ESTTA Tracking number: **ESTTA554434**
Filing date: **08/16/2013**

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

Proceeding	91207836
Party	Plaintiff VOLVO TRADEMARK HOLDING AB
Correspondence Address	LEIGH ANN LINDQUIST SUGHRUE MION PLLC 2100 PENNSYLVANIA AVENUE NW WASHINGTON, DC 20037 UNITED STATES llindquist@sughrue.com
Submission	Motion to Compel Discovery
Filer's Name	Leigh Ann Lindquist
Filer's e-mail	mjimenez@sughrue.com
Signature	/Leigh Ann Lindquist/
Date	08/16/2013
Attachments	H00124OPPOSER'SMOTIONTOCOMPEL.pdf(339996 bytes) H00124EXHIBITAMotiontoCompel.pdf(163767 bytes) H00124EXHIBITBMotiontoCompel.pdf(71046 bytes) H00124EXHIBITCMotiontoCompel.pdf(213418 bytes) H00124EXHIBITDMotiontoCompel.pdf(36091 bytes) H00124EXHIBITEMotiontoCompel.pdf(51523 bytes) H00124EXHIBITFMotiontoCompel.pdf(328776 bytes) H00124EXHIBITGMotiontoCompel.pdf(25264 bytes) H00124EXHIBITHMotiontoCompel.pdf(346322 bytes) H00124EXHIBITIMotiontoCompel.pdf(365359 bytes)

Attorney Ref.: H00124

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

Volvo Trademark Holding AB, Opposer, v. Wolvol Inc.,	Opposition No.: 91207836

OPPOSER'S MOTION TO COMPEL

Opposer, by its attorney, hereby moves to compel answers to certain of its interrogatories and document requests.

Opposer, on April 15, 2013, served Applicant with interrogatories and document requests. Copies of the interrogatories and document requests are enclosed herewith as Exhibit A. Responses to the interrogatories and document requests were due on or before May 20, 2013. Opposer did not receive responses or any other communication from Applicant by that date.

On June 7, 2013, Opposer sent a letter to Applicant and requested that Applicant provide responses to the outstanding discovery requests. Attached as Exhibit B is a copy of the email sent on that date with the letter.

On June 14, 2013, the parties held a telephone conference in which Applicant claimed to have not received copies of the discovery requests. On June 18, 2013, Opposer' counsel forwarded via email copies of the discovery requests and requested complete responses by June 30, 2013. See Exhibit C.

Applicant forwarded responses to Opposer's interrogatories on June 24, 2013. See Exhibit

D. Applicant did not forward responses to the document requests by June 30, 2013. On July 2, 2013, Opposer's counsel contacted Applicant and asked for responses to the document requests. See Exhibit E. There were a number of emails exchanged regarding the document requests, and on that date Opposer's counsel again sent the document requests to Applicant. See Exhibit F.

On July 15, 2013, Applicant forwarded responses to Opposer's document requests. See Exhibit G. On that same day, Opposer sent a letter to Applicant and advised that Applicant's responses to both Opposer's interrogatories and document requests were deficient. Opposer requested that Applicant provide amended responses by July 19, 2013. See Exhibit H. Applicant did not respond to Opposer's July 15 communication, and Opposer sent the letter again on July 25, 2013. Exhibit I. To date, Opposer has not received a response to its July 15, 2013 letter. This motion to compel has followed.

Opposer seeks amended responses to Interrogatory Nos. 1-16 and 18-20, and amended responses to Document Request Nos. 1-12. Opposer further notes that neither responses are signed and the Interrogatory responses have not been verified.

Interrogatories

Interrogatory Nos. 1 and 2 seek the identity of people. The response to both Interrogatories is "Volvie or Wolf Brown". The Instructions to the Interrogatories clearly state that "'Identify' with respect to persons means to give, to the extent known, the person's full name, present or last known address and when referring to a natural person, additionally, present or last known place of employment". Opposer simply has no idea whether or not Volvie and Wolf Brown are people. Moreover, if these are people, there is no information identifying them as requested in the instructions.

Interrogatory No. 3 asks for the identity of the person(s) most knowledgeable about the business operations of Applicant. The response was "Wolvol Inc." Applicant has not provided a name of a person and has not identified any person in accordance with the Instructions for the Interrogatories.

Interrogatory No. 4 seeks the names of other entities using the WOLVOL mark. The response was "It's in labeling, marketing, branding and advertising of all products under the brand name of wolvol." This is non-responsive and does not provide the information sought in Interrogatory No. 4. If no other entities use WOLVOL, Applicant needs to indicate that.

The response to Interrogatory No. 5 is also non-responsive. Opposer asks that Applicant describe every way its mark is used in connection with its products and business. Applicant responded: "Wolvol". An acceptable response would describe how the mark is used, for example on packaging, on the product, etc.

Interrogatory No. 6 asks for a list of domain names which include WOLVOL. Applicant again provided a non-responsive and incomprehensible answer: "General wholesale and retail channels including online channels".

