to read email at Starbucks.

12 RESPONSE:

13 Opposer objects to this request as seeking information not relevant to the subject matter
14 of this proceeding and not calculated to lead to the discovery of admissible evidence.

15
16 REQUEST FOR ADMISSION NO. 441

17 441. Admit Opposer's has never directly assisted a teenager to instant message a friend at a
18 game.

19 RESPONSE:

20 Opposer objects to this request as seeking information not relevant to the subject matter
21 of this proceeding and not calculated to lead to the discovery of admissible evidence.

22
23 REQUEST FOR ADMISSION NO. 442

24 442. Admit assisting a CEO to check stock prices at an airport is a social networking service.

25 RESPONSE:

26 Opposer objects to this request as seeking information not relevant to the subject matter
27 of this proceeding and not calculated to lead to the discovery of admissible evidence.

1 DATED this 21st day of April, 2014.
2
3

4 
5 Karl R. Cannon
Brett J. Davis

6 **CLAYTON, HOWARTH & CANNON, P.C.**
7 P.O. Box 1909
8 Sandy, Utah 84091-1909
Telephone: (801) 255-5335
Facsimile: (801) 255-5338

9 Attorneys for Opposer/Respondent
10 Connect Public Relations, Inc.
11
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13
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27

1 CERTIFICATE OF SERVICE

2 I hereby certify that I caused a true and correct copy of the foregoing **RESPONDENT'S**
3 **RESPONSES TO PETITIONER'S REQUESTS FOR ADMISSIONS, SETS ONE AND**
4 **TWO** to be served, via email as agreed to by the parties, on this 21st day of April, 2014, to:

5
6 Thomas W. Cook, Esq.

7 Thomas Cook Intellectual Property Attorneys

8 Email: tom@thomascooklaw.com

9
10 
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14
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Exhibit D

DigitalMojo's May 3, 2014, Request to "Meet and Confer"
About Discovery Issues, and
DigitalMojo's May 3, 2014, email to counsel

T H O M A S C O O K

INTELLECTUAL PROPERTY ATTORNEYS

May 3, 2014

Karl R. Cannon, Esq.
Clayton Howarth & Cannon
6965 Union Park Center, Suite 400
Cottonwood Heights, Utah 84047

Re: Connect Public Relations, Inc. v. Digitalmojo, Inc.
Opposition 91196299 - CONNECT, Ser. 77,714,693
Your file: T12092.A; Our file: DIGI-101/CONNECT

Dear Mr. Cannon:

I refer to your email of April 21, 2014, and the responses to discovery by Respondent Connect Public Relations, Inc. attached thereto. This letter comes, pursuant to the federal rules governing discovery, as a request for a conference to meet and confer regarding supplemental responses to Respondent's discovery requests set forth below.

Specifically, we request:

- A. Full supplemental responses (FRCP 33(b)(1)) to the following named documents, and
- B. The supplemental responses should be prepared in the appropriate form, i.e., interrogatories and requests, and initial responses thereto stated fully, without deletions, changes, or interlineations, and then Registrant's responses should be set forth in full as supplemented.

The documents requiring fuller responses are two. We begin with:

1. **RESPONDENT'S RESPONSES TO PETITIONER'S INTERROGATORIES, SETS ONE AND TWO**

As to Respondent's responses to interrogatories, you have advised (in the responses), essentially, that:

(i) "Petitioner's Interrogatories Set One and Set Two exceed the limitation of 75 interrogatories set in the November 17, 2010 letter [between Petitioner and Respondent], because Petitioner has already previously served 75 interrogatories in the parent-opposition proceeding," and

(ii) "[T]he current interrogatories as captioned above, are directed to issues germane to the parent-opposition proceeding and not the child-cancellation proceedings, namely, Cancellation Nos. 92054395 and 92054427," and "Petitioner cannot use its interrogatories permitted in the cancellation proceedings to inquire into matters germane solely to the parent-opposition proceeding and having no relevance whatsoever to the cancellation proceedings."

