ESTTA Tracking number: **ESTTA449777**
Filing date: **01/06/2012**

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

Proceeding	91198063
Party	Defendant Evertec Information Technology Co., Ltd.
Correspondence Address	YOU YI LIN EVERTEC INFORMATION TECHNOLOGY CO LTD 1F NO 229, SIHWEI STREET HSINCHU COUNTY, 30242 TAIWAN frans_lin@evertec.asia
Submission	Motion to Compel Discovery
Filer's Name	You-Yi Lin
Filer's e-mail	frans_lin@evertec.asia, linyouyi@hotmail.com
Signature	/You-Yi Lin/
Date	01/06/2012
Attachments	MOTION TO COMPEL DISCOVERY with Exhibits - 20120106.pdf (65 pages)(2792024 bytes)

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

AlpinBreeze, LLC. Opposer, vs. Evertec Information Technology Co., LTD. Applicant,	Opposition No. 91198063

MOTION TO COMPEL DISCOVERY

TO: Matthew H. Swyers, Esq., The Trademark Company, PLLC, 344 Maple Avenue West, Suite 151, Vienna, VA 22180

From: You-Yi Lin, Evertec Information Technology Co., LTD., 1f No. 229 Sihwei Street, Jhubei City, Hsinchu County, 30242, Taiwan R.O.C.

COMES NOW Applicant, EVERTEC INFORMATION TECHNOLOGY CO., LTD. ("Applicant"), in accordance with rules, furnishes the following for the request of "MOTION TO COMPEL DISCOVERY" by AlpinBreeze, LLC.("Opposer").

Motion to Compel

Opposer' First Interrogatories to Applicant

Per requirement by Opposer, Applicant had been trying to furnish more information to Opposer such as "APPLICANT'S FIRST AMENDED ANSWERS TO OPPOSER'S FIRST SET OF INTERROGATORIES". Please see Exhibit 1.

Responses to Opposer's
First Requests for Production of Documents

Again, Applicant furnishes "APPLICANT'S FIRST AMENDED RESPONSES TO OPPOSER'S FIRST REQUESTS FOR PRODUCTION OF DOCUMENTS" for Opposer's requirement. Please see Exhibit 2.

Other

Applicant sent “APPLICANT’S FIRST SET OF INTERROGATORIES TO OPPOSER” and “APPLICANT’S FIRST REQUESTS FOR PRODUCTION OF DOCUMENTS TO OPPOSER” to Opposer on November 7, 2011 due to unfamiliar with related rules in US. Please see Exhibits 3 and 4. Opposer may not have obligation to response above requests, nevertheless, Applicant still wishes Opposer can response as what Applicant could do for Opposer.

Date: January 6, 2012

/You-Yi Lin/
You-Yi Lin
Evertec Information Technology Co., LTD.
1F., No. 229, Sihwei St., Jhubei City
Hsinchu County, 30242, Taiwan
Tel: 886-2-8286-2866 Fax: 886-2-2848-3458
Email: frans_lin@evertec.asia

.....

CERTIFICATE OF SERVICE

I hereby certificate that a copy of the foregoing responses of **Motion to Compel** has been sent to addresses below by air mail from Taiwan on January 7, 2012.

Matthew H. Swyers
The Trademark Co.
344 Maple Ave W Ste 151
Vienna Va 22180, US
Tel: (800) 906-8626

/You-Yi Lin/
You-Yi Lin

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

AlpinBreeze, LLC. Opposer, vs. Evertec Information Technology Co., LTD. Applicant,	Opposition No. 91198063

APPLICANT'S FIRST AMENDED ANSWERS
TO OPPOSER'S FIRST SET OF INTERROGATORIES

The Applicant, EVERTEC INFORMATION TECHNOLOGY CO., LTD.("Applicant"), responds to the first set of interrogatories of Opposer, AlpinBreeze, LLC.("Opposer"), by responding to each enumerated paragraph of the said interrogatory.

ANSWER NO. 1:
Applicant operates business items such as manufacturing and selling products like PC peripherals, consuming electronics, and so on in Class 9, aroma diffuser, humidifier, and so on in Class 11, essential oils in Class 3, and so forth as well as international trade business.

ANSWER NO. 2:
You-Yi Lin, president of Applicant and Mr. Lin's wife mainly are the persons with knowledge of Applicant's selection and adoption of Applicant's Mark, and have knowledge of how it is used and/or intended to be used.

ANSWER NO. 3:
Please see Answer No.1 that products in Class 9, 11, and 3 are intended to be used with Applicant's Mark as well as the future usage, and the future dates and geographic areas will depend on the budgets, markets, and customers.

Ms. Samanta Ng of Opposer had discussed with You-Yi Lin of Applicant for many projects to cooperate before creating the company, the Opposer (see also the document of RESPONSE-6-1). Applicant's Mark comes from one of

EXHIBIT
1

those projects that You-Yi Lin took care of the logo matter(see the contract with the designer, document of RESPONSE-2-1, and the payment transfer record to designer, document of RESPONSE-2-2). Opposer supposes to know that Applicant's first use of the product in Class 11 suppose to be the same date as Opposer's in US based on this kind of business partner relationship. Applicant's second product, developed by itself alone, in Class 11 has the first use to ship from Taiwan to US around December 7, 2010.

ANSWER NO. 4:

Ms. Samanta Ng of Opposer had discussed with You-Yi Lin of Applicant for many projects to cooperate before creating the company, the Opposer (see also the document of RESPONSE-6-1). Applicant's Mark comes from one of those projects that You-Yi Lin took care of the logo matter(see the contract with the designer, document of RESPONSE-2-1, and the payment transfer record to designer, document of RESPONSE-2-2).

ANSWER NO. 5:

The annual sale of products in Class 11 supposes to be less than US$10,000.

ANSWER NO. 6:

Please refer to document of RESPONSE-9-1.

ANSWER NO. 7:

There is no extra expenditure for advertising from Applicant side in US. Please note that the sale of the product can also be a kind of advertising activity. The data from Applicant's customers is not available.

ANSWER NO. 8:

Please refer to ANSWER NO. 4.

ANSWER NO. 9:

Please refer to documents of RESPONSE-10-1 and RESPONSE-10-2.

ANSWER NO. 10:

The goal of Applicant to reach the ultimate user will be to enter retail store channels.

ANSWER NO. 11:
Applicant sells products to its customers and agrees them to use the Mark for the purpose of products sales. There is no extra licensing arrangement.

ANSWER NO. 12:
There is no special quality control measures adopted and used by Applicant.

ANSWER NO. 13:
Opposer supposes to know that there are actively pursuing matters regarding Applicant's mark in other countries such as France and China, but excluding Taiwan.

ANSWER NO. 14:
Please refer to ANSWER NO. 4.

ANSWER NO. 15:
Please refer to document of RESPONSE-4-2.

ANSWER NO. 16:
Please refer to document of RESPONSE-4-2. Applicant doesn't understand Opposer's interrogatory completely. Please also refer to ANSWER NO. 3. Applicant's Mark comes from one of those projects that Ms. Samanta Ng of Opposer discussed with You-Yi Lin of Applicant to cooperate before creating the company.

ANSWER NO. 17:
Please refer to ANSWER NO.4 and RESPONSE-4-2. Applicant's Mark comes from one of those projects which Ms. Samanta Ng of Opposer discussed with You-Yi Lin of Applicant to cooperate before creating the company that You-Yi Lin took care of the logo matter (see the contract with the designer, document of RESPONSE-2-1, and the payment transfer record to designer, document of RESPONSE-2-2).

ANSWER NO. 18:
Please refer to ANSWER NO. 3. Applicant's products in Class 9, 11, and 3

are intended to be used with Applicant's Mark.

ANSWER NO. 19:
There is no such kind of instances.

ANSWER NO. 20:
Applicant sells its products with Applicant's Mark to its customer in US, and Applicant's customer sells the products in different States in US.

ANSWER NO. 21:
Please refer to ANSWER NO. 4. Ms. Samanta Ng of Opposer had discussed with You-Yi Lin of Applicant for many projects to cooperate before creating the company, the Opposer (see also the document of RESPONSE-6-1). You-Yi Lin cooperated with Ms. Samanta based on a business partner relationship instead of a subordinated relationship.

ANSWER NO. 22:
Opposer supposes to know there is no employment agreement between You-Yi Lin and Opposer. Please also refer to document of RESPONSE-6-1.

ANSWER NO. 23:
Please refer to ANSWER NO. 3. Ms. Samanta Ng of Opposer had discussed with You-Yi Lin of Applicant for many projects to cooperate before creating the company, the Opposer (see also the document of RESPONSE-6-1). Applicant's Mark comes from one of those projects that You-Yi Lin took care of the logo matter(see the contract with the designer, document of RESPONSE-2-1, and the payment transfer record to designer, document of RESPONSE-2-2). Opposer supposes to know that.

ANSWER NO. 24:
Applicant's president, Mr. You-Yi Lin, is the rightful owner of the Applicant's Mark and owns the common law copyrights thereto. Applicant's president suggested the name of "Alpinbreeze" to Opposer, commissioned the creation of the Mark from a designer, and paid the designer for the design work. Please refer to ANSWER NO. 4 and document of RESPONSE-4-2.

ANSWER NO. 25:
Please refer to ANSWER NO. 24.

ANSWER NO. 26:
Please refer to ANSWER NO. 24, and document of RESPONSE-6-1.

ANSWER NO. 27:
Applicant's current plan is to introduce Applicant's president, Mr. You-Yi Lin to introduce or rely upon in connection with each witness.

ANSWER NO. 28:
Applicant will use the documents based on documents of RESPONSE, nevertheless, other documents may be found and adopted during the time of trial.

ANSWER NO. 29:
Applicant's president, Mr. You-Yi Lin, was participated in the preparation of the answers to these interrogatories.

ANSWER NO. 30:
There has no a third-party taken legal action against the Applicant regarding the Applicant's use of Applicant's Mark.

Respectfully submitted,

Date: January 6, 2012

/You-Yi Lin/

You-Yi Lin
Evertec Information Technology Co., LTD.
1F., No. 229, Sihwei St., Jhubei City
Hsinchu County, 30242, Taiwan
Tel: 886-2-8286-2866 Fax: 886-2-2848-3458
Email: frans_lin@evertec.asia

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CERTIFICATE OF SERVICE

I hereby certificate that a copy of the foregoing **APPLICANT'S FIRST AMENDED ANSWERS TO OPPOSER'S FIRST SET OF INTERROGATORIES** has been sent to addresses below by air mail from Taiwan on January 7, 2012.

Matthew H. Swyers
The Trademark Co.
344 Maple Ave W Ste 151
Vienna Va 22180, US
Tel: (800) 906-8626

/You-Yi Lin/
You-Yi Lin

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

AlpinBreeze, LLC. Opposer, vs. Evertec Information Technology Co., LTD. Applicant,	Opposition No. 91198063

APPLICANT'S FIRST AMENDED RESPONSES
TO OPPOSER'S FIRST REQUESTS FOR PRODUCTION OF DOCUMENTS

The Applicant, EVERTEC INFORMATION TECHNOLOGY CO., LTD.("Applicant"), responds to the first requests for production of documents of Opposer, AlpinBreeze, LLC.("Opposer"), by responding to each enumerated paragraph of the said request for production.

RESPONSE. 1:
Please refer to document of RESPONSE-1-1, which shows the aroma diffuser relating to adoption by Applicant of Applicant's Mark.

RESPONSE. 2:
Please refer to documents of RESPONSE-2-1 and 2-2. RESPONSE-2-1 is Applicant's logo design contract between the designer and Applicant's president, and RESPONSE-2-2 is the commission transfer record of the bank deposit passbook between the above two persons.

RESPONSE. 3:
Please refer to document of RESPONSE-3-1. RESPONSE-3-1 is the appointed contract between Applicant and its cooperated law firm to apply Applicant's Mark in US.