For Interrogatory No. 7, Applicant responded "Amazon and related search engines, as well as local outlets in NY". This response, like the ones mentioned above, is non-responsive and incomprehensible. The interrogatory asks Applicant to describe its channels of trade and distribution channels. Opposer does not know what "related search engines" means. Further Opposer does not know what "local outlets in NY" means. The response is non-responsive, incomprehensible and vague.

Interrogatory No. 8 asks for the identity of media in which Applicant advertises and

promotes its WOLVOL product. The response: "Not public information. We have that info in our offices." Applicant's very late responses to Opposer's discovery requests means that Applicant is not able to object to Opposer's requests. Moreover, media in which a product is advertised and promoted could never be "confidential" - how would consumers ever then learn of the product? The response is non-responsive and incomprehensible. Moreover, the standardized protective order is in place in this proceeding. Information may be provided under the protective order.

Interrogatory No. 9 seeks information about Applicant's sales revenue. Once again Applicant's response is non-responsive and incomprehensible. The response: "Our target market is the typical tablet and related gadget user".

Applicant again raises an objection on "privacy" grounds in response to Interrogatory No. 10 which seeks information about Applicant's customers and market segment. Such information is not confidential and, if Applicant believes the information to be confidential, it is able to provide that information under the protective order in place.

Applicant provided no response to Interrogatory No. 11 - n/a. Applicant's advertising expenditures are relevant and may be disclosed under the protective order, if Applicant seeks to keep that information confidential.

Interrogatory No. 12 seeks information about Applicant's advertising. Applicant was to list publications in which its mark was advertised and include the title, date and page number of any such publication. Applicant responded: "We generally advertise by local events in NY, as well in the electronic advertising search engines". If Applicant does not advertise in printed publications, it needs to state that. The response is non-responsive to the Interrogatory.

Interrogatory No. 13 asks for Applicant to identify trade shows and the like which Applicant attended to promote products under its mark. The Interrogatory further asks for the identity of documents related to those trade shows. Applicant responded "KerenLasukim is no longer the owner of Wolvol, and the same is with the DBA of thevbskyreading.org." Applicant has not responded to the Interrogatory; the response provided is incomprehensible.

Interrogatory No. 14 asks for a description of the relationship between Applicant and Keren Lasukim, Inc. DBA thevbskyreading.org. Applicant responded: None. Based on the response provided to Interrogatory No. 13, Opposer does not believe there is no relationship between the entities. Moreover, the document filed by Applicant on December 6, 2012 as an "Answer" with the Trademark Trial and Appeal Board is "signed" by a representative for Keren Lasukim, Inc. DBA thevbskyreading.org. The answer dated January 17, 2013 (unsigned) lists Keren Lasukim, Inc. DBA thevbskyreading.org at the top of the document. Applicant is not being forthcoming in its response to this Interrogatory.

Interrogatory No. 15 asks whether or not Applicant has received a legal opinion regarding its WOLVOL mark. Applicant responded: "When we filled our trademark". The Interrogatory calls for a "yes" or "no" response which Applicant has not provided.

Interrogatory No. 16 asks for Applicant's first awareness of Opposer's use or registration of the VOLVO mark. Applicant responds: "We had the office actions from the trademark governments office, also we had a phone conference in Feb with the opposer's attorney, then in June 2013 we received these questions". This response is incomprehensible and needs to be amended.

Applicant did not respond to Interrogatory Nos. 18-20.

Applicant's responses as seen above are generally incomprehensible and non-responsive.

Opposer requires amended responses so that it may prepare its case.

Document Requests

Applicant has not provided any documents in response to Opposer's document requests. It also has not indicated that documents are available for copying and inspection.

In response to Document Request Nos. 1, 2 and 3, Applicant stated that documents were attached. Nothing was attached to the responses.

Request No. 3 seeks documents evidencing the use of the WOLVOL mark as of October 23, 2011, which is the filing date of Applicant's use based application for WOLVOL. Applicant responded: "It was on all major retail sites. Amazon, Google, eBay." No documents evidencing such use have been produced.

Document Request No. 4 asks for documents evidencing Applicant's channels of trade. Applicant's response to Request No. 4 is practically identical to that for Request No. 3 and again, no documents have been produced.

Document Request No. 5 seeks documents related to Applicant's classes of customer. The response with no documents produced was "We sell to all classes". The documents evidencing such information must be produced.

Document Request No. 6 asks for documents relating to advertising and promotion. Applicant responded: "It's in our confidential records". As noted above, advertising and promotional documents [such as advertisements] cannot be confidential. Even if they were, the documents should be produced under the protective order.

Document Request No. 7 asks for documents relating to Applicant's total sales of its goods. Document Request No. 8 seeks information evidencing expenditures made for advertising and

promotion. In response to both of these requests, Applicant stated "It's in our corporate filings. (we will make it available upon court demand only)". This response is clearly not within the spirit of the Federal Rules of Civil Procedure and the Board's Rules. The documents should be produced.