You base the first objection on the letter dated November 17, 2010 between counsel, in which the parties agreed to 75 interrogatories for the parent proceeding, namely, Opposition No. 91196299." You go on to (correctly) say "Petitioner has previously served 75 interrogatories in the parent-opposition proceeding, "thus meeting the number of allowed interrogatories for that proceeding." You have provided no rationale for the second objection. You have provided no authority for failing to respond based on either of these objections.

We note first that the Board Order dated August 14, 2013 set forth the following discovery schedule:

Discovery opens in cancellation proceedings and
reopens in opposition proceeding: September 14, 2013
Initial disclosures in cancellation proceedings due: October 14, 2013
Expert disclosures in all proceedings due: February 11, 2014
Discovery closes: March 13, 2014

We take from this schedule that Petitioner is entitled to propound discovery from September 14, 2013 until March 13, 2014. Since Respondent has not alleged Petitioner's discovery requests fall outside this date range, we think Respondent is required to respond.

On the subject of our agreement regarding discovery in the parent-opposition, the two cancellation actions filed by Petitioner have now certainly been consolidated with the “parent-opposition proceeding.” However, we have no agreement about the number of interrogatories “the parties” may propound in the cancellation proceedings before they were consolidated. We do not think consolidating these three actions eliminated Petitioner’s rights to undertake discovery, and the Board discovery schedule implies Petitioner has just such a right.

Further, we think Respondent is not acting in good faith as it objects to all of Petitioner’s interrogatories by merely refusing to respond on the day agreed to, and in its “responses.” As Respondent’s attorney, you should have called me to voice your view on this discovery long before these discovery responses were due, especially in light of our more recent agreement to exchange discovery responses on the same day.

We note in this regard Respondent’s April 29 Motion for Summary Judgment, filed eight days after our simultaneous exchange of discovery responses on April 21 (consistent with our agreement). While we have not received a copy of that Motion, we expect it will be based in large part on Petitioner’s full and complete responses in this discovery exchange under our agreement. We believe we will not be able to have at hand all available materials to respond to that Motion without responses to Petitioner’s interrogatories (and Petitioner’s requests for admissions as set forth below).

We require Respondent to now respond to Petitioner’s interrogatories, as posed, with supplemental responses in the form set forth above.

2. **RESPONDENT’S RESPONSES TO PETITIONER’S REQUESTS FOR ADMISSIONS, SETS ONE AND TWO**

As to Respondent’s responses to Petitioner’s requests for admissions, Respondent has responded to those requests with, essentially, two kinds of statements:

- (i) First, Respondent has responded to requests for admissions numbers one (1) through four hundred three (403) with:

“Opposer objects to this request to the extent that it has been previously asked and answered.”

The requests for which this response is supplied have been asked, but they have not been answered. Instead, we have received in the past responses which claim these requests are “irrelevant” or “vague,” or for some other reason should not be, or cannot be, answered. Thus, in some responses in the past, Respondent has responded with:

“Opposer objects to this request as irrelevant and therefore denies the same. The definiteness of the services listed in Opposer’s registrations is not at issue in this opposition proceeding.”

We first note that “relevancy” is a basis upon which Respondent may object, but it is not a basis upon which Respondent may refuse to answer. We secondly note that Opposer’s registrations are, in fact, now at issue in this opposition proceeding.

As to whether these questions are “vague,” we can of course discuss their vagueness, however for your present guidance when responding to these requests, Respondent has in most places objected on this basis to words or phrases we have placed in quotes. We have placed those word or phrases in quotes because they are words used by Respondent, either in its marketing materials, or as the words Respondent has used to identify its services in the registrations upon which it is basing its opposition (and which are now consolidated in this opposition action).

We will advise on the specific location of these words and phrases if we must. However, we should also note that the words we have placed in quotes are not complex or arcane. We invite you to use any dictionary of your choosing to determine the meaning of these words, and respond with full and complete answers with those meanings in mind.