RESPONSE. 4:
Please refer to documents of RESPONSE-4-1 and 4-2. RESPONSE-4-1 is the appointed contract between Applicant and its cooperated law firm to reduce the item of air fresheners based on previous proceedings of Applicant's

EXHIBIT
2

Mark in Class 11. RESPONSE-4-2 is the e-mail from Applicant's attorney related to the proposal from Opposer's attorney to make an amicable solution.

RESPONSE. 5:
Please refer to documents of RESPONSE-5-1. RESPONSE-5-1 shows the product of mouse pad relating to adoption of Applicant's Mark by Applicant.

RESPONSE. 6:
Ms. Samanta Ng of Opposer had discussed with You-Yi Lin of Applicant for many projects to cooperate before creating the company, the Opposer. The document of RESPONSE-6-1 also shows discussed contents between Ms. Samanta Ng of Opposer and You-Yi Lin of Applicant.

RESPONSE. 7:
Please refer to document of RESPONSE-7-1. RESPONSE-7-1 shows Applicant's use of Applicant's Mark on the color box and carton box after the first use of Applicant's Mark.

RESPONSE. 8:
Please refer to document of RESPONSE-8-1. RESPONSE-8-1 shows the goods of aroma diffuser offered by Applicant under Applicant's Mark.

RESPONSE. 9:
Please refer to documents of RESPONSE-9-1. RESPONSE-9-1 shows the information that Applicant's customer sells the product with Applicant's Mark.

RESPONSE. 10:
Please refer to documents of RESPONSE-10-1 and 10-2. RESPONSE-10-1 and 10-2 are an advertising in a magazine of an airline related to promotion of the product under Applicant's Mark.

RESPONSE. 11:
Please refer to documents of RESPONSE-11-1. RESPONSE-11-1 is a frame of Essential oils that Applicant uses under Applicant's Mark.

RESPONSE. 12:
Please refer to documents of RESPONSE-9-1. RESPONSE-9-1 shows the information that Applicant's customer sells the product with Applicant's Mark

and the channel of trade also.

RESPONSE. 13:

Please refer to documents of RESPONSE-9-1. RESPONSE-9-1 also shows on-line channel of "amazon.com" that Applicant's product bearing Applicant's Mark could be distributed to all the geographic areas in US. You may also refer to following website.

http://www.amazon.com/gp/help/customer/display.html/ref=hp_468520_usterr?nodeId=468640

RESPONSE. 14:

Please refer to documents of RESPONSE-14-1. RESPONSE-14-1 shows customer review from the persons that have purchased the product bearing Applicant's Mark.

RESPONSE. 15:

Please refer to documents of RESPONSE-9-1. RESPONSE-9-1 shows the retail price of the product under Applicant's Mark on the on-line channel of "amazon.com". You may also refer to its following website that shows the Referral Fee Percentage like the standard dealer margins it needs.

http://www.amazonservices.com/sell-on-amazon/media-fees.htm/ref=amb_link_356743102_18?ie=UTF8&pf_rd_m=A2CA1KKALKCX2O&pf_rd_s=top-1&pf_rd_r=1JAHZW0NVEHTSTJ6GECR&pf_rd_p=1328499722&pf_rd_t=101&pf_rd_i=soa-faq-detail&ld=AZFSSOAAS

RESPONSE. 16:

The annual sale of products in Class 11 supposes to be less than US$10,000.

RESPONSE. 17:

Please refer to documents of RESPONSE-9-1. RESPONSE-9-1 shows that the plan to sell in on-line channels will be important for Applicant's products bearing Applicant's Mark.

RESPONSE. 18:
Please refer to documents of RESPONSE-9-1 again. Beside the online channel, the retail store channel like “”Pier 1, Imports will be also important in the future to sell Applicant’s products under Applicant’s mark.

RESPONSE. 19:
Please refer to documents of RESPONSE-14-1. RESPONSE-14-1 shows that the user of the aroma diffuser sold under Applicant’s mark is an office worker.

RESPONSE. 20:
Please refer to documents of RESPONSE-10-1, 10-2, and 20-1. RESPONSE-20-1 shows the advertising cost is about US$550 for two months on magazine of the airline (RESPONSE-10-1, 10-2) under Applicant’s Mark.

RESPONSE. 21:
Please refer to documents of RESPONSE-14-1. RESPONSE-14-1 shows that the user of the aroma diffuser sold under Applicant’s mark is an office worker.

RESPONSE. 22:
Please refer to documents of RESPONSE-22-1. RESPONSE-22-1 is the DM of the aroma diffuser under Applicant’s Mark.

RESPONSE. 23:
Opposer supposes to know that there are actively pursuing matters regarding Applicant’s mark in other countries such as France and China, but excluding Taiwan. Those were raised by Opposer after instead of before raising in US.

RESPONSE. 24:
There is no such copies of agreements with third-parties related to Applicant’s Mark but the document of RESPONSE-4-2 only, which is the e-mail from Applicant’s attorney related to the proposal from Opposer’s attorney to make an amicable solution.

RESPONSE. 25:
Please refer to following website that used by Applicant which makes use of Applicant’s Mark.

www.alpinbreeze.com.tw

RESPONSE. 26:
Please refer to documents of RESPONSE-2-1, 2-2, 4-2, and 6-1.

RESPONSE. 27:
Please refer to documents of RESPONSE-3-1, and 27-1.

RESPONSE. 28:
Please refer to document of RESPONSE-1-1, which shows the product relating to adoption by Applicant of Applicant's Mark.

RESPONSE. 29:
There is no extra documents at the moment.

Respectfully submitted,

Date: January 6, 2012

/You-Yi Lin/

You-Yi Lin
Evertec Information Technology Co., LTD.
1F., No. 229, Sihwei St., Jhubei City
Hsinchu County, 30242, Taiwan
Tel: 886-2-8286-2866 Fax: 886-2-2848-3458
Email: frans_lin@evertec.asia

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CERTIFICATE OF SERVICE

I hereby certificate that a copy of the foregoing **APPLICANT'S FIRST AMENDED RESPONSES TO OPPOSER'S FIRST REQUESTS FOR PRODUCTION OF DOCUMENT** has been sent to addresses below by air mail from Taiwan on January 7, 2011.

Matthew H. Swyers
The Trademark Co.
344 Maple Ave W Ste 151
Vienna Va 22180, US
Tel: (800) 906-8626

/You-Yi Lin/
You-Yi Lin

Response H

alpinbreeze

Response 21

ALPINBREEZE LOGO 設計合約書

立合約書人 林佑憲 （以下簡稱甲方）與 林宏治 （以下簡稱乙方）合作 Logo 設計 案，經雙方協議訂定合作契約，以茲雙方共同信守。

雙方共同議定條款如下：

一、設計案內容： ALPINBREEZE LOGO 設計 （其細目以附件之設計製作費用估價單為準）

二、甲方委託乙方擔任本設計案之 ALPINBREEZE LOGO 設計 業務。

三、經雙方同意議定於下列時間完成設計與製作，雙方應共同遵守並接受設計製作之進度與品質。

3-1. 設計稿件交付時間
(1) 提案完成時間：民國 97 年 12 月 1 日。
(2) 完稿完成時間：民國 97 年 12 月 31 日。

3-2. 乙方於上述時間範圍內，與甲方溝通協商後，乙方應配合甲方意見為必要之修改。甲方審核稿件時間須自收到稿件時起四日以內確定稿件內容；甲方審核稿件時間如逾四日，乙方下次交稿時間則依甲方所逾日數順延之；修改次數以三次為限，如超過議定修改之次數，每次修改酌收設計費百分之二十。

3-3. 雙方議定 乙方如未按期間進度交出上述作品，則甲方有權，以一日扣除其平面設計費百分之一為罰金，並累計直到交出作品為止。

四、設計經費總計新臺幣 3,000 元整，甲方須於簽約同時支付新臺幣 1000 元整之訂金。

五、雙方議定 乙方交付完成品之同時甲方需支付新臺幣 2000 元之尾款，甲方若有延遲付款之情形，則每延一日酌加付設計費百分之一為罰金，並累計直到付清款項為止。

六、乙方設計製作稿件進行中，因天候、製作意見、情事變更或不可歸責乙方之事由等因素而終止時，依下列方式計費且著作權仍歸乙方所有：

(1) 提案階段：依總金額之 30%計算。
(2) 完稿階段：依總金額之 70%計算。

七、如作業中有大幅修正或追加稿件製作時，交件時間得由雙方另行議定，並另行追加製作費用。

八、本合約書以中華民國為準據法，若因本合約書涉訟，甲乙雙方同意以乙方居住地之地方法院為第一審管轄法院。

十、本合約書正本壹式貳份，甲乙雙方各執存壹份為憑。

立合約書人

甲　方：林佑憲（簽章）
統一編號：
代表人：
地　址：台北縣蘆洲市民安街 49 巷 2 弄 2 號 4 樓
電　話：02-82862866

乙　方：林宏治（簽章）
統一編號：
代表人：
地　址：桃園縣中壢市民族路 5 段 435 號
電　話：03-4200912；0920-557071

中　華　民　國　97　年　12　月　1　日

Response 77

7 2009.01 05 7 [illegible] account

	承前頁		30351-228149-6			$14,270.00
97.12.30	轉帳提		$4,000.00	74954-010505-6		$10,270.00 自動
98.01.01	金融卡		$3,000.00			$7,270.00 自動
98.01.05	證券款	遠東銀			$28,375.00	$35,645.00
98.01.05	跨行轉		$3,000.00	12400-511645-8		$32,645.00 自動
98.01.05	手續費		$17.00			$32,628.00
98.01.05	轉帳提		$25,000.00	74954-010505-6		$7,628.00 自動
98.01.05	金融卡		$2,000.00			$5,628.00 自動
98.01.06	證券款	遠東銀			$28,375.00	$34,003.00
98.01.06	金融卡		$22,000.00			$12,003.00 自動
98.01.08	轉帳提		$10,000.00	74954-010505-6		$2,003.00 自動
					[illegible]	$76,913.00
98.01.13	轉帳提		$30,000.00	74954-010505-6		$48,913.00 自動
98.01.14	金融卡		$7,000.00			$41,913.00 自動
98.01.14	手續費		$6.00			$41,907.00
98.01.14	轉帳提		$30,000.00	74954-010505-6		$11,907.00 自動
98.01.15	金融卡		$3,000.00			$8,907.00 自動
98.01.19	證券款		$5,220.00			$3,687.00
98.01.20	委代入	折扣款			$75.00	$3,762.00
98.01.21	證券款	國 產			$9,053.00	$12,815.00
98.01.[illegible]	轉帳提		$3,000.00	74954-010505-6		$9,815.00 自動
98.01.22	證券款		$6,530.00			$3,285.00
98.01.26	金融卡		$2,000.00			$1,285.00 轉帳
98.01.28	手續費		$6.00			$1,279.00
						新臺幣

Response 3-1

註：本契約書所有內容文字請填寫工整　　第一聯：法盟留存，第二聯：客戶留存

□我國 ☑境外 智慧財產權案件委任契約書

檔號：

委任人（下稱甲方）委託受任人（下稱乙方）辦理 □專利 ☑商標 □著作權 □其他

雙方以誠信原則協議訂定契約內容如下：

一、委辦內容		種別或商品名稱	國別	類別	金額
1	[illegible]		[illegible]	11	6000
2					
3					
4					
5					

二、甲方委辦案件共　　件，應給付乙方合計新台幣　　元整（含規費、代辦費），於訂定本契約時一次付清。甲方委託乙方處理前揭案件確屬本身業務需要特別委任乙方處理，訂約後甲方擬撤回委辦，任何已發生費用（含代辦費）仍應全數照付，甲方同意所繳交訂金支付乙方作業費用。若甲方有積欠前開費用或所付票據不兌現，經催繳後仍未繳清，雙方同意視為違約，甲方特別同意乙方逕行具文向該委辦案件受理單位撤回本案。本契約簽訂後，若規費調整，不足部份概由甲方補齊。