Document Request No. 9 asks for documents which relate to Opposer's VOLVO mark and/or Applicant's first awareness of that mark. Applicant answered that the opposition documents are available at the USPTO.GOV. This is non-responsive and incomprehensible. A complete response is required.

Similarly, Opposer asks for all documents that relate to Opposer in Document Request No. 10. Applicant again states that the opposition documents are at USPTO.GOV. Applicant has not provided a complete and comprehensible response to the Interrogatory. An amended response is required.

Interrogatory No. 11 seeks documents evidencing that Applicant is the owner of the WOLVOL mark. Applicant states that all information regarding its mark is available at the USPTO.GOV. Applicant has not filed an answer to the Opposition. Keren Lasukim, Inc. DBA thevbskyreading.org filed the answer. The listed Applicant is Wolvol, Inc. It would appear based on the information submitted in this opposition proceeding that Wolvol, Inc. is not the owner of the mark and was not entitled to file the application. Opposer needs documents evidencing Wolvol's ownership of the WOLVOL mark.

Interrogatory No. 12 asks for documents evidencing the relationship between Applicant and Keren Lasukim, Inc. DBA thevbskyreading.org. Applicant responded: "We have no relationship as par an entity ownership with them any longer". Applicant needs to provide information and documents showing the past relationship between these entities, especially in light of Applicant's

response to Interrogatory No. 13.

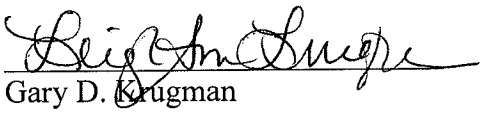
Under the circumstances, the Board is respectfully requested to grant this motion to compel and order Applicant to respond, without objection, to certain of Opposer's interrogatories and document requests as detailed above.

Opposer states that it has made a good faith effort, by correspondence, to resolve with the Applicant the issues presented in the motion but has been unable to do so.

Opposer also requests that these proceedings be suspended. Opposer further requests that once the proceedings have been reinstituted that discovery be extended for at least 60 days to permit Opposer time to determine whether or not any additional claims need to be added to the Notice of Opposition.

Respectfully submitted,

VOLVO TRADEMARK HOLDING AB

By: 

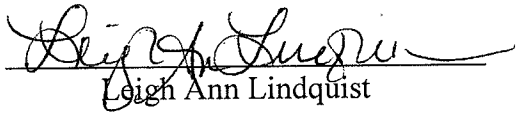
Gary D. Krugman
Leigh Ann Lindquist
SUGHRUE MION, PLLC
2100 Pennsylvania Avenue, N.W.
Washington, D.C. 20037-3202
Tel: (202) 663-7909
Fax: (202) 331-4308

Date: August 16, 2013

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing **OPPOSER'S MOTION TO COMPEL ANSWERS TO DISCOVERY** has been mailed this 16th day of August, 2013, via mail and email to:

Aron Gancfried
Ez Incorporate Inc
952 52nd St
Brooklyn, NY 11219-4002
service.bpd@gmail.com



Leigh Ann Lindquist

EXHIBIT A

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

Volvo Trademark Holding AB, Opposer, v. Wolvol Inc.,	Opposition No.: 91207836

OPPOSER'S FIRST SET OF INTERROGATORIES TO APPLICANT

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure and Trademark Rules 2.116 and 2.120, Opposer hereby requests that Applicant answer separately and fully, in writing and under oath, each of the following interrogatories, and serve such answers on counsel for Opposer within thirty days of service of these interrogatories. Applicant shall supplement and/or amend its responses to the interrogatories in accordance with Rule 26(e) of the Federal Rules of Civil Procedure.

INSTRUCTIONS

1. In answering these interrogatories, please furnish all information currently known or available to you or your attorneys.

2. Please record a separate answer for each interrogatory and interrogatory subpart. Please set forth and identify the source of each answer separately by identifying each person who you know has personal knowledge of the facts or information forming the basis of the answer which you give.

3. If you contend that any information is protected by privilege, identify the privilege relied on, the persons who have the requested information and any document which contains the information, including for each document:

a) the type of document;

b) the author;

c) the recipients;

d) the date;

e) the subject matter;

f) the basis of the privilege.

4. If you are unable to respond fully to any interrogatory herein, you should respond to the extent possible and provide an explanation as to why a full response is not possible.

5. All interrogatories herein are directed to that information or those documents within your possession, custody or control, or within the possession, custody or control of your agents, servants and employees and, unless privileged, your attorney. They are also directed to those firms, corporations, partnerships, or trusts that you control and to documents in the possession, custody or control of the employees, agents, next friends, trustees, guardians and/or representatives of such entities.