(ii) Second, Respondent has responded to requests for admissions number four hundred thirty-nine (439) through four hundred forty-two (442) with:

“Opposer objects to this request as seeking information not relevant to the subject matter of this proceeding and not calculated to lead to the discovery of admissible evidence.”

We again note that “relevancy” is a basis upon which Respondent may object, but it is not a basis upon which Respondent may refuse to answer. As to whether these questions are “not calculated to lead to the discovery of admissible evidence,” we disagree with Respondent’s unsupported conclusion on this question.

Respondent is obligated to respond to discovery and, as responding party, it is Respondent’s burden to justify its objections or failure to provide a complete answer. Further, to avoid the conclusion that Respondent’s response is evasive, Response may reasonably qualify its response to enable an answer. However, Respondent has not “reasonably qualified” its lack of answers in these cases, and if Respondent believes its answer is responsive, then Petitioner requests Respondent identify the authority by which Respondent fails to answer this discovery with full and complete responses.

Karl R. Cannon, Esq.

May 3, 2014

Page 5

We also note a few responses to requests for admissions in which Respondent has merely evaded a direct response. We see this primarily in its responses to requests number 437 and 438, however we wish to address the question of direct responses in connection with other responses as well.

Respondent is not acting in good faith as it objects and fails to fully respond to Petitioner's requests for admissions, for the first time, in its "responses." As Respondent's attorney, you should have called me to voice your view on this discovery long before these discovery responses were due, given our recent agreement to exchange discovery responses on the same day.

We also note again Respondent's April 29 Motion for Summary Judgment, filed eight days after our simultaneous exchange of discovery responses on April 21 (consistent with our agreement), and Petitioner's full and complete responses in our discovery exchange under our agreement. Petitioner will not be able to have at hand all available materials to respond to that Motion without responses to Petitioner's requests for admissions as set forth herein.

We require Respondent to now respond to Petitioner's requests for admissions, as posed, with supplemental responses in the form set forth above.

Kindly call me when you receive this letter to discuss how and when Registrant Connect Public Relations will go about fulfilling its discovery obligations.

Sincerely,



Thomas W. Cook

Subject: 2014 05 03 - EM to Karl Cannon - Request for Full and Complete Responses to Discovery
From: Thomas Cook <tom@thomascooklaw.com>
Date: 5/3/2014 5:00 PM
To: Karl Cannon <KCannon@chcpat.com>
CC: Brett Davis <BDavis@chcpat.com>, "khorne >> Kay Horne" <kay@thomascooklaw.com>
BCC: "DIGI-1, DigitalMojo, Inc., Smith, Martin" <msmith@digitalmojo.com>

Karl:

I attach our:

1. Request for Full and Complete Responses to Discovery,

along with:

2. A copy of RESPONDENT'S RESPONSES TO PETITIONER'S INTERROGATORIES, SETS ONE AND TWO (you served by email on April 21)
3. A copy of RESPONDENT'S RESPONSES TO PETITIONER'S REQUESTS FOR ADMISSIONS, SETS ONE AND TWO (you served by email on April 21).

Please confirm you have received this email and attachments.

Best regards,

Thomas.

-
--

Thomas Cook Intellectual Property Attorneys

P.O. Box 1989, 3030 Bridgeway, Suite 425-430
Sausalito, California 94965-1989
Telephone: 415-339-8550

On 4/21/2014 5:59 PM, Karl Cannon wrote:

Tom,

Per our discovery agreement (copy attached), please find attached the true and correct copies of the following executed discovery responses:

1.*RESPONDENT'S RESPONSES TO PETITIONER'S INTERROGATORIES, SETS ONE AND TWO,*

2.*RESPONDENT'S RESPONSES TO PETITIONER'S REQUESTS FOR ADMISSIONS, SETS ONE AND TWO*

Kindly acknowledge receipt.

Best regards,

Karl

Karl R. Cannon

CLAYTON, HOWARTH & CANNON, P.C.