三、乙方收受甲方前揭費用，負責代撰申請書、說明書、代繪圖示、印刷、繕打等作業，若委辦事項僅為申請事項，其前揭費用不包括請求實審、申復、修正、陳述意見、面詢、註冊、提早公開、異議、再審查、評定、舉發、撤銷、廢止、答辯、訴願及行政訴訟案程序之費用。公告費、證書費及年費需依程序另行委由乙方代繳。前揭委辦費用不含國外代理人案件結案費，甲方應依乙方通知另行支付。

四、乙方接受甲方委辦後之作業過程，因甲方因素而必需修改已作業之內容，甲方應另行支付修正費用。

五、甲方應依誠信提供乙方承辦案件所需之完整資料及文件，且不得藉故拖延或有虛偽情事，或有變更公司組織、地址、電話、承辦人等相關事項時，應立即主動通知乙方，否則若因而影響案情、延誤法定期限或損害他人權益，概由甲方自行負責。乙方處理本案時，應善盡職務上保密之責，否則應對甲方負擔損害賠償之責。

六、乙方於受任後若未按本契約完成代理或代辦責任範圍內之作業時，雙方同意以前揭費用扣除行政規費及稅金後之餘款作為賠償甲方損失之金額，並同意於乙方返還餘款後，本契約書即同時解除並失效。

七、雙方同意以台灣台北法院為第一審管轄法院。

八、本契約書壹式兩份，經甲乙雙方業務經辦人或代表人簽字或蓋章後生效，雙方各執乙份為憑。

九、特約事項：[illegible]

委任人：[illegible]　　經辦人：[illegible]

地　址：　　電　話：　　分機：

網　址：　　傳　真：

E-mail：　　手　機：

東　家：　　Skype：

受任人：法盟國際智慧產權事務所

地　址：11051 台北市信義路四段四一五號六樓之六

電　話：(02) 2345-1960

E-mail：service@famost.com.tw

傳　真：(02) 2345-1961

中　華　民　國　　年　　月　　日

※附　件：缺件請打「V」

	委任狀	執照	身分證	樣品	圖樣	指定商品	資料表			
缺件										
補齊日										

契約號	1129019
洽辦人	

管理部流程：

1	2	3	4

本所編號：

備註：

所有內容文字不得更改工整　　第一聯：法務留存，第二聯：客戶留存

□我國 ☑境外　智慧財產權案件委任契約書　　編號：

（下稱甲方）委任受任人（下稱乙方）辦理 □專利 ☑商標 □著作權 □其他

茲就相關事宜定契約內容如下：

項目	種別或商品名稱	類別	新別	金額
項目明細	「AIR fresheners」（申請之77/833,344）	美	11	15000

前開所列 壹 件，應給付乙方合計新台幣 壹萬伍仟 元整（含規費、代辦費），於簽約時一次付清。甲方委託乙方處理前開案件所需本契約書與特別委任乙方處理，前開款甲方收妥，若何已發生費用（含代辦費）仍應全數照付，甲方同意所繳交付全部乙方作業費用，若甲方有撤銷或所付款項不足額，經催繳後仍未繳清，雙方同意視為違約，甲方特別同意乙方逕行與文向逕委處理事宜撤回本案，本契約書作廢，若規費調整，不足部份概由甲方補繳。

受甲方前款費用，負責代辦申請書、說明書、代繪圖示、印刷、繕打等作業，若遇特殊項目為申請事前規費用不包括諮詢費、申復、修正、陳述意見、面詢、訴訟、提早公開、異議、再審查、評定、撤銷、廢止、答辯、訴願及行政訴訟程序之費用，公告費、證書費及年費當依規定另行委由乙方代繳委辦費用不含國外代理人案件結案後，甲方應依乙方通知另行支付。

受甲方委辦後之作業過程，因甲方因素而必需修改已作業之內容，甲方應另行支付修正費用。

應提供乙方承辦業務所需之完整資料及文件，且不得發放拖延或有虛偽情事，或有變更公司地址、電話、承辦人等相關事項時，應立即主動通知乙方，否則若因而影響案情，延誤法定期限或損害權益，概由甲方自行負責。乙方處理本案時，應善盡業務上保密之責，否則應對甲方負損害賠償之責。

受任後若未按本契約完成代理或代辦責任範圍內之作業時，雙方同意以前揭費用扣除作業起費及損害賠償甲方損失之金額，並同意給乙方逕行強執，本契約書即同時解除並失效。

意以台灣台北法院為第一審管轄法院。

書合式兩份，經甲乙雙方簽訂人或代表人簽字或蓋章後生效，雙方各執乙份為憑。

甲：上揚科技股份有限公司

維特科技有限公司

法定代表人：

地址：

電話：

傳真：

Skype：

分機：

07-8780860

E-mail：service@famosr.com.tw

傳　真：(02) 2345-1961

聯絡人簽名

國際智慧產權事務

台北市信義路四段

(02) 2345-1960

5 月　31 日

契約號	1129104
洽辦人	毛芳美

收件	檢驗	審查	通知	核定通知	結案			

本所編號：

備註：

To: Andy

2345961

2010-05-31 14:20

1/1

Response 4-7

From: Kenny Lai Cheong
Sent: Tuesday, March 15, 2011 6:30 AM
To: Famost-fd
Cc: Scott Alpin; Tracy Zhang
Subject: Discovery conference (your ref: 1672-1-90191; our ref: FAM 195)

Dear Lilian

We are writing to let you know that a telephone call occurred today (March 11, 2011) with counsel for the opposer Alpinbreeze LLC. Please note that this telephone call, referred to as a "discovery conference," is required under the rules of the Trademark Trial and Appeal Board (TTAB).

In the call, we agreed to the standard protective order which allows the parties to share confidential information during discovery.

In addition, opposing counsel inquired if Everlec would agree to abandon its application if Alpinbreeze LLC paid Everlec money. We responded that we would inquire. Therefore, please let us know if your client would abandon its application for an amount of money. If so, how much?

We noted that Everlec owns the copyright in the design of the Alpinbreeze mark. Opposing counsel commented that his client may be willing to abandon its design mark, if it were allowed to reapply under a standard word mark. Please let us know how your client feels about the opposer abandoning its design mark and reapplying for the mark "Alpinbreeze" as a standard word mark. Thus a potential settlement could be

- Your client abandons its mark;
- Alpinbreeze LLC abandons its mark and reapplies;
- Alpinbreeze pays Everlec a particular sum of money

Please let us know if your client is interested in this potential settlement agreement.

Finally, the possibility of the parties agreeing to limited discovery in order to save costs was discussed. Please let us know how your client feels about this.

On the other hand, your client indicated that it may wish to pursue this case until the opposer goes up due to financial reasons. If so, your client may not wish to settle until after the discovery period (or not at all). Please let us know your client's general view on settlement.

We look forward to hearing from you.

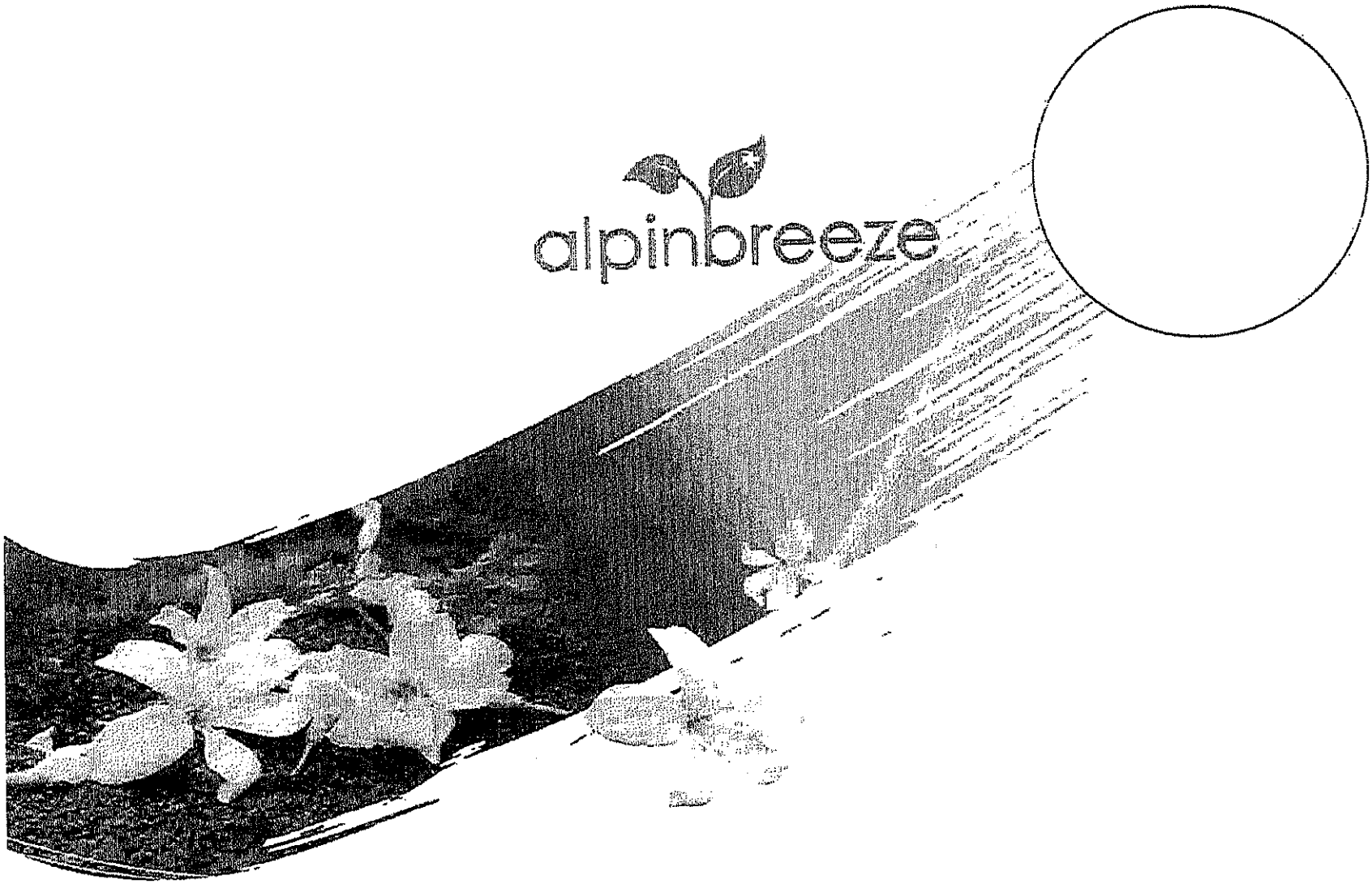
Please note that preparing for and taking part in the telephone conference and reporting to you in this e-mail took 0.8 hours. Therefore, please note that today we have added 0.8 hours to your client's account.
Please let us know if there is any problem with this.

Best regards

Kenny Lai Cheong for
Scott Alpin

阿爾卑斯微風　增添您生活的樂趣與想像空間

alpinbreeze ~ Image & fun for life



Made and designed in Taiwan

Response 51

Response 61
R. Yin

Frans 說:
hi
Sam-ViewSonic 說:
hello my dear
Sam-ViewSonic 說:
how are you ?
Frans 說:
good...and you?
Sam-ViewSonic 說:
still alive with the typhoon ?
Frans 說:

Frans 說:
my family are alright
Sam-ViewSonic 說:
ok that's cool
Frans 說:
there will be another next week
Sam-ViewSonic 說:
you have to go to work with typhoon ?
Sam-ViewSonic 說:
or stay at home ?
Frans 說:
stay at home...Mike just called me for the digital fram matter
Sam-ViewSonic 說:
and ?
Frans 說:
he told me you have sort out the problem in Netherlands?
Sam-ViewSonic 說:
yes
Sam-ViewSonic 說:
but it was hard and painfull you can beleive me
Frans 說:
so you will be laid off...
Frans 說:
i see
Sam-ViewSonic 說:
laid ?
Frans 說:
won't
Frans 說:
lay off
Sam-ViewSonic 說:
don't understand this word sorry
Sam-ViewSonic 說:

Frans 說:
you won't be forced to resign...