6. These interrogatories shall be deemed to be continuing. Your attention is directed to Rule 26(e)(1) of the Federal Rules of Civil Procedure which provides as follows:

> A party who has made a disclosure under Rule 26(a) — or who has responded to an interrogatory, request for production, or request for admission — must supplement or correct its disclosure or response:
>
> (A) in a timely manner if the party learns that in some material respect the disclosure or response is incomplete or incorrect, and if the additional or corrective information has not otherwise been

made known to the other parties during the discovery process or in writing

DEFINITIONS

The following definitions shall apply to these interrogatories and instructions thereto:

1. "You," "Your" or "Opposer" refers to Volvo Trademark Holding AB and any parent companies, subsidiaries, affiliates, agents, employees, distributors and representatives.

2. "Applicant" refers to Wolvol Inc. and any of its employees and representatives.

3. "Document" means that the original and all non-identical copies of any writing of any kind, which is known by you to exist or to have existed or which at any time has been in your possession, custody, or control, including, but not limited to letters, envelopes, forms, affidavits, correspondence, telegraphs, telecopies, telefaxes, paper communications, signed statements, tabulations, charts, memoranda, checks, appointment books, records, proposals, memoranda or other transcripts by mechanical device, by long hand or short hand recording, tape recorded or by electronic or by any other means, computer generated information, computer software, data stored in a computer, intra-office communications, inter-office communications, all summaries of all communications, telephonic or otherwise, microfiche, microfilm, lists, bulletins, calendars, circulars, desk pads, opinions, ledgers, minutes, agreements, journals, diaries, contracts, invoices, balance sheets, telephone messages or other messages, magazines, pamphlets, articles, notices, newspapers, studies, worksheets, telexes, cables and all other graphic materials, writings and instruments, however produced or reproduced. A document includes all documents appended thereto.

4. "Relating to" or "Relate to" means constituting, discussing, mentioning, containing, analyzing, embodying, reflecting, identifying, incorporating, describing, commenting on, referring to, considering, recommending, dealing with or pertaining to in whole or in part.

5. "Identify" with respect to persons means to give, to the extent known, the person's full name, present or last known address and when referring to a natural person, additionally, present or last known place of employment. Once a person has been identified in accordance with this paragraph, only the name of that person need to be listed in response to subsequent discovery requests in the identification of that person.

6. "Identify" with respect to each document means to give, to the extent known: (a) the type of document; (b) the general subject matter; (c) the date of the document; and (d) the author(s), addressee(s), and recipient(s).

7. "Identify" with respect to oral communications shall mean: (a) the communication medium, i.e., in person or telephonic; (b) the date of each such communication; (c) the full name and current business and residence address of those who were present at each communication; and (d) the substance and nature of each such communication.

8. "Person" means any natural person or any business, legal or governmental agency or association.

9. The connectors "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery requests all responses that might otherwise be construed to be outside its scope.

10. "Including" means including without limitation.

11. "Applicant's Mark" means the mark set forth in Application Serial No. 85/453,974.

INTERROGATORIES

INTERROGATORY NO. 1

Identify the person(s) most knowledgeable about the selection and adoption of Applicant's Mark.

INTERROGATORY NO. 2

Identify the person(s) most knowledgeable about Applicant's use of Applicant's Mark in the United States.

INTERROGATORY NO. 3

Identify the person(s) most knowledgeable about the business operations of Applicant.

INTERROGATORY NO. 4

Identify all entities which are using Applicant’s Mark.

INTERROGATORY NO. 5

Describe every way in which Applicant's Mark is used in commerce by Applicant in connection with its products and business, including but not limited to uses in promotion and advertising.

INTERROGATORY NO. 6

Identify all domain names owned by Applicant which include WOLVOL.

INTERROGATORY NO. 7

Describe the channels of trade and distribution channels through which Applicant's goods bearing Applicant's Mark are promoted, offered, and sold to potential customers and customers in the United States.

INTERROGATORY NO. 8

Identify all media forms in which Applicant's goods have been advertised or promoted in connection with Applicant's Mark in the United States.

INTERROGATORY NO. 9

State Applicant's revenue from sales of goods bearing or associated with Applicant's Mark for each year, inclusive, from 2011 to date.

INTERROGATORY NO. 10

Describe the type of customer and market segment to which Applicant offers, promotes and sells Applicant's goods in connection with Applicant's Mark.

INTERROGATORY NO. 11

State the dollar amount Applicant has expended in advertising and promotions in commerce under Applicant's mark in connection with each medium identified in response to Interrogatory No. 8 since Applicant's use of Applicant's Mark in any manner began.

INTERROGATORY NO. 12

Identify the printed publications available in the United States where Applicant's Mark has been mentioned or displayed in any context, including the title, date and page number of such publication.

INTERROGATORY NO. 13

(a) Identify all trade shows or professional meetings of any type (including date and location) where Applicant's Mark has been displayed and/or promoted in the United States from October 2011 to date.

(b) Identify all documents relating thereto.

INTERROGATORY NO. 14

Describe the relationship between Applicant and Keren Lasukim Inc., DBA thevbskyreading.org.