Email Signature Block Logo 052009

Physical Address:

6985 Union Park Center, Suite 200

Cottonwood Heights, Utah 84047

Mailing Address:

P.O. Box 1909

Sandy, Utah 84091

Telephone (801) 255-5335

Facsimile (801) 255-5338

E-mail: _kcannon@chcpat.com kcannon@chcpat.com

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— Attachments: —

| | |
|--|---------|
| 2014 05 03 - LT Karl Cannon - Request for Full and Complete Responses to Discovery.pdf | 67.5 KB |
| Respondent's Response to ROGS 1 & 2.signed.pdf | 72.1 KB |
| Respondent's Response to RFA 1 & 2.signed.pdf | 213 KB |

Exhibit E

Connect's May 13, 2014, Letter

Grant R. Clayton

Alan J. Howarth, Ph.D.

Karl R. Cannon

Brett J. Davis

Ryan P. Gillan
Admitted only in D.C.

Weili Cheng, Ph.D.
Of Counsel

Registered Patent Attorneys

CLAYTON HOWARTH & CANNON

ATTORNEYS AT LAW

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Homepage: www.chcpat.com

May 13, 2014

VIA EMAIL TO: tcook@thomascooklaw.com
Confirmation Via First Class Mail

Mr. Thomas W. Cook
Thomas Cook Intellectual Property Attorneys
3030 Bridgeway, Suite 425-430
Sausalito, California 94965-2810

Re: Connect Public Relations, Inc. v. Digitalmojo, Inc.
Opposition No. 91196299
Our File No. T12092.A

Dear Mr. Cook:

This communication is in response to your recent letter dated May 3, 2014, and our subsequent emails to each other, regarding Connect Public Relations, Inc.'s ("Connect") alleged discovery deficiencies and the upcoming meet and confer scheduled between the parties. As an initial matter, my client believes that it has fully complied with its discovery obligations under the Federal Rules of Civil Procedure and the T.B.M.P. (collectively "Discovery Rules"). With this said, Connect will agree to supplement any alleged deficient response as required under the Discovery Rules. However, in your letter, you request that Connect provide full supplemental responses to Digitalmojo's 2014 Interrogatories, Sets One & Two and Digitalmojo's 2014 Requests for Admission, Sets One and Two. The remainder of this letter will address the disputed discovery responses from Connect's perspective.

1. **CONNECT'S OBJECTIONS TO DIGITALMOJO'S 2014 INTERROGATORIES, SETS ONE & TWO**

Connect objected to Digitalmojo's interrogatories propounded in its 2014 Interrogatories, Sets One & Two, on the basis that they exceeded the limitation of 75 interrogatories agreed to by the parties. From your letter, it is clear that you are operating under the impression that you are entitled to additional interrogatories above and beyond the 75 agreed to by the parties by virtue of the cancellation proceedings. For your edification, I direct your attention to T.B.M.P. § 405.03(c) which unequivocally states that.

WITHOUT PREJUDICE AND INADMISSIBLE COMMUNICATION UNDER FRE 408

the mere fact that a proceeding involves multiple marks (whether in a single proceeding, or in consolidated proceedings) and/or a counterclaim does not mean that a party is entitled to serve 75 interrogatories . . . for each proceeding that has been consolidated, or for both the main claim and the counterclaim. Nor does such fact, in and of itself, constitute good cause for a motion for leave to serve additional interrogatories.

Clearly, under § 405.03(c), the mere fact that the two cancellation proceedings¹ were consolidated with the opposition proceeding does not mean that Digitalmojo has the “right” to serve additional interrogatories beyond the 75 set forth in the rules and agreed to by the parties as suggested in your letter. Instead, to serve additional interrogatories above the agreed upon amount, Digitalmojo either had to obtain Connect’s consent² or it should have filed a motion for leave to serve additional interrogatories as suggested in § 405.03(c), both of which it failed to do.