Sam-ViewSonic 說:
no no
Frans 說:

Sam-ViewSonic 說:
but the dpf we spoke togheter is not for this deal
Sam-ViewSonic 說:
is for the next one
Frans 說:
yes
Sam-ViewSonic 說:
i hope next year
Frans 說:
yes .Mike mentioned he has talked to ViewSonic's vendor
Sam-ViewSonic 說:
and ?
Sam-ViewSonic 說:
i have another opportunity
Frans 說:
I can also get some vendors if you need for next ones
Sam-ViewSonic 說:
for retailers in switzerland
Sam-ViewSonic 說:
i spoke to www.conforama.ch
Frans 說:
but what is the business model?
Sam-ViewSonic 說:
i don't know
Sam-ViewSonic 說:
there is no business model
Sam-ViewSonic 說:
i just get an important information for the retail business
Sam-ViewSonic 說:
conforama is one of the biggest retailers in europe
Frans 說:
Oh
Sam-ViewSonic 說:
and he told me : 10 " dpf at 99 chf
Sam-ViewSonic 說:
i will buy immediately
Sam-ViewSonic 說:
99 chf = 61 euro street price
Frans 說:
i see
Sam-ViewSonic 說:
it means that if we want to start together business on dpf into retail
Frans 說:
yes

Sam-ViewSonic 說:
the price for 10 " dpf must be 44 euro
Sam-ViewSonic 說:
retailer purchase price
Sam-ViewSonic 說:
it's quite agressive
Frans 說:
i see
Sam-ViewSonic 說:
but i think we could provide something like that
Sam-ViewSonic 說:
not impossible
Frans 說:
they want margin of 27%?
Sam-ViewSonic 說:
not
Sam-ViewSonic 說:
61 - 7.6 % vat
Sam-ViewSonic 說:
- 12% (margin retailer)
Sam-ViewSonic 說:
- 3 (recycling taxe)
Frans 說:
(61-44)/61=27%
Sam-ViewSonic 說:
i know but the retailer have only 12 % on that 27
Sam-ViewSonic 說:
the rest is vat - recycling taxe
Sam-ViewSonic 說:
so if you see an opportunity for 10 " dpf
Frans 說:
how many quantity?
Sam-ViewSonic 說:
with a price delivered in switzerland at 35 euro
Sam-ViewSonic 說:
it depends 500 - 1000 to begin
Sam-ViewSonic 說:
if conforama is interested into this price i can find other
Sam-ViewSonic 說:
retailers
Frans 說:
whose brand?
Sam-ViewSonic 說:
any brands
Sam-ViewSonic 說:
for retail quality is lower
Sam-ViewSonic 說:
and brand is not important

Sam-ViewSonic 說:
the only thing we must give is 1 year warranty
Sam-ViewSonic 說:
and good design
Sam-ViewSonic 說:
because the guy confirmed me that dpf is really difficult to sell on the retail market
Frans 說:
i see
Sam-ViewSonic 說:
but if we continue to serach
Sam-ViewSonic 說:
we will for sure find 1 time a good opportunity
Sam-ViewSonic 說:
to make money
Sam-ViewSonic 說:
start a new business
Sam-ViewSonic 說:
did you get the price for the pants ?
Frans 說:
not yet I am chasing them today..should reply to me today but there was typhoon
Sam-ViewSonic 說:
yes no stress
Sam-ViewSonic 說:
i still didn't had time to think about
Sam-ViewSonic 說:
i am quite overbusy
Frans 說:
you mean we need to get the price of euro 35 for the 10"?
Sam-ViewSonic 說:
and i have some problem at viewsonic
Sam-ViewSonic 說:
35 euro deliverred in switzerland yes
Frans 說:
how much is the freight you think?
Sam-ViewSonic 說:
i really have no idea
Sam-ViewSonic 說:
of what is the freight from taiwan to switzerland
Sam-ViewSonic 說:
i think mike know
Frans 說:
yes..he has to know
Frans 說:
(44-35)/44=20%
Sam-ViewSonic 說:
yes
Frans 說:
will you set up a company?

P5/17

Sam-ViewSonic 說:
no problem for me
Sam-ViewSonic 說:
first i need to open a small company
Sam-ViewSonic 說:
than open a really company with a capital
Sam-ViewSonic 說:
a real company
Sam-ViewSonic 說:
sorry
Frans 說:
should I start to search vendors tomorrow?
Sam-ViewSonic 說:
to see the price yes
Sam-ViewSonic 說:
you must understand something frans
Frans 說:
yes
Sam-ViewSonic 說:
actually the business is hard
Sam-ViewSonic 說:
and we must inform ourselves of what is possible or not
Sam-ViewSonic 說:
now we search we see we test what is the price needed by the market
Frans 說:
yes ..i see
Sam-ViewSonic 說:
if we continue to search we will for sure 1 time
Sam-ViewSonic 說:
get a nice opportunity to start our business
Frans 說:
I need to ask vendors to quote the 10" firstly
Sam-ViewSonic 說:
yes and see if we can find product 10" at this price
Sam-ViewSonic 說:
if yes what is the quality ?
Frans 說:
yes
Sam-ViewSonic 說:
what is the moq
Frans 說:
I will ask them also
Sam-ViewSonic 說:
ok
Sam-ViewSonic 說:
i think we must continue to search to see to compare
Sam-ViewSonic 說:
and 1 time the good opp will arrive

Pt/17

Frans 說:
yes.. I will check some vendors.....so we have three ways to cooperate
Sam-ViewSonic 說:
1 time i aslo contacted a company in hong kong
Sam-ViewSonic 說:
company name is puzhen
Frans 說:
1.Lexma 2.. dfm 3. pants
Sam-ViewSonic 說:
www.puzhen.com
Sam-ViewSonic 說:
i have all puzhen product at home
Sam-ViewSonic 說:
i am really a fan
Sam-ViewSonic 說:
i contacted them to distribute them in europe
Frans 說:

Sam-ViewSonic 說:
but the guy was not speaking very well english
Sam-ViewSonic 說:
so it was really hard to discuss togheter
Frans 說:

Sam-ViewSonic 說:
i only understood that puzhen was speaking with a distributor in belgium
Sam-ViewSonic 說:
they were before distributed by a german distributor and they stopped their colloboration
Frans 說:
I can also talk to them as they can speak Chinese
Sam-ViewSonic 說:
no instead of producing our products
Sam-ViewSonic 說:
we could maybe find another way with puzhen
Sam-ViewSonic 說:

Sam-ViewSonic 說:
the only thing i am really afraid to is to start production under our name
Sam-ViewSonic 說:
because we need capital and money to start production
Frans 說:
yes
Sam-ViewSonic 說:
if we search a business to distribute chinese product in switzerland
Sam-ViewSonic 說:
we don't need capital
Frans 說:

maybe we can make money from Lexma firstly as we don't need capital
Sam-ViewSonic 說:
yes but we cannot compare lexma and puzhen products
Sam-ViewSonic 說:
lol
Sam-ViewSonic 說:

Sam-ViewSonic 說:
lexma is into the IT really hard market
Sam-ViewSonic 說:
puzhen is a well known company
Sam-ViewSonic 說:
all around the world but they don't speak well english so they are not well distributed in europe
Frans 說:
i see
Sam-ViewSonic 說:
and puzhen is the perfect product and company to start a business at the momen
Sam-ViewSonic 說:
t
Sam-ViewSonic 說:
because it's aromatherapy products
Frans 說:
i see
Sam-ViewSonic 說:
european pepole like all what is natural and are ready to pay for this
Frans 說:
i see
Sam-ViewSonic 說:
you can maybe call puzhen
Frans 說:
yes.
Sam-ViewSonic 說:
and discuss with them we are a swiss company and looking to distribut them
Sam-ViewSonic 說:
i already buy the puzhen.ch website
Frans 說:
ok. I will do it soon
Sam-ViewSonic 說:
domain name
Sam-ViewSonic 說:
and also puzhen.fr
Sam-ViewSonic 說:
is mine
Frans 說:
oh
Sam-ViewSonic 說:

Sam-ViewSonic 說:
when i saw a few month ago that the 2 web name was free
Frans 說:
i see
Sam-ViewSonic 說:
i bought them immediately
Frans 說:
so you will distribut firstly in Swiss
Sam-ViewSonic 說:
it's egal for me
Frans 說:
i see
Sam-ViewSonic 說:
i can start anywhere but easiest would be for sure switzerland
Frans 說:
i see
Sam-ViewSonic 說:
so i am looking on business opportunity since many month now
Frans 說:
what do you want me to do with them?
Sam-ViewSonic 說:
if you can i would like that you get a call there and say :
Frans 說:
I will call them tomorrow
Sam-ViewSonic 說:
you were already contacted by my colleague in switzerland few month ago
Sam-ViewSonic 說:
unfortunately she had some difficulties to understand you
Frans 說:
yes
Sam-ViewSonic 說:
you must sell us
Sam-ViewSonic 說:
to them and say that after my last call i engaged you
Sam-ViewSonic 說:
to be my collaborator in china and taiwan for our distribution business
Sam-ViewSonic 說:
and see how are the negociation with the belgian distributor
Sam-ViewSonic 說:
and see if we really cannot distribute puzhen in switzerland
Frans 說:
I see
Sam-ViewSonic 說:
in clear explain to them that we can offer more than the belgian company
Sam-ViewSonic 說:

Sam-ViewSonic 說:
i am sure chinese people will be really happy to work with a company

Sam-ViewSonic 說:
with both people in china and in europe
Sam-ViewSonic 說:
no other distributor on the market can provide this service
Frans 說:
i see. I will call them and keep you informed
Sam-ViewSonic 說:
if you can negotiate somehting with puzhen
Sam-ViewSonic 說:
we can start tommorrow
Frans 說:
I will call them
Sam-ViewSonic 說:
we already have the we domain name
Sam-ViewSonic 說:
are you a good sales person ?
Frans 說:
should be...by the way, will you make the budget plan for Lexma? I can apply the money for you....
Sam-ViewSonic 說:
yep i still must do that
Sam-ViewSonic 說:
but as said to you
Frans 說:
I may need to get some money from Lexma for our cooperated business...
Sam-ViewSonic 說:
i cannot imagine how we will make money with lexma
Sam-ViewSonic 說:
for sure a few $ it's possible
Sam-ViewSonic 說:
but our margin on that business is so low
Sam-ViewSonic 說:
how can i win money with 1.5 %
Sam-ViewSonic 說:
on products of 10 $
Frans 說:
2% for you
Sam-ViewSonic 說:
yes but even 2 %
Sam-ViewSonic 說:
there is something to do for lexma
Sam-ViewSonic 說:
but we will win 5000$ per year
Frans 說:
UMD in Spain used to buy from Genius-another company for US$10M a year .
Sam-ViewSonic 說:
give me the genius website please
Frans 說:
one moment

P10/17

Frans 說:
http://www.geniusnet.com.tw/geniusOnline/online.portal;jsessionid=LinRJtv8IOzwvt0W4tLWLlMhz43L9n5yT8OS2TNV1MZ10D1Tvzj3!2742413072_nfpb=true&_pageLabel=homePage&idcaPortlet_actionOverride=%2Fportlets%2FhomeArea%2Fidea%2Fbegin&test=default

Frans 說:
but Genius products are more expensive

Sam-ViewSonic 說:
how many employee ?

Frans 說:
around 4000 including factories

Sam-ViewSonic 說:
ok

Frans 說:
I worked for Genius before

Sam-ViewSonic 說:
ok so what i can see is that

Frans 說:
they sell around US$20M in Ukraine

Sam-ViewSonic 說:
eastern country are not a reference

Sam-ViewSonic 說:
that's other market

Frans 說:
their biggest customer is Buro in Russia

Sam-ViewSonic 說:
new born market

Sam-ViewSonic 說:
yes but by viewsonic it's the same

Sam-ViewSonic 說:
eastern country are young market

Frans 說:
they sell minisaturn in Gennan

Sam-ViewSonic 說:
you cannot compare

Sam-ViewSonic 說:
yep

Sam-ViewSonic 說:
they have a hotline

Sam-ViewSonic 說:
in düsseldorf

Sam-ViewSonic 說:
service center

Sam-ViewSonic 說:
they are more diversified

Sam-ViewSonic 說:
graphic tablets

Frans 說:
yes...