INTERROGATORY NO. 15

State whether Applicant has ever received an opinion from legal counsel or any other person concerning a possible trademark conflict with Opposer, or the absence thereof, arising out of Applicant's adoption, use or application to register Applicant's Mark.

INTERROGATORY NO. 16

Describe the circumstances surrounding Applicant's first awareness of Opposer's use or registration of the mark VOLVO in any form.

INTERROGATORY NO. 17

Identify all inquiries or communications Applicant has ever received from any source which concerned Opposer and/or Opposer's VOLVO marks or products/services.

INTERROGATORY NO. 18

Identify and describe in detail any instances of actual confusion or inquiries about the relationship of Applicant and/or its products sold under Applicant's Mark to Opposer and/or its products/services.

INTERROGATORY NO. 19

(a) Describe all goods and services offered under Applicant's Mark; and

(b) Identify exemplary documents describing same.

INTERROGATORY NO. 20

Identify all persons who participated in any way in the preparation of the answers or responses to these interrogatories, separately by interrogatory, and state specifically, with reference to interrogatory number, the area of participation of each such person.

Respectfully submitted,

VOLVO TRADEMARK HOLDING AB

By: _____

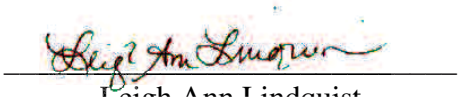
Gary D. Krugman
Leigh Ann Lindquist
SUGHRUE MION, PLLC
2100 Pennsylvania Avenue, N.W.
Washington, D.C. 20037-3202
Tel: (202) 663-7909
Fax: (202) 331-4308

April 15, 2013

CERTIFICATE OF SERVICE

I, Leigh Ann Lindquist, hereby certify that on April 15, 2013, true copies of the **OPPOSER'S FIRST SET OF INTERROGATORIES TO APPLICANT** and **OPPOSER'S FIRST SET OF DOCUMENT REQUESTS TO APPLICANT** were sent via U.S. mail, postage prepaid, to:

Aron Gancfried
Ez Incorporate Inc
952 52nd St
Brooklyn, NY 11219-4002



Leigh Ann Lindquist

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

Volvo Trademark Holding AB, Opposer, v. Wolvol Inc.,	Opposition No.: 91207836

OPPOSER'S FIRST SET OF DOCUMENT REQUESTS TO APPLICANT

In accordance with the provisions of Rule 34 of the Federal Rules of Civil Procedure and Trademark Rule 2.120, Opposer makes the following requests for the production of documents and things to Applicant. The requested documents and things shall be produced for inspection and copying at the offices of Opposer's counsel, SUGHRUE MION, PLLC, 2100 Pennsylvania Avenue, N.W., Washington, D.C. 20037-3202, or at any other location which is mutually agreeable to the parties, within thirty (30) days from service of these requests.

The definitions and instructions set forth in OPPOSER'S FIRST SET OF INTERROGATORIES served concurrently herewith are incorporated herein by reference.

REQUESTS

1. All documents and things identified in Applicant's responses to Opposer's First Set of Interrogatories.

2. All documents and things that evidence Applicant's use of Applicant's Mark.

3. All documents and things that show Applicant's use of Applicant's Mark as of October 23, 2011.

4. All documents and things relating to Applicant's channels of trade, to promote, offer and sell its goods under Applicant's Mark.

5. All documents and things relating to Applicant's classes of customers to which the goods under Applicant's Mark are offered.

6. All documents and things relating to Applicant's advertising and promotion of its goods under Applicant's Mark.

7. All documents and things evidencing total sales of Applicant's goods offered under the Applicant's Mark.

8. Documents and things sufficient to identify Applicant's advertising and promotional expenditures for goods offered under Applicant's Mark.

9. All documents which relate to Opposer's VOLVO mark and/or Applicant's first awareness thereof.

10. All documents and things which refer to Opposer.

11. All documents which show that Applicant is the owner of Applicant's Mark.

12. All documents and things which evidence the relationship between Applicant and Keren Lasukim Inc., DBA thevbskyreading.org.

13. All documents or things upon which Applicant intends to rely in this proceeding.

Respectfully submitted,

VOLVO TRADEMARK HOLDING AB

By: _____

Gary D. Krugman
Leigh Ann Lindquist
SUGHRUE MION, PLLC
2100 Pennsylvania Avenue, N.W.
Washington, D.C. 20037-3202
Tel: (202) 663-7909
Fax: (202) 331-4308

April 15, 2013

EXHIBIT B

Jimenez, Mildred

From: Mullineaux, Valerie
Sent: Friday, June 07, 2013 1:33 PM
To: E7186867526@gmail.com
Cc: Lindquist, Leigh Ann
Subject: RE: Trademark opposition no. 91207836 - Volvo v. Wolvol
Attachments: H00124_deficiency letter.PDF

Importance: High
Sensitivity: Confidential

Re: Volvo Trademark Holding AB v. EZ Incorporate Inc
Opposition No. 91/207,836
Mark: WOLVOL
Our Ref.: H00124

Dear Mr. Gancfried,

Please see attached from Leigh Ann Lindquist.
Original to follow via first class mail.