In short, Digitalmojo cannot now complain that it is entitled to serve additional interrogatories above the agreed limit at this late stage in the proceedings, where it failed to either obtain Connect’s agreement or file a motion for leave. By all accounts, Connect’s objections to Digitalmojo’s 2014 Interrogatories, Sets One & Two as exceeding the agreed-upon limit are proper and supported by the explicit language of § 405.03(c).

Moreover, even if the parties had agreed to allow additional interrogatories, which they did not, Connect submits that the additional interrogatories would only apply to the cancellations and not to the opposition. Thus, the additional interrogatories could not be used to inquire into issues solely germane to the opposition proceeding as has been done in this case.

2. CONNECT’S OBJECTIONS TO DIGITALMOJO’S 2014 REQUESTS FOR ADMISSION, SETS ONE AND TWO

Connect objected to Digitalmojo’s 2014 requests for admission numbers 1 to 403 on the basis that they were “previously asked and answered.” In this regard, Connect notes that Digitalmojo does

¹ A counterclaim is the legal equivalent of a petition to cancel. *See* T.M.B.P. § 313.01

² As noted in your letter of May 3, the parties had no agreement about the number of additional interrogatories that could be propounded in the cancellation proceedings. In corroboration of that, I recall specifically, and my written notes reflect, that in the required discovery conference you and I held on June 14, 2013, the parties could not agree on a specific number of additional interrogatories that would be allowed in excess of the previously agreed limit of 75. You failed to contact me again regarding this issue.

not dispute that these requests for admission are word-for-word identical to the requests for admission propounded in Applicant's Request for Admissions, Set Two served on September 4, 2011. As a basis for re-serving these requests for admission in 2014, you assert in your letter that Digitalmojo was dissatisfied with Connect's past responses, which were served on December 5, 2011.

First, we believe that Digitalmojo acted outside of the Discovery Rules by re-serving the discovery requests instead of seeking relief under these rules. As we believe your side knows, the Discovery Rules require a propounding party that is dissatisfied with discovery responses to request a meet and confer conference with the responding party. If dissatisfied with the outcome of the meet and confer conference, the propounding party must then file a motion to compel to obtain relief. You have cited no authority that allows a propounding party to instead re-serve discovery requests where the propounding party is simply dissatisfied with the responding party's previous responses.

Second, we believe that Digitalmojo is precluded from seeking relief on this issue through a motion to compel, because Digitalmojo did not act within a reasonable time after service of Connect's original responses on December 5, 2011. In particular, T.M.B.P. § 523.03 is clear that the propounding party must file a motion to compel "within a reasonable time . . . after service of the response believed to be inadequate and must, in any event, be filed before the first testimony period opens." In the present case, it is undisputed that two and one-half years have passed since Connect served its responses to the disputed requests for admission. In all of that time, Digitalmojo never pressed a meet and confer as required by the Discovery Rules, and was not prompted to do so after the discovery period was reopened on September 14, 2013. Only now, after discovery has closed and after Connect filed a motion for summary judgment, does Digitalmojo contend that Connect's responses served in December of 2011 were inadequate. We believe that the Board would deny any motion to compel on this issue outright on the basis that Digitalmojo's two and one-half year delay is not "within a reasonable time" as required by T.M.B.P. § 523.03. It should be noted here that Digitalmojo failed to act timely with respect to all of Connect responses served in 2011.

3. CONCLUSION

Based upon the above, Connect believes that the following issues need to be addressed at the meet and confer:

- A. Why the limitations placed on the number of interrogatories by T.B.M.P. § 405.03(c) in consolidated proceedings do not apply in this instance;

Mr. Thomas W. Cook
Thomas Cook Intellectual Property Attorneys
May 13, 2014
Page 4

- B. Whether Digitalmojo acted within a reasonable time under T.M.B.P. § 523.03 with respect to Connect's responses to requests for admission 1-403 served in December of 2011; and
- C. Connect's supplementation of any of its responses to Digitalmojo's 2014 requests that are not barred under T.B.M.P. §§ 405.03(c) & 523.03.