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Sam-ViewSonic 說:
they are already well refereced into the european press
Sam-ViewSonic 說:
i saw on their website that pc mazagine tested their products
Frans 說:
yes
Sam-ViewSonic 說:
so that means clearly that genius in europe is considerated as a brand
Sam-ViewSonic 說:
lexma will be considerated as no name products
Frans 說:
but they are weak in western Europe
Frans 說:
understood
Sam-ViewSonic 說:
so it's exctly like viewsonic in france
Sam-ViewSonic 說:
well known company
Sam-ViewSonic 說:
also in eastern country
Sam-ViewSonic 說:
germany - switzerland - austria viewsonic is a no name company
Frans 說:
understood it is a little bit difficult to build their brand
Sam-ViewSonic 說:
not a little my dear
Sam-ViewSonic 說:
it's viewsonic's main problem
Frans 說:
understood
Sam-ViewSonic 說:
ok
Sam-ViewSonic 說:
so when i start for lexma
Frans 說:
yes
Sam-ViewSonic 說:
i will have exactly the same problem
Sam-ViewSonic 說:
as by viewsonic but it's even worse
Frans 說:
understood
Sam-ViewSonic 說:
because lexma is really not kno n
Frans 說:
i see
Sam-ViewSonic 說:
and the sitaution of lexma is even worse than viewsonic because there is no company like

P12/17

logitech into the monitor business
Frans 說:
maybe we can start from products with lower prices
Sam-ViewSonic 說:
there is already plenty of no name cheap brand
Frans 說:
i see
Sam-ViewSonic 說:
just to give you an example
Sam-ViewSonic 說:
please go on www.digitec.ch
Sam-ViewSonic 說:
biggest internet retailer in switzerland
Sam-ViewSonic 說:
please go on the website
Sam-ViewSonic 說:
than on the top you click on english
Frans 說:
I think you are smart. may generate a way to enter
Sam-ViewSonic 說:
for the language
Sam-ViewSonic 說:
i can do all
Sam-ViewSonic 說:
but please go to www.digitec.ch
Sam-ViewSonic 說:
than you click on english on the top of the main page
Frans 說:
yes
Sam-ViewSonic 說:
ok than on the left you click into the menu on peripherals
Sam-ViewSonic 說:
than mice
Sam-ViewSonic 說:
and than you see all the brand name into the list
Sam-ViewSonic 說:
please let me know if you know sharkoon ?
Frans 說:
Labtec is Logitech's second brand with lower prices
Frans 說:
no
Sam-ViewSonic 說:
nzxt gaming ?
Sam-ViewSonic 說:
ocz?
Sam-ViewSonic 說:
razer ?
Sam-ViewSonic 說:

revoltec ?
Sam-ViewSonic 說:
saitek ?
Sam-ViewSonic 說:
silverstone ?
Sam-ViewSonic 說:
zalman ?
Sam-ViewSonic 說:
i never heard something about these brand but i live in switzerland
Frans 說:
i see..
Frans 說:
similar situation in Hong Kong
Sam-ViewSonic 說:
there is actually 25 brands by digitec
Frans 說:
theh have two brands which are Logitech and Microsoft
Frans 說:
understood
Sam-ViewSonic 說:
25 brands on a country of 7 mio person
Sam-ViewSonic 說:
only by 1 etailer
Sam-ViewSonic 說:
we know that logitech is taking 80<% of the market
Frans 說:
you can also try France or Germany
Sam-ViewSonic 說:
than dell - hp 15 %
Sam-ViewSonic 說:
than 5 % are fore hama - nzxt - ocz - saitek - sharkoon - silvestone
Frans 說:
or even North europe
Sam-ViewSonic 說:
it's the same situation
Sam-ViewSonic 說:
in france i can say that's even worse
Frans 說:
understood
Sam-ViewSonic 說:
germany is even even worst than germany
Sam-ViewSonic 說:
than france sorry
Frans 說:
i see
Sam-ViewSonic 說:
so i can sell to digitec
Sam-ViewSonic 說:

no problem i can sell all
Sam-ViewSonic 說:
but how many ?
Sam-ViewSonic 說:
1000 mouse per year ?
Sam-ViewSonic 說:
2000 mouse per year ?
Sam-ViewSonic 說:
10k mouse per year ?
Sam-ViewSonic 說:
10 000 x 10$ = 100 k $ x 1 5 % = 1500 $
Frans 說:
I don't know....but I trust your abilities
Sam-ViewSonic 說:
yes but even if i could sell 10000 mouse per year to digitec
Sam-ViewSonic 說:
it's impossible but even if i could do this
Sam-ViewSonic 說:
i will win 1500 $
Sam-ViewSonic 說:

Frans 說:
they also have keyboards/Hub/speakers....
Sam-ViewSonic 說:
keyboard - speaker as well
Sam-ViewSonic 說:
please click on the left on keyboard desktop
Sam-ViewSonic 說:
and just under on pc speakers
Sam-ViewSonic 說:
razer revoltec roline saited trust zboard
Sam-ViewSonic 說:

Sam-ViewSonic 說:
you know what i mean frans ?
Frans 說:
I understood this situation...we have hundreds of brands in Taiwan
Sam-ViewSonic 說:
so it's the same
Sam-ViewSonic 說:
here but we are here on a very old market
Sam-ViewSonic 說:
most of the consumer already bought no name brand 1 x 2 x 3x
Frans 說:
but I think channels are also the keys
Sam-ViewSonic 說:
channels you mean reseller ?
Sam-ViewSonic 說:

reseller at the corner of the street ?

Frans 說:
channels to sell products

Frans 說:
all the channels

Sam-ViewSonic 說:
so for me there is clearly 3 channels

Frans 說:
yes

Sam-ViewSonic 說:
1. etail = internet resellers
2. retail = all retail shop
3. resellers = small computer shop

Sam-ViewSonic 說:
by e-tail the mice price is maximum 2 - 3 $

Sam-ViewSonic 說:
2. retail = digitec is a reference

Frans 說:
you have got almost all channels....

Sam-ViewSonic 說:
3. resellers = business is taken by dell & hp

Sam-ViewSonic 說:
here by resellers the market share of dell & hp is more than 80 %

Frans 說:
I see... can you find bigger distributors?

Sam-ViewSonic 說:
99% of the time if the customer go to the reseller at the corner of the street to buy a computer from dell & hp. He get automatically a mice and keyboard

Sam-ViewSonic 說:
or his mice is broken >> reseller said ok i give you one for free

Frans 說:
i see

Sam-ViewSonic 說:
or the customer want to have a special mice : he bought logitech because the price is not important

Sam-ViewSonic 說:
viewsonic had for 1 year 10000 mice in stock

Sam-ViewSonic 說:
and keyboard

Frans 說:
i see

Sam-ViewSonic 說:
we get an e-mail from the VP sales 3 month ago : please give these mice and keyboard for free to your customer we loose money with this stock

Sam-ViewSonic 說:

Frans 說:
Genius sells to distributors

Sam-ViewSonic 說:
yes like viewsonic
Frans 說:
I am curious how UMD in Spain could buy US$10M from it
Sam-ViewSonic 說:
spain is a special market
Sam-ViewSonic 說:
spain is onw of the youngest market in europe with italy
Frans 說:
i see
Frans 說:
do you have relations to these two markets?
Sam-ViewSonic 說:
because the people there are really poor and the internet access boom was done around 10 years after germany - uk - switzerland
Sam-ViewSonic 說:
no i don't
Sam-ViewSonic 說:
have relation in spain or in italy
Sam-ViewSonic 說:
italy is vey dangerous market
Sam-ViewSonic 說:
because all work with backchich
Sam-ViewSonic 說:
corruption
Frans 說:
i see
Sam-ViewSonic 說:
actually the internet penetration in italy is less than 40% of the population
Frans 說:
i see
Sam-ViewSonic 說:
in germany - switzerland we arrive now at 90%
Sam-ViewSonic 說:
france start to recover his late with now around 80% of the population
Frans 說:
i see
Sam-ViewSonic 說:
ok so all this to explain that
Frans 說:
i see
Sam-ViewSonic 說:
1. i can sell mice but not 10k the first year
Frans 說:
yes
Sam-ViewSonic 說:
2. i will need big marketing budget
Sam-ViewSonic 說:

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3. incredible low price
Sam-ViewSonic 說:
and if i can sell the first year 10 k units mice i will win 1500 $
Frans 說:
we can try and discuss these matters
Sam-ViewSonic 說:
yes i am open and i can sell all
Sam-ViewSonic 說:
but you must understand that i am looking on a more interesting business
Sam-ViewSonic 說:
also
Frans 說:
Now we have four ways to cooperate
Sam-ViewSonic 說:
no if you wait on lexma to earn money i think you will be die before to be rich
Sam-ViewSonic 說:

Frans 說:
1 Lexma 2.dfm 3.pants 4. the HK company business
Sam-ViewSonic 說:
no by my personal opinion
1. puzhen 2. pants 3 dfm 4. lexma
Sam-ViewSonic 說:
in terms of rentability
Frans 說:
I don't mind if we can make money
Sam-ViewSonic 說:
oh ?
Sam-ViewSonic 說:
what you mind ?

by my opinion puzhen deliver Nature&decouverte in direct business

with nature & decouverte i accept to only take 2 - 5% on the deal

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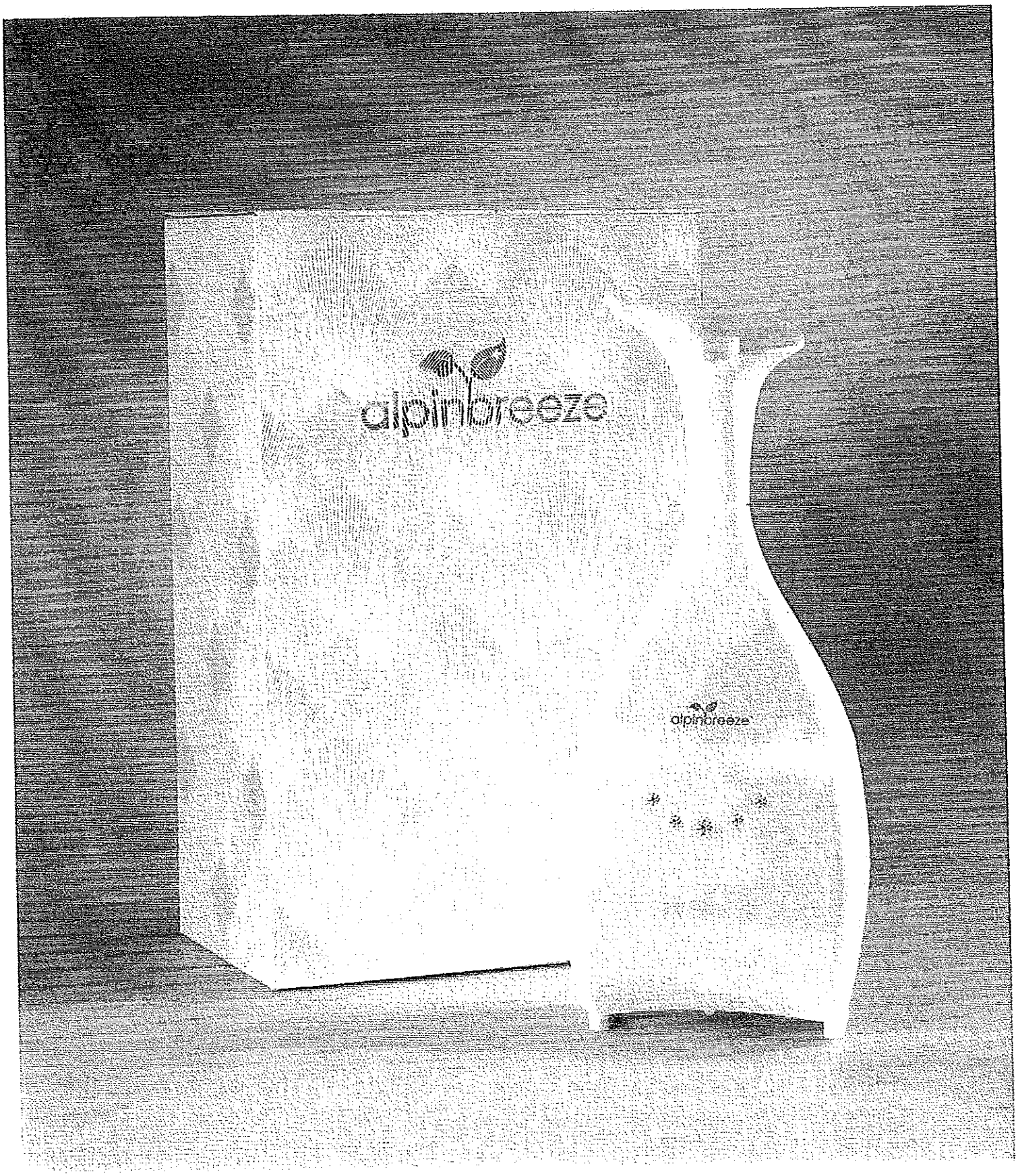