Valerie Mullineaux
Assistant
Trademark Practice Group

Sughrue
SUGHRUE MION, PLLC

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Washington, DC 20037-3213
T 202.293.7060
F 202.293.7860

www.sughrue.com

Leigh Ann Lindquist
T 202.663.7409
Llindquist@sughrue.com

June 7, 2013
VIA FIRST CLASS MAIL AND EMAIL
E7186867526@gmail.com

Aron Gancfried
EZ Incorporate Inc
952 52nd St
Brooklyn, NY 11219-4002

Re: *Volvo Trademark Holding AB v. EZ Incorporate Inc*
Opposition No. 91/207,836
Mark: WOLVOL
Our Ref.: H00124

Dear Mr. Gancfried:

We served document requests and interrogatories on April 15, 2013 in the above-referenced matter on you. Responses to those discovery requests were due on or before May 20, 2013. To date, we have not received responses.

We are contacting you to advise that we look forward to receiving complete responses to those discovery requests shortly. We remind you that you have now waived any opportunity to object to those discovery requests and interrogatories.

Very truly yours,

Leigh Ann Lindquist

LAL

EXHIBIT C

Jimenez, Mildred

From: Lindquist, Leigh Ann
Sent: Tuesday, June 18, 2013 2:54 PM
To: E7186867526@gmail.com
Subject: RE: Trademark opposition no. 91207836 - Volvo v. Wolvol [IWOV-DCDOC1.FID929131]
Attachments: H00124_First Set of Interrogatories (WOLVOL) As Served.pdf; H00124_First Request for Documents (WOLVOL) As Served.pdf

Attached are copies of Volvo's discovery requests. We expect complete responses by June 30, 2013. As the deadline to respond to these requests passed in May, you have waived your client's right to object to any of these requests.

Leigh Ann Lindquist

Leigh Ann Lindquist

Sughrue Mion, PLLC | 2100 Pennsylvania Ave., N. W.Washington, DC 20037 Office:202-663-7409 | Fax:202-293-7860

Warning: In rare cases, our e-mail filtering software may eliminate legitimate email from clients unnoticed. Therefore, if your mail contains important instructions, please make sure that we acknowledge receipt of those instructions.
This message is intended only for the designated recipient(s). It may contain confidential or proprietary information and may be subject to the attorney-client privilege or other confidentiality protections. If you are not a designated recipient, you may not review, copy or distribute this message. If you receive this in error, please notify the sender by reply e-mail to coordinate retrieval or deletion of this message. Thank you.

-----Original Message-----
From: Mullineaux, Valerie
Sent: Friday, June 07, 2013 1:33 PM
To: 'E7186867526@gmail.com'
Cc: Lindquist, Leigh Ann
Subject: RE: Trademark opposition no. 91207836 - Volvo v. Wolvol
Importance: High
Sensitivity: Confidential

Re: Volvo Trademark Holding AB v. EZ Incorporate Inc
Opposition No. 91/207,836
Mark: WOLVOL
Our Ref.: H00124

Dear Mr. Gancfried,

Please see attached from Leigh Ann Lindquist.
Original to follow via first class mail.

Valerie Mullineaux
Assistant

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

Volvo Trademark Holding AB, Opposer, v. Wolvol Inc.,	Opposition No.: 91207836

OPPOSER'S FIRST SET OF INTERROGATORIES TO APPLICANT

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure and Trademark Rules 2.116 and 2.120, Opposer hereby requests that Applicant answer separately and fully, in writing and under oath, each of the following interrogatories, and serve such answers on counsel for Opposer within thirty days of service of these interrogatories. Applicant shall supplement and/or amend its responses to the interrogatories in accordance with Rule 26(e) of the Federal Rules of Civil Procedure.

INSTRUCTIONS

1. In answering these interrogatories, please furnish all information currently known or available to you or your attorneys.

2. Please record a separate answer for each interrogatory and interrogatory subpart. Please set forth and identify the source of each answer separately by identifying each person who you know has personal knowledge of the facts or information forming the basis of the answer which you give.

3. If you contend that any information is protected by privilege, identify the privilege relied on, the persons who have the requested information and any document which contains the information, including for each document:

a) the type of document;

b) the author;

c) the recipients;

d) the date;

e) the subject matter;

f) the basis of the privilege.

4. If you are unable to respond fully to any interrogatory herein, you should respond to the extent possible and provide an explanation as to why a full response is not possible.

5. All interrogatories herein are directed to that information or those documents within your possession, custody or control, or within the possession, custody or control of your agents, servants and employees and, unless privileged, your attorney. They are also directed to those firms, corporations, partnerships, or trusts that you control and to documents in the possession, custody or control of the employees, agents, next friends, trustees, guardians and/or representatives of such entities.