Sincerely,

CLAYTON, HOWARTH & CANNON, P.C.


Karl R. Cannon

KRC/BJD/jws/kdl

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WITHOUT PREJUDICE AND INADMISSIBLE COMMUNICATION UNDER FRE 408

Exhibit F

DigitalMojo's May 3, 2014, Letter

Subject: Re: Opposition by Connect Public Relations, Inc. - CONNECT - 91196299

From: Thomas Cook <tom@thomascooklaw.com>

Date: 3/3/2015 3:03 PM

To: Karl Cannon <KCannon@chcpat.com>

CC: "DIGI-1, DigitalMojo, Inc., Smith, Martin" <msmith@digitalmojo.com>

Karl:

While we remain interested in discussing settlement, we have still not received word from you in response to the now revised settlement proposal by DigitalMojo ("DM") dated February 17, 2015. As I have said in my email of February 17, this revised proposal follows our earlier proposal of May 28, 2014, and our reminders regarding that earlier proposal since.

You have made much about delay in these actions. You have asked directly why we have not responded to an early settlement proposal by CPR, and you have used whatever delay we may have occasioned as a reason why Connect Public Relations ("CPR") should not respond to DM's discovery requests, and our Motion to Compel dated May 22, 2014. Under these circumstances, you can appreciate we do not wish any "delay" to enter into these cases if these cases continue.

You say CPR will respond to our February 17 settlement proposal, but you do not say CPR is interesting in settling these cases. DM is left, at least for now, in "limbo."

I suggest we suspend these actions while CPR responds to DM's February 17 proposal, and I suggest we continue that suspension until such time as we conclude we still cannot agree on the terms of settlement.

Without your response to our February 17 proposal, or your agreement to suspend as I suggest here, these cases will continue. If these cases continue, DM is still interested in receiving responses to its discovery requests as set forth in our May 22, 2014, Motion to Compel. When we last spoke about these responses (at length), you opined DM was no longer entitled to such responses. We continue to think DM is entitled to such responses. Of course, all disagreement about those responses is meaningless if we settle these cases.

DM and CPR have elaborated on their respective positions on DM's discovery requests in their letters dated May 3, 2014 and May 13, 2014 (copies attached). If CPR has changed its position on discovery responses in any respect, please advise immediately. Without such a change in position, or an agreement to suspend these cases as we request above, we will have no choice but to refile our Motion to Compel now, so that we may receive fuller responses while these cases proceed (we can, of course, also suspend these cases after DM files its Motion to Compel).

CPR should not interpret DM's activity as aggressive if we refile its Motion to Compel. In fact,

we suspect the exchange of proposals, and the recent decision by the Board, may provide a rough outline for settlement if CPR and DM can focus on what they need out of a settlement. For its part, however, DM cannot simply wait for CPR's response to DM's reasonable proposals.

Best regards,

Thomas.
-
--

Thomas Cook Intellectual Property Attorneys

P.O. Box 1989, 3030 Bridgeway, Suite 425-430

Sausalito, California 94965-1989

Telephone: 415-339-8550

On 3/2/2015 1:59 PM, Thomas Cook wrote:

Hi Karl:

Thanks, and we will look for your reply.

Thomas.
-
--

Thomas Cook Intellectual Property Attorneys

P.O. Box 1989, 3030 Bridgeway, Suite 425-430

Sausalito, California 94965-1989

Telephone: 415-339-8550

On 2/27/2015 1:39 AM, Karl Cannon wrote:

Hi Tom,

Yes, I did receive your email. I plan to provide a reply on Monday (I'm out of the office at CLE all day tomorrow/Friday).