Response 9-1

Amazon.com: Alpinbreeze - Home & Kitchen: Home & Garden - Windows Internet Explorer

http://www.amazon.com/s/ref=b/_sr_kitchen?_encoding=UTF8&node=1055398&field-brand=a

檔案(F) 編輯(E) 檢視(V) 我的最愛(A) 工具(T) 說明(H) TREND MICRO 安全網頁

我的最愛 Amazon.com: Alpinbreeze - Home & Kitchen: ...

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- General Electric
- EatSmart
- Lasko
- Gloria Jean's
- Alpinbreeze
- See more...

Avg. Customer Review
- & Up
- & Up
- & Up
- & Up

Home & Kitchen › Alpinbreeze

Showing 1 Result

1.

Alpinbreeze Ultrasonic Aromatherapy Diffuser/humidifier

1 new from $149.00

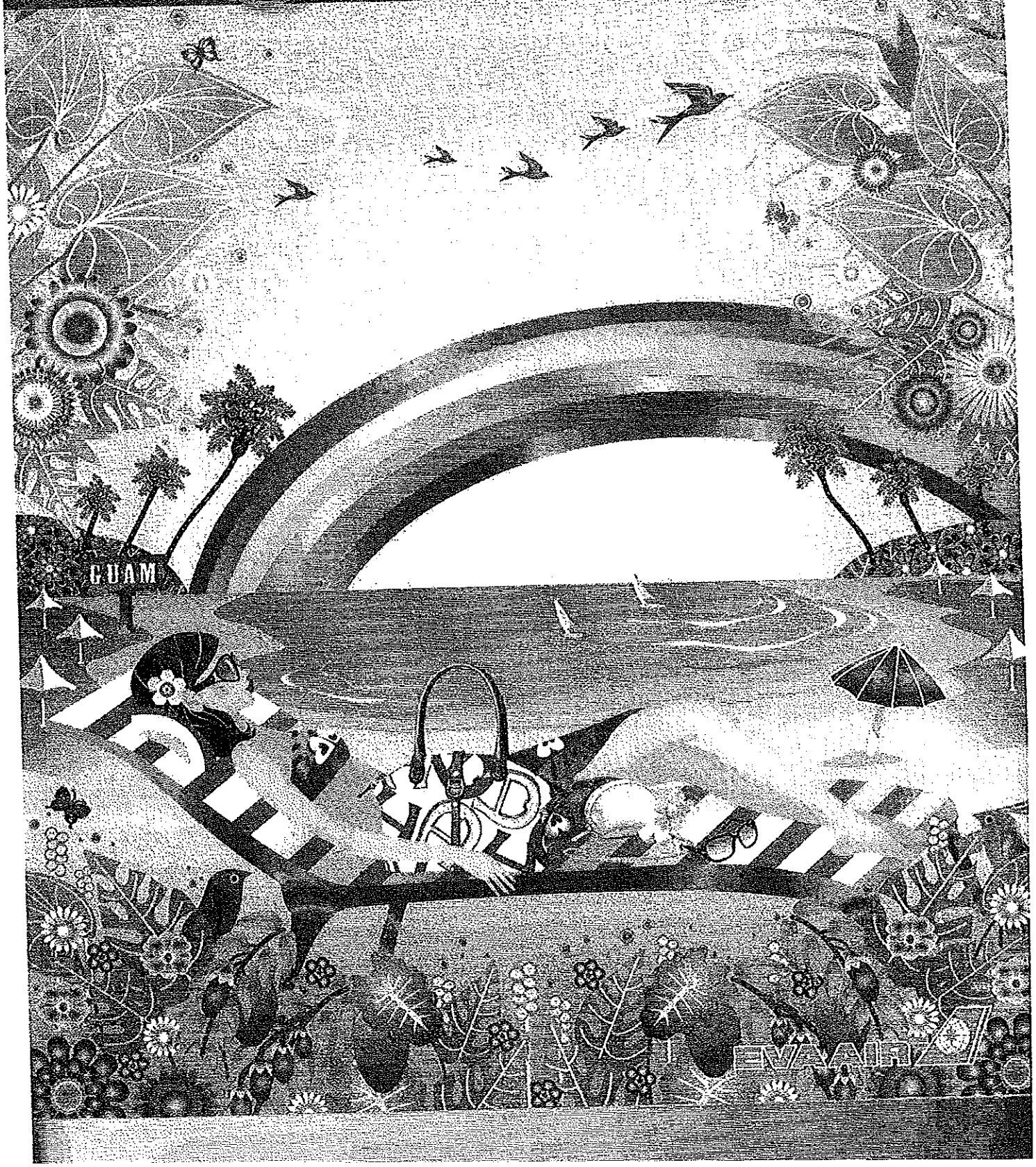
(1)

Sponsored Links (What's this?)

EVA

sky shop 29

2011 機上購物誌 July/August



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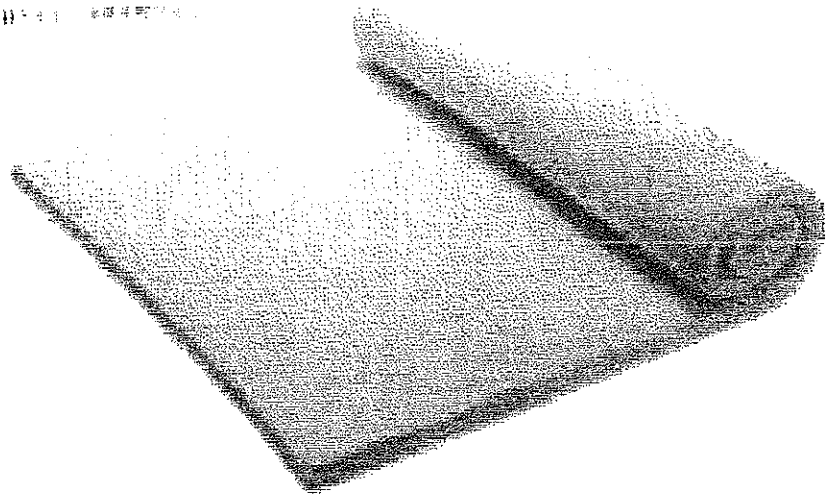
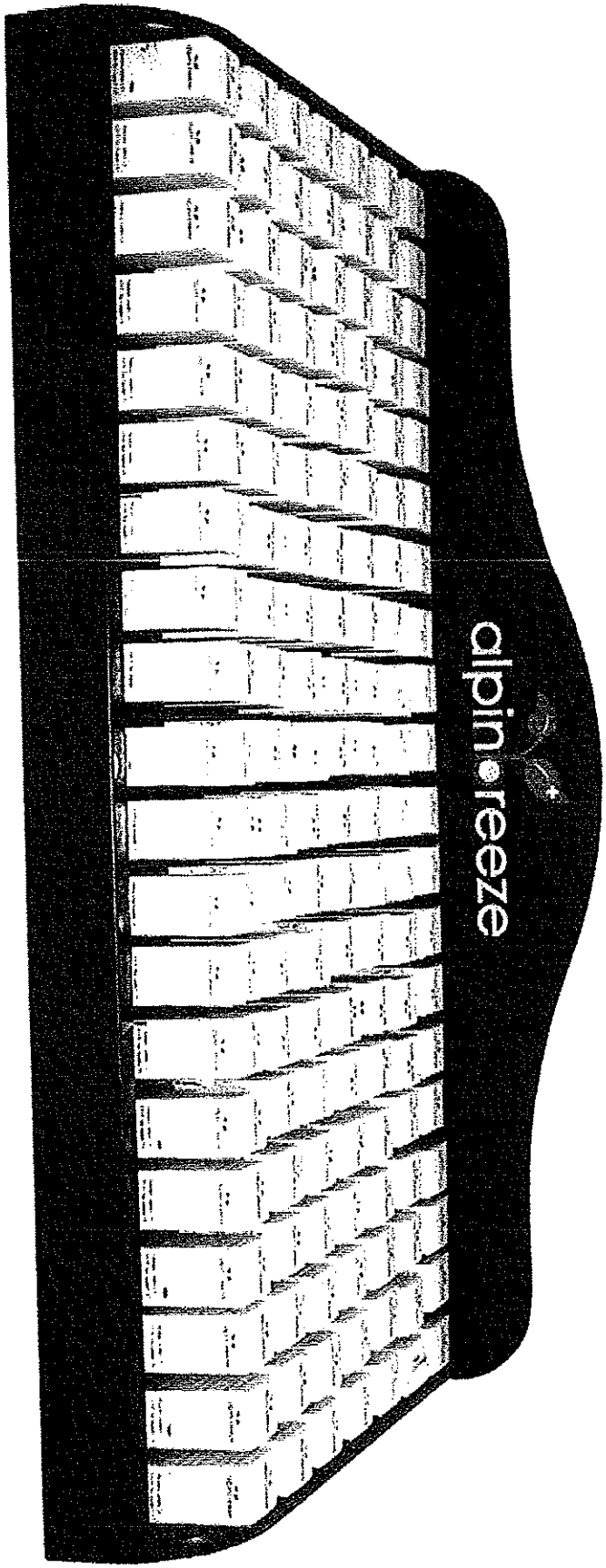


Response 11-1



Amazon.com: Alpinbreeze Ultrasonic Aromatherapy Diffuser/humidifier: Kitchen & Dining - Windows Internet Explorer

amazon.com/Alpinbreeze-Ultrasonic-Aromatherapy-Diffuser-humidifier/dp/B004USS

檔案(F) 編輯(E) 檢視(V) 我的最愛(A) 工具(T) 說明(H)

我的最愛 Amazon.com: Alpinbreeze Ultrasonic Aromathe...

Customer Reviews

1 Review

5 star:	(1)
4 star:	(0)
3 star:	(0)
2 star:	(0)
1 star:	(0)

Average Customer Review
★★★★★ (1 customer review)

Share your thoughts with other customers:
Create your own review

Most Helpful Customer Reviews

2 of 2 people found the following review helpful:

★★★★★ **Such a masterpiece!**, April 30, 2011

By evey - See all my reviews

Amazon Verified Purchase (What's this?)

This review is from: **Alpinbreeze Ultrasonic Aromatherapy Diffuser/humidifier**

I love love love this aroma diffuser because it is exactly what I've been looking for. I've tried a few cheaper ones in the past and you guessed it - they don't last long. Since this diffuser comes with one year warranty, I feel comfortable enough to give it a try.

I actually just ordered it (for work) the other day. Already it showed up at my office today! I don't know if it is the aroma (lavender - the essential oil that came with the package) that made me feel so good about my day or it was just the beautiful shape of a white calla lily that really has pleased my eye - I am falling in love with this little device!