6. These interrogatories shall be deemed to be continuing. Your attention is directed to Rule 26(e)(1) of the Federal Rules of Civil Procedure which provides as follows:

> A party who has made a disclosure under Rule 26(a) — or who has responded to an interrogatory, request for production, or request for admission — must supplement or correct its disclosure or response:
>
> (A) in a timely manner if the party learns that in some material respect the disclosure or response is incomplete or incorrect, and if the additional or corrective information has not otherwise been

made known to the other parties during the discovery process or in writing

DEFINITIONS

The following definitions shall apply to these interrogatories and instructions thereto:

1. "You," "Your" or "Opposer" refers to Volvo Trademark Holding AB and any parent companies, subsidiaries, affiliates, agents, employees, distributors and representatives.

2. "Applicant" refers to Wolvol Inc. and any of its employees and representatives.

3. "Document" means that the original and all non-identical copies of any writing of any kind, which is known by you to exist or to have existed or which at any time has been in your possession, custody, or control, including, but not limited to letters, envelopes, forms, affidavits, correspondence, telegraphs, telecopies, telefaxes, paper communications, signed statements, tabulations, charts, memoranda, checks, appointment books, records, proposals, memoranda or other transcripts by mechanical device, by long hand or short hand recording, tape recorded or by electronic or by any other means, computer generated information, computer software, data stored in a computer, intra-office communications, inter-office communications, all summaries of all communications, telephonic or otherwise, microfiche, microfilm, lists, bulletins, calendars, circulars, desk pads, opinions, ledgers, minutes, agreements, journals, diaries, contracts, invoices, balance sheets, telephone messages or other messages, magazines, pamphlets, articles, notices, newspapers, studies, worksheets, telexes, cables and all other graphic materials, writings and instruments, however produced or reproduced. A document includes all documents appended thereto.

4. "Relating to" or "Relate to" means constituting, discussing, mentioning, containing, analyzing, embodying, reflecting, identifying, incorporating, describing, commenting on, referring to, considering, recommending, dealing with or pertaining to in whole or in part.

5. "Identify" with respect to persons means to give, to the extent known, the person's full name, present or last known address and when referring to a natural person, additionally, present or last known place of employment. Once a person has been identified in accordance with this paragraph, only the name of that person need to be listed in response to subsequent discovery requests in the identification of that person.

6. "Identify" with respect to each document means to give, to the extent known: (a) the type of document; (b) the general subject matter; (c) the date of the document; and (d) the author(s), addressee(s), and recipient(s).

7. "Identify" with respect to oral communications shall mean: (a) the communication medium, i.e., in person or telephonic; (b) the date of each such communication; (c) the full name and current business and residence address of those who were present at each communication; and (d) the substance and nature of each such communication.

8. "Person" means any natural person or any business, legal or governmental agency or association.

9. The connectors "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery requests all responses that might otherwise be construed to be outside its scope.

10. "Including" means including without limitation.

11. "Applicant's Mark" means the mark set forth in Application Serial No. 85/453,974.

INTERROGATORIES

INTERROGATORY NO. 1

Identify the person(s) most knowledgeable about the selection and adoption of Applicant's Mark.

INTERROGATORY NO. 2

Identify the person(s) most knowledgeable about Applicant's use of Applicant's Mark in the United States.

INTERROGATORY NO. 3

Identify the person(s) most knowledgeable about the business operations of Applicant.

INTERROGATORY NO. 4

Identify all entities which are using Applicant’s Mark.

INTERROGATORY NO. 5

Describe every way in which Applicant's Mark is used in commerce by Applicant in connection with its products and business, including but not limited to uses in promotion and advertising.

INTERROGATORY NO. 6

Identify all domain names owned by Applicant which include WOLVOL.

INTERROGATORY NO. 7

Describe the channels of trade and distribution channels through which Applicant's goods bearing Applicant's Mark are promoted, offered, and sold to potential customers and customers in the United States.

INTERROGATORY NO. 8

Identify all media forms in which Applicant's goods have been advertised or promoted in connection with Applicant's Mark in the United States.

INTERROGATORY NO. 9

State Applicant's revenue from sales of goods bearing or associated with Applicant's Mark for each year, inclusive, from 2011 to date.

INTERROGATORY NO. 10

Describe the type of customer and market segment to which Applicant offers, promotes and sells Applicant's goods in connection with Applicant's Mark.

INTERROGATORY NO. 11

State the dollar amount Applicant has expended in advertising and promotions in commerce under Applicant's mark in connection with each medium identified in response to Interrogatory No. 8 since Applicant's use of Applicant's Mark in any manner began.

INTERROGATORY NO. 12

Identify the printed publications available in the United States where Applicant's Mark has been mentioned or displayed in any context, including the title, date and page number of such publication.

INTERROGATORY NO. 13

(a) Identify all trade shows or professional meetings of any type (including date and location) where Applicant's Mark has been displayed and/or promoted in the United States from October 2011 to date.

(b) Identify all documents relating thereto.