T H O M A S C O O K

INTELLECTUAL PROPERTY ATTORNEYS

May 3, 2014

Karl R. Cannon, Esq.
Clayton Howarth & Cannon
6965 Union Park Center, Suite 400
Cottonwood Heights, Utah 84047

Re: Connect Public Relations, Inc. v. Digitalmojo, Inc.
 Opposition 91196299 - CONNECT, Ser. 77,714,693
 Your file: T12092.A; Our file: DIGI-101/CONNECT

Dear Mr. Cannon:

I refer to your email of April 21, 2014, and the responses to discovery by Respondent Connect Public Relations, Inc. attached thereto. This letter comes, pursuant to the federal rules governing discovery, as a request for a conference to meet and confer regarding supplemental responses to Respondent's discovery requests set forth below.

Specifically, we request:

- A. Full supplemental responses (FRCP 33(b)(1)) to the following named documents, and
- B. The supplemental responses should be prepared in the appropriate form, i.e., interrogatories and requests, and initial responses thereto stated fully, without deletions, changes, or interlineations, and then Registrant's responses should be set forth in full as supplemented.

The documents requiring fuller responses are two. We begin with:

1. **RESPONDENT'S RESPONSES TO PETITIONER'S INTERROGATORIES, SETS ONE AND TWO**

As to Respondent's responses to interrogatories, you have advised (in the responses), essentially, that:

(i) "Petitioner's Interrogatories Set One and Set Two exceed the limitation of 75 interrogatories set in the November 17, 2010 letter [between Petitioner and Respondent], because Petitioner has already previously served 75 interrogatories in the parent-opposition proceeding," and

(ii) "[T]he current interrogatories as captioned above, are directed to issues germane to the parent-opposition proceeding and not the child-cancellation proceedings, namely, Cancellation Nos. 92054395 and 92054427," and "Petitioner cannot use its interrogatories permitted in the cancellation proceedings to inquire into matters germane solely to the parent-opposition proceeding and having no relevance whatsoever to the cancellation proceedings."

You base the first objection on the letter dated November 17, 2010 between counsel, in which the parties agreed to 75 interrogatories for the parent proceeding, namely, Opposition No. 91196299." You go on to (correctly) say "Petitioner has previously served 75 interrogatories in the parent-opposition proceeding, "thus meeting the number of allowed interrogatories for that proceeding." You have provided no rationale for the second objection. You have provided no authority for failing to respond based on either of these objections.

We note first that the Board Order dated August 14, 2013 set forth the following discovery schedule:

Discovery opens in cancellation proceedings and
reopens in opposition proceeding: September 14, 2013
Initial disclosures in cancellation proceedings due: October 14, 2013
Expert disclosures in all proceedings due: February 11, 2014
Discovery closes: March 13, 2014

We take from this schedule that Petitioner is entitled to propound discovery from September 14, 2013 until March 13, 2014. Since Respondent has not alleged Petitioner's discovery requests fall outside this date range, we think Respondent is required to respond.

On the subject of our agreement regarding discovery in the parent-opposition, the two cancellation actions filed by Petitioner have now certainly been consolidated with the "parent-opposition proceeding." However, we have no agreement about the number of interrogatories "the parties" may propound in the cancellation proceedings before they were consolidated. We do not think consolidating these three actions eliminated Petitioner's rights to undertake discovery, and the Board discovery schedule implies Petitioner has just such a right.

Further, we think Respondent is not acting in good faith as it objects to all of Petitioner's interrogatories by merely refusing to respond on the day agreed to, and in its "responses." As Respondent's attorney, you should have called me to voice your view on this discovery long before these discovery responses were due, especially in light of our more recent agreement to exchange discovery responses on the same day.

We note in this regard Respondent's April 29 Motion for Summary Judgment, filed eight days after our simultaneous exchange of discovery responses on April 21 (consistent with our agreement). While we have not received a copy of that Motion, we expect it will be based in large part on Petitioner's full and complete responses in this discovery exchange under our agreement. We believe we will not be able to have at hand all available materials to respond to that Motion without responses to Petitioner's interrogatories (and Petitioner's requests for admissions as set forth below).