Something worth noting is that it has two different operative modes that allow me to either put it on for 3 straight hours or on for 30 seconds/off for 30 seconds for 6 hours - I thought that was such a brilliant idea!! I have tried out both and personally I think I like the 30 seconds on and off better. Since I work from 9 to 6

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網際網路 100%

FACSIMILE

EVA AIR 長榮航空

Response 701

TO: 各合作廠商

FM: 長榮航空公司
物品開發課
林倩[illegible]
陳宜[illegible]
e-mail: jujuchen@evaair.com
FAX: 03-3510018
TEL: 03-3515930

DATE: Aug. 20, 09

FAX:

敬啟者

主旨: 長榮樂 e 購商品刊登費用收費標準

說明:

一、長榮航空【郵購單行本型錄】將自 2009 年 9 月創刊，主要通路將擴及機場櫃檯、貴賓室、票務櫃檯或立榮航空班機、本公司集團飯店等，以增加商品販售機會拓展行銷通路。

二、自 2009 年 9 月 1 日起，長榮樂 e 購商品於各型錄刊登收費新標準如下：

(1)刊登【郵購單行本型錄】每一品項收取 NT$1,000/期(一期為二個月)，系列產品同款不同色系時，則一期加收 NT$100 上架費，同時當期免費提供該項產品於網站上刊登。

(2)刊登機上【SKY SHOP 購物誌】每一品項 NT$16,000/期(一期為二個月)，系列產品同款不同色系時，則一期加收 NT$1,000 上架費，同時當期免費提供該項產品於網站上刊登。

(3)郵購商品於長榮樂 e 購網站刊登販售，不收取上架費用。

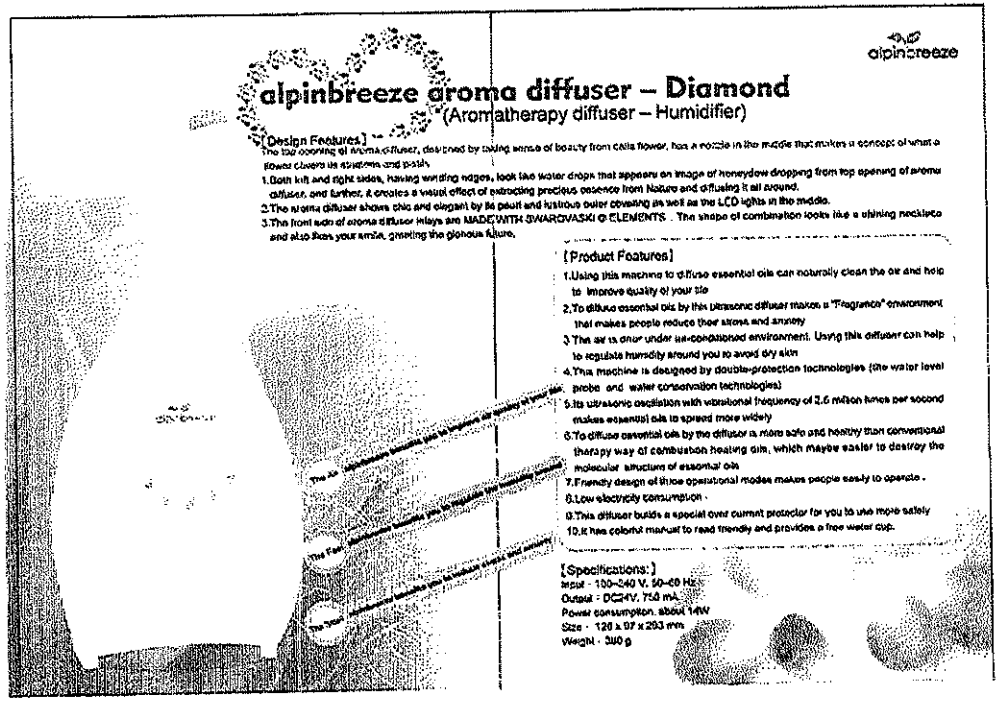
(4)長榮樂 e 購網路橫幅促銷廣告
長榮樂 e 購首頁每幅每月收取 NT$3,000 刊登費用，若委託製作，則以當時報價為基準。

(5)因橫幅廣告及各型錄可刊登版面及數量有限，本公司保留接受商品刊登及雜誌版面編輯的權利。

alpinbreeze

alpinbreeze aroma diffuser – Diamond

(Aromatherapy diffuser – Humidifier)



[Design Features]

The top covering of aroma diffuser, designed by taking sense of beauty from calla flower, has a nozzle in the middle that makes a concept of what a flower covers its stamens and pistils.

1. Both left and right sides, having winding edges, look like water drops that appears an image of honeydew dropping from top opening of aroma diffuser, and further, it creates a visual effect of extracting precious essence from Nature and diffusing it all around.
2. The aroma diffuser shows chic and elegant by its pearl and lustrous outer covering as well as the LCD lights in the middle.
3. The front side of aroma diffusor inlays are MADE WITH SWAROVSKI ELEMENTS . The shape of combination looks like a shining necklace and also lifts your smile, greeting the glorious future.

[Product Features]

1. Using this machine to diffuse essential oils can naturally clean the air and help to improve quality of your life
2. To diffuse essential oils by this ultrasonic diffuser makes a "Fragrance" environment that makes people reduce their stress and anxiety
3. The air is drier under air-conditioned environment. Using this diffuser can help to regulate humidity around you to avoid dry skin
4. This machine is designed by double-protection technologies (the water level probe and water conservation technologies)
5. Its ultrasonic oscillation with vibrational frequency of 2.6 million times per second makes essential oils to spread more widely
6. To diffuse essential oils by the diffusor is more safe and healthy than conventional therapy way of combustion heating oils, which maybe easier to destroy the molecular structure of essential oils
7. Friendly design of three operational modes makes people easily to operate .
8. Low electricity consumption .
9. This diffuser builds a special over current protector for you to use more safely
10. It has colorful manual to read friendly and provides a free water cup.

[Specifications:]

Input : 100~240 V, 50~60 Hz
Output : DC24V, 750 mA
Power consumption, about 14W
Size : 126 x 97 x 293 mm
Weight : 340 g

Exhibit 21

alpinbreeze

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

AlpinBreeze, LLC. Opposer, vs. Evertec Information Technology Co., LTD. Applicant,	Opposition No. 91198063

APPLICANT'S FIRST SET OF INTERROGATORIES TO OPPOSER

TO: Matthew H. Swyers, Esq., The Trademark Company, PLLC, 344 Maple Avenue West, Suite 151, Vienna, VA 22180

From: You-Yi Lin, 1f No. 229 Sihwei Street, Jhubei City, Hsinchu County, 30242, Taiwan R.O.C.

COMES NOW Applicant, EVERTEC INFORMATION TECHNOLOGY CO., LTD.("Applicant"), in accordance with rules, propounds the following interrogatories upon AlpinBreeze, LLC.("Opposer") to be answered within the time by related rules.

DEFINITIONS

A. The term "Applicant" shall mean EVERTEC INFORMATION TECHNOLOGY CO., LTD., and/or any present or former servant, agent, attorney or other representative action on his behalf.
B. The term "Opposer" shall mean AlpinBreeze, LLC, and/or any present or former servant, agent, attorney or other representative action on his behalf.
C. The term "trademark" or "mark" includes trademarks, service marks, collective marks, and so forth.
D. The term "in the U.S." shall mean use in interstate and/or intrastate commerce in the United States.
E. The term "Applicant's Mark" refers to the mark ALPINBREEZE and

EXHIBIT
3

design as identified in U.S. Trademark Serial No. 77/922,346.

F. The term “Opposer’s Mark” refers to the mark referred by Opposer in the instant Notice of Opposition.

G. The term “you” shall mean the party or person to whom these interrogatories are propounded, all agents, employees, servants, attorneys, and all other representatives, and persons over whom the person or party to whom these interrogatories are propounded has the right to or does control or direct and activities.

H. The phrase “legal action” shall mean submission of correspondence to the Opposer or any third party not a party to this proceeding requesting that they cease use of a mark, or institution of any legal proceeding in the United States Patent & Trademark Office, state, or federal court or agency.

INTERROGATORY NO. 1:

State in detail the nature of the business, operations, activities, and countries conductor by Opposer.

ANSWER:

INTERROGATORY NO. 2:

Identify each person who has knowledge of Opposer’s selection and adoption of Opposer’s Mark and who has knowledge of how it is used and/or intended to be used. To the extent this interrogatory identifies more than ten (10) persons, limit the response to only those persons who possess the most knowledge.

ANSWER:

INTERROGATORY NO. 3:

Describe in detail all goods and services formerly and currently being offered by Opposer in conjunction with Opposer’ Mark and any goods or services intended to be used in connection with Opposer’s Mark in the future identifying the dates on which Opposer first began such use(s) and /or intends to begin such use and the geographic areas in which such use occurred and/or will

occur.

ANSWER:

INTERROGATORY NO. 4:
Describe any periods since Opposer's alleged date of first use, and during which Opposer did not make use of Opposer's Mark.

ANSWER:

INTERROGATORY NO. 5:
With regard to each good and/or service identified in your response to Interrogatory No. 3, state the annual sales in units and dollars from the date of first use of each such good and/or service to year 2011. Please also state the annual sales plan in units and dollars in year 2012. How much tax does Opposer pay to US government for US sales?

ANSWER:

INTERROGATORY NO. 6:
With regard to each good and/or service identified in your response to Interrogatory No. 3, describe in detail the manner in which Opposer's Mark is promoted in the United States, including but not limited to the media and mode of any marketing efforts in addition to the geographic regions in which sad promotions are conducted.

ANSWER:

INTERROGATORY NO. 7:
For each medium identified in the preceding interrogatory, state the annual expenditure including year 2011 for advertising and promotion since inception.

ANSWER:

INTERROGATORY NO. 8:
Identify the person or persons who, from the date of Opposer's claimed date of first use of Opposer's Mark to the present, has or have been responsible for the marketing and/or promotion of Applicant's goods and services under Opposer's Mark indicating the period during which each person was so responsible.

ANSWER:

INTERROGATORY NO. 9:
Identify all advertising agencies, public relations agencies or market research agencies that Opposer has used, participated with or cooperated with in advertising, marketing or promoting the goods/services identified in response to Interrogatory No. 3, and indicate the time period(s) during which such activities were conducted.

ANSWER:

INTERROGATORY NO. 10:
With regard to each good and/or service identified in your response to Interrogatory No. 3, describe in detail the channels of distribution by which the goods and/or services of Opposert reach or are expected to reach the ultimate user of consumer.

ANSWER:

INTERROGATORY NO. 11:
Identify any and all licensees of Opposer's Mark, if any, and in so doing, describe each licensing arrangement and identify each product and/or service offered or sold by each licensee under Opposer's Mark or similar designation.

ANSWER:

INTERROGATORY NO. 12:
Describe in detail all quality control measures adopted and used by Opposer in the oversight of the use of Opposer's Mark by the licensees identified in the preceding interrogatory.

ANSWER:

INTERROGATORY NO. 13:
Describe in detail any adversarial proceeding or challenge, if any, involving Opposer's Mark, or any similar designation, before the Trademark Trial and Appeal Board, Bureau of Customs, Federal Trade Commission, or any court or tribunal, including but not limited to any challenge by cease and desist letter to Opposer's Mark.

ANSWER:

INTERROGATORY NO. 14:
Identify and describe any and all opinions relating to the Opposer's Mark, including but not limited to Opposer's use of the mark vis-à-vis Applicant's Mark.

ANSWER:

INTERROGATORY NO. 15:
Identify and describe any and all investigations, polls, studies, evaluations, analysis, tests, ratings, or surveys relating to Opposer's Mark or Applicant's Mark, including but not limited to Opposer's user of Oppoeser's Mark.

ANSWER:

INTERROGATORY NO. 16:
Identify and describe any and all investigations, polls, studies, evaluations, analysis, tests, ratings, or surveys relating to Opposer's Mark, including but not limited to Applicant's use of Applicant's Mark and/or Applicant's use of

Applicant's Mark as it relates and/or otherwise affects Opposer's Mark.

