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

Proceeding	91202898
Party	Defendant Mikhail Levitin T/A Mikhail Levitin Institute
Correspondence Address	MIKHAIL LEVITIN PO BOX 102 REEDERS, PA 18352-0102 UNITED STATES vitality@ptd.net
Submission	Motion to Compel Discovery
Filer's Name	Mikhail Levitin
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Date	06/19/2013
Attachments	06.19.13 IN THE UNITED STATES PATENT AND TRADEMARK OFFICE0.pdf(17385 bytes )

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

**L'Oréal S.A. and L'Oréal USA, INC.,**  
Opposer,

In the Matter of Application  
Serial No: 85/270,272

vs.

Re: Mark: FOREAL FOR'EAL  
BY MIKHAIL

**MIKHAIL LEVITIN T/A**  
**MIKHAIL LEVITIN INSTITUTE,**  
Applicant

MOTION FOR AN ORDER COMPELLING DISCOVERY

The Defendant is moving for an order compelling an answer, designation, and production from Plaintiff. This motion made by Defendant due to the fact that:

- (i) the deponent refused to answer a question asked under Rule 30 or 31;
- (ii) the deponent failed to make a designation under Rule 30(b)(6) or 31(a)(4);
- (iii) the deponent does not intend to answer an interrogatory submitted under Rule 33.

Defendant have cooperated with Plaintiff multiple times when there was a need to extend a deadline and to help Plaintiff to be properly prepared for the case.

Defendant not a lawyer and was misled by Plaintiff's repetitious requests for extending time.

Plaintiff reassured Defendant that if and when Defendant needed a extension of a deadline or any other cooperation from Plaintiff, it would not be a problem.

It will not prejudice the Plaintiff's case if the Court will support Defendant's Motion but it would be a greatly prejudice the Defendant's case if it will not.

AND NOW, Applicant is pleading to the Board to allow late submitted discovery, and than order compelling Defendant's discovery by Plaintiff within a reasonable time, and that Defendant be allowed to be in possessing of the material for a reasonable period of time before having to respond to it.

Respectfully submitted,

By: /Mikhail Levitin/

Mikhail Levitin

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CERTIFICATE OF SERVICE

I hereby certify that on June 19, 2013, a true and complete copy of the foregoing MOTION FOR AN ORDER COMPELLING DISCOVERY on the conditions stated in Rule 37 has been served on Opposer electronically, as agreed upon by the parties, by sending this copy by e-mail to **Natalie Furman, Associate, Litigation Department** at [nataliefurman@paulhastings.com](mailto:nataliefurman@paulhastings.com).

/Mikhail Levitin/  
Mikhail Levitin