We require Respondent to now respond to Petitioner's interrogatories, as posed, with supplemental responses in the form set forth above.

2. RESPONDENT'S RESPONSES TO PETITIONER'S REQUESTS FOR ADMISSIONS, SETS ONE AND TWO

As to Respondent's responses to Petitioner's requests for admissions, Respondent has responded to those requests with, essentially, two kinds of statements:

- (i) First, Respondent has responded to requests for admissions numbers one (1) through four hundred three (403) with:

"Opposer objects to this request to the extent that it has been previously asked and answered."

The requests for which this response is supplied have been asked, but they have not been answered. Instead, we have received in the past responses which claim these requests are "irrelevant" or "vague," or for some other reason should not be, or cannot be, answered. Thus, in some responses in the past, Respondent has responded with:

“Opposer objects to this request as irrelevant and therefore denies the same. The definiteness of the services listed in Opposer’s registrations is not at issue in this opposition proceeding.”

We first note that “relevancy” is a basis upon which Respondent may object, but it is not a basis upon which Respondent may refuse to answer. We secondly note that Opposer’s registrations are, in fact, now at issue in this opposition proceeding.

As to whether these questions are “vague,” we can of course discuss their vagueness, however for your present guidance when responding to these requests, Respondent has in most places objected on this basis to words or phrases we have placed in quotes. We have placed those word or phrases in quotes because they are words used by Respondent, either in its marketing materials, or as the words Respondent has used to identify its services in the registrations upon which it is basing its opposition (and which are now consolidated in this opposition action).

We will advise on the specific location of these words and phrases if we must. However, we should also note that the words we have placed in quotes are not complex or arcane. We invite you to use any dictionary of your choosing to determine the meaning of these words, and respond with full and complete answers with those meanings in mind.

(ii) Second, Respondent has responded to requests for admissions number four hundred thirty-nine (439) through four hundred forty-two (442) with:

“Opposer objects to this request as seeking information not relevant to the subject matter of this proceeding and not calculated to lead to the discovery of admissible evidence.”

We again note that “relevancy” is a basis upon which Respondent may object, but it is not a basis upon which Respondent may refuse to answer. As to whether these questions are “not calculated to lead to the discovery of admissible evidence,” we disagree with Respondent’s unsupported conclusion on this question.

Respondent is obligated to respond to discovery and, as responding party, it is Respondent’s burden to justify its objections or failure to provide a complete answer. Further, to avoid the conclusion that Respondent’s response is evasive, Response may reasonably qualify its response to enable an answer. However, Respondent has not “reasonably qualified” its lack of answers in these cases, and if Respondent believes its answer is responsive, then Petitioner requests Respondent identify the authority by which Respondent fails to answer this discovery with full and complete responses.

Karl R. Cannon, Esq.
May 3, 2014
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We also note a few responses to requests for admissions in which Respondent has merely evaded a direct response. We see this primarily in its responses to requests number 437 and 438, however we wish to address the question of direct responses in connection with other responses as well.

Respondent is not acting in good faith as it objects and fails to fully respond to Petitioner's requests for admissions, for the first time, in its "responses." As Respondent's attorney, you should have called me to voice your view on this discovery long before these discovery responses were due, given our recent agreement to exchange discovery responses on the same day.

We also note again Respondent's April 29 Motion for Summary Judgment, filed eight days after our simultaneous exchange of discovery responses on April 21 (consistent with our agreement), and Petitioner's full and complete responses in our discovery exchange under our agreement. Petitioner will not be able to have at hand all available materials to respond to that Motion without responses to Petitioner's requests for admissions as set forth herein.

We require Respondent to now respond to Petitioner's requests for admissions, as posed, with supplemental responses in the form set forth above.

Kindly call me when you receive this letter to discuss how and when Registrant Connect Public Relations will go about fulfilling its discovery obligations.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas W. Cook". The signature is fluid and cursive, with a long horizontal stroke at the beginning.

Thomas W. Cook