ANSWER:

INTERROGATORY NO. 17:
Describe in detail Opposer's awareness and knowledge of Applicant, Applicant's business activities, Applicant's Mark, and/or Applicant's use of Applicant's Mark, prior to as well as subsequent to Opposer's use of Opposer's Mark and filing of its federal trademark applications, and in so doing, state the dates on which each person or persons gained such knowledge or awareness.

ANSWER:

INTERROGATORY NO. 18:
Identify the intended and actual class or type of consumers of Opposer's products and services offered and/or sold under or in connection with Opposer's Mark or similar designation in US.

ANSWER:

INTERROGATORY NO. 19:
Identify and describe any instances of actual confusion or mistake with respect to the goods and services sold or offered by Opposer and the goods and services sold or offered by Applicant in US.

ANSWER:

INTERROGATORY NO. 20:
State in detail how Opposer contends it uses Opposer's Mark in interstate commerce.

ANSWER:

INTERROGATORY NO. 21:
Opposer alleged stated You-Yi Lin was a Sales Manager for Opposer. Please state the period of time that You-Yi was employed by Opposer, and numbers of employees of Opposer during that time.

ANSWER:

INTERROGATORY NO. 22:
Describe any employment agreements between Opposer and You-Yi Lin, and what the monthly or yearly salary base Opposer offered for the manager as well as the ways to furnish salary via different countries.

ANSWER:

INTERROGATORY NO. 23:
Describe what kind of labor laws Opposer adopts to use for employment. Does Opposer also offer labor insurance?

ANSWER:

INTERROGATORY NO. 24:
Describe how Opposer created and/or adopted Opposer's Mark. Does Opposer create and own the copyright of the design of Opposer's Mark? Did Opposer ever discuss with You-Yi Lin for Opposer's Mark? If Opposer did not create Opposer's Mark, identify the person or entity that did.

ANSWER:

INTERROGATORY NO. 25:
Identify each lay and expert witness Opposer expects to call to testify on its behalf in this matter, and state the subject matter of each such witnesses' expected testimony, and each exhibit that Opposer intends to introduce or rely upon in connection with each such witness.

ANSWER:

INTERROGATORY NO. 26:
Identify and describe all documents Opposer expects to use, introduce or rely upon at the time of trial in this matter.

ANSWER:

INTERROGATORY NO. 27:
Identify all persons who were consulted or participated in the preparation of the answers to these interrogatories.

ANSWER:

INTERROGATORY NO. 28:
Has a third-party ever taken legal action against the Opposer regarding the Opposer' use of Opposer's Mark? If so, please set forth, with particularity the following:

1. The name and address of the party against whom the legal action was instituted;
2. the date(s) during which the legal action transpired;
3. a complete description of the legal action taken;
4. if the legal action took place before the United States Patent & Trademark Office or any state or federal court or agency, the name of the entity in which it took place including the proceeding number assigned thereto;
5. a complete description of the allegations included in the legal action;
6. the result of the legal action.

ANSWER:

Date: November 7, 2011

/You-Yi Lin/
You-Yi Lin
Evertec Information Technology Co., LTD.
1F., No. 229, Sihwei St., Jhubei City
Hsinchu County, 30242, Taiwan
Tel: 886-2-8286-2866 Fax: 886-2-2848-3458
Email: frans_lin@evertec.asia

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CERTIFICATE OF SERVICE

I hereby certificate that a copy of the foregoing **APPLICANT'S FIRST SET OF INTERROGATORIES TO OPPOSER** has been sent to addresses below by air mail from Taiwan on November 7, 2011.

Matthew H. Swyers
The Trademark Co.
344 Maple Ave W Ste 151
Vienna Va 22180, US
Tel: (800) 906-8626

/You-Yi Lin/
You-Yi Lin

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

AlpinBreeze, LLC. Opposer, vs. Evertec Information Technology Co., LTD. Applicant,	Opposition No. 91198063

APPLICANT'S FIRST REQUESTS
FOR PRODUCTION OF DOCUMENTS TO OPPOSER

TO: Matthew H. Swyers, Esq., The Trademark Company, PLLC, 344 Maple Avenue West, Suite 151, Vienna, VA 22180

From: You-Yi Lin, 1f No. 229 Sihwei Street, Jhubei City, Hsinchu County, 30242, Taiwan R.O.C.

Pursuant to related rules, Applicant, EVERTEC INFORMATION TECHNOLOGY CO., LTD. ("Applicant") requests that Opposer, AlpinBreeze, LLC.("Opposer") produces and permits Applicant to inspect and copy the Documents (as defined hereinafter) and things designated.

A. "Documents" includes "things" and is defined in the broadest sense permitted by the Federal Rules of Civil Procedure and the Trademark Rules of Practice, including without limitation, written documents, audio or video recordings, and computer data together with printouts of screen displays, "Documents" includes each writing or record not identical to the original.

B. The term "Applicant" shall mean EVERTEC INFORMATION TECHNOLOGY CO., LTD., and/or any present or former servant, agent, attorney or other representative action on his behalf.

C. The term "Opposer" shall mean AlpinBreeze, LLC, and/or any present or former servant, agent, attorney or other representative action on his behalf.

D. "Person(s)" means any individual, firm, partnership, cooperation,

EXHIBIT
4

proprietorship, association, governmental body or any other organization or entity.

E. "Concerning" means relating to, referring to, describing, evidencing or constituting.

F. The term "Applicant's Mark" refers to the mark ALPINBREEZE and design as identified in U.S. Trademark Serial No. 77/922,346.

G. The term "Opposer's Mark" refers to the mark referred by Opposer in the instant Notice of Opposition.

REQUESTS FOR PRODUCTION

With regard to any Document specified below for which a claim of privilege or work product is made, please indicate the nature of the Document' identify the name, address, occupation, title and business affiliation of the writer, the addressee and all recipients thereof, the general subject matter to which the Document relates, and its date.

The Documents designated for producing are the following:

1. All Documents evidencing, referring, or relating to the selection or adoption by Opposer of Opposer's Mark.

RESPONSE. 1:

2. Documents sufficient to identify each Person who participated or was involved in the selection of Opposer' Mark, and with regard to each Person so identified, the nature and scope of his or her involvement.

RESPONSE. 2:

3. All Documents evidencing, referring, or relating to the applications to register Opposer's Mark by Opposer, and any communication(s) between Opposer or its attorneys and the United State Patent and Trademark Office in connection with Opposer's Mark.

RESPONSE. 3:

4. All Documents evidencing, referring, or relating to measures taken by Opposer to determine the availability of Opposer's Mark at any time, including any investigative or background materials on marks or entities reflected in any trademark search.

RESPONSE. 4:

5. All Documents evidencing, referring, or relating to alternative names, phrases, logos, designs or words considered by Opposer, whether or not adopted, in connection with the process that resulted in the adoption of Opposer's Mark for any products or services of Opposer.

RESPONSE. 5:

6. All Documents evidencing, referring, or relating to Opposer's first use of Opposer's Mark as trademarks or service marks or name in connection with any products, services, or business activities of Opposer.

RESPONSE. 6:

7. All Documents evidencing, referring, or relating to Opposer's use of Opposer's Mark after the first use of Opposer's Mark as trademarks or services marks or name in connection with any products, services or business activities of Opposer.

RESPONSE. 7:

8. All Documents evidencing, referring, or relating to goods or services offered by Opposer under or pursuant to Opposer's Mark.

RESPONSE. 8:

9. All Documents evidencing, referring, or relating to agreements entered into by Opposer with third parties, which relate or refer to the use of Opposer's Mark.

RESPONSE. 9:

10. Examples of all advertising, promotional materials, packaging, labeling, data sheets, instructional material, media documents, or other printed materials evidencing, relating to, or referring to use or promotion of the products or services offered under Opposer's Mark.

RESPONSE. 10:

11. Examples of each screen display, link, frame, window, brochure, advertisement, flyer, business card or promotional material Opposer uses in connection with any products or services offered under Opposer's Mark.

RESPONSE. 11:

12. Documents sufficient to identify the channels of trade through which Opposer distributes products or offers services under Opposer's Mark including, without limitation, documents sufficient to identify the customers, sales agents, dealerships, distributors or other outlets through which an products or services are or have been sold since Opposer's adoption of the Opposer's Marks.

RESPONSE. 12:

13. Documents sufficient to identify the geographic areas in which Opposer's products or services bearing Opposer's Mark are or at any time have been distributed or offer for sale.

RESPONSE. 13:

14. Documents sufficient to identify the persons that have bought products or services under Opposer's Mark.

RESPONSE. 14:

15. Representative examples of price lists and other documents that show the prices, both wholesale, suggested retail, and any other price category utilized by Opposer, at which products or services under Opposer's Mark have been sold or offered for sale.

RESPONSE. 15:

16. Documents sufficient to show Opposer's monthly, if available, or, if not, for each separate period reflected in Opposer's books and records, gross wholesale sales in dollars and in units, of each of the products or services under Opposer' Mark.

RESPONSE. 16:

17. Documents sufficient to show the tax paid to US government in dollars bearing Opposer's Mark.

RESPONSE. 17:

18. All Documents evidencing, referring, or relating to any sales or marketing plans for products or service sold as well as year 2012 under Opposer's Mark.

RESPONSE. 18:

19. All Documents evidencing, referring, or relating to types of purchasers or users of any products or services sold under Opposer's Mark, including, but not limited to, any research or studies related to such purchasers or users.

RESPONSE. 19:

20. All Documents evidencing, referring, or relating to vendors and future vendors for manufacturing products under Opposer's Mark.

RESPONSE. 20:

21. All Documents evidencing, referring, or relating to Opposer's expenditures for each advertising or promotional document, medium, or activity used to advertise or promote products or services under Opposer's Mark in US.

RESPONSE. 21:

22. Documents sufficient to identify the types of purchasers or end users who

are of may be expected purchasers or users of any products or services sole under Opposer's Mark in US, including but not limited to , any research or studies related to such purchasers or users.

RESPONSE. 22:

23. Documents sufficient to identify any alleged qualities or advantages of Opposer's products or services sold under Opposer's Mark.

RESPONSE. 23:

24. Documents sufficient to identify You-Yi Lin was employed by Opposer.

RESPONSE. 24:

25. Documents sufficient to show salary transferring records, labor insurance, employed contract, tax matters, and so forth by hiring You-Yi Lin.

RESPONSE. 25:

26. Documents sufficient to identify any actual or threatened litigation involving trademark infringement or unfair competition claims in which Opposer has been engaged including any opposition or cancellation proceedings before the United States Patent and Trademark Office.

RESPONSE. 26:

27. Copies of any and all settlement, consent, or other agreements entered with third-parties concerning Opposer's enforcement efforts in related to Opposer's Mark.

RESPONSE. 27:

28. All documents which relate or refer to all content displayed on any website maintained or used by Opposer which makes any use of Opposer's Mark.

RESPONSE. 28:

29. Each and every document which Opposer will rely upon to establish claims

and defenses set forth in its Answer in the matter.

RESPONSE. 29:

30. All specimens submitted to the USPTO in connection with the applications for Opposer's Mark.

RESPONSE. 30:

31. Each and every document which related or refers to all bona fide uses of Opposer's Mark.

RESPONSE. 31:

32. All documents referred to in your answers to APPLICANT'S FIRST SET OF INTERROGATORIES TO OPPOSER not produced in response to another request for production of documents.

RESPONSE. 32:

Date: November 7, 2011

/You-Yi Lin/

You-Yi Lin
Evertec Information Technology Co., LTD.
1F., No. 229, Sihwei St., Jhubei City
Hsinchu County, 30242, Taiwan
Tel: 886-2-8286-2866 Fax: 886-2-2848-3458
Email: frans_lin@evertec.asia

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Matthew H. Swyers
The Trademark Co.
344 Maple Ave W Ste 151
Vienna Va 22180, US
Tel: (800) 906-8626

/You-Yi Lin/
You-Yi Lin