INTERROGATORY NO. 14

Describe the relationship between Applicant and Keren Lasukim Inc., DBA thevbskyreading.org.

INTERROGATORY NO. 15

State whether Applicant has ever received an opinion from legal counsel or any other person concerning a possible trademark conflict with Opposer, or the absence thereof, arising out of Applicant's adoption, use or application to register Applicant's Mark.

INTERROGATORY NO. 16

Describe the circumstances surrounding Applicant's first awareness of Opposer's use or registration of the mark VOLVO in any form.

INTERROGATORY NO. 17

Identify all inquiries or communications Applicant has ever received from any source which concerned Opposer and/or Opposer's VOLVO marks or products/services.

INTERROGATORY NO. 18

Identify and describe in detail any instances of actual confusion or inquiries about the relationship of Applicant and/or its products sold under Applicant's Mark to Opposer and/or its products/services.

INTERROGATORY NO. 19

(a) Describe all goods and services offered under Applicant's Mark; and

(b) Identify exemplary documents describing same.

INTERROGATORY NO. 20

Identify all persons who participated in any way in the preparation of the answers or responses to these interrogatories, separately by interrogatory, and state specifically, with reference to interrogatory number, the area of participation of each such person.

Respectfully submitted,

VOLVO TRADEMARK HOLDING AB

By: _____

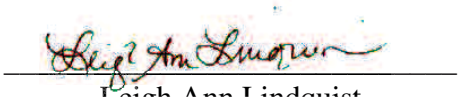
Gary D. Krugman
Leigh Ann Lindquist
SUGHRUE MION, PLLC
2100 Pennsylvania Avenue, N.W.
Washington, D.C. 20037-3202
Tel: (202) 663-7909
Fax: (202) 331-4308

April 15, 2013

CERTIFICATE OF SERVICE

I, Leigh Ann Lindquist, hereby certify that on April 15, 2013, true copies of the **OPPOSER'S FIRST SET OF INTERROGATORIES TO APPLICANT** and **OPPOSER'S FIRST SET OF DOCUMENT REQUESTS TO APPLICANT** were sent via U.S. mail, postage prepaid, to:

Aron Gancfried
Ez Incorporate Inc
952 52nd St
Brooklyn, NY 11219-4002



Leigh Ann Lindquist

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

Volvo Trademark Holding AB, Opposer, v. Wolvol Inc.,	Opposition No.: 91207836

OPPOSER'S FIRST SET OF DOCUMENT REQUESTS TO APPLICANT

In accordance with the provisions of Rule 34 of the Federal Rules of Civil Procedure and Trademark Rule 2.120, Opposer makes the following requests for the production of documents and things to Applicant. The requested documents and things shall be produced for inspection and copying at the offices of Opposer's counsel, SUGHRUE MION, PLLC, 2100 Pennsylvania Avenue, N.W., Washington, D.C. 20037-3202, or at any other location which is mutually agreeable to the parties, within thirty (30) days from service of these requests.

The definitions and instructions set forth in OPPOSER'S FIRST SET OF INTERROGATORIES served concurrently herewith are incorporated herein by reference.

REQUESTS

1. All documents and things identified in Applicant's responses to Opposer's First Set of Interrogatories.

2. All documents and things that evidence Applicant's use of Applicant's Mark.

3. All documents and things that show Applicant's use of Applicant's Mark as of October 23, 2011.

4. All documents and things relating to Applicant's channels of trade, to promote, offer and sell its goods under Applicant's Mark.

5. All documents and things relating to Applicant's classes of customers to which the goods under Applicant's Mark are offered.

6. All documents and things relating to Applicant's advertising and promotion of its goods under Applicant's Mark.

7. All documents and things evidencing total sales of Applicant's goods offered under the Applicant's Mark.

8. Documents and things sufficient to identify Applicant's advertising and promotional expenditures for goods offered under Applicant's Mark.

9. All documents which relate to Opposer's VOLVO mark and/or Applicant's first awareness thereof.

10. All documents and things which refer to Opposer.

11. All documents which show that Applicant is the owner of Applicant's Mark.

12. All documents and things which evidence the relationship between Applicant and Keren Lasukim Inc., DBA thevbskyreading.org.

13. All documents or things upon which Applicant intends to rely in this proceeding.

Respectfully submitted,

VOLVO TRADEMARK HOLDING AB

By: _____

Gary D. Krugman
Leigh Ann Lindquist
SUGHRUE MION, PLLC
2100 Pennsylvania Avenue, N.W.
Washington, D.C. 20037-3202
Tel: (202) 663-7909
Fax: (202) 331-4308

April 15, 2013

EXCHIBIT D

WOLVOL INC

1318 57TH STREET

BROOKLYN, New York 11219

RE: OPPOSITION NO. 91207836

RE: OPPOSER`S SET OF INTERRROGATIONS

Par our discussion regarding the "Discovery" information; I am hereby presenting answers (in order of the questions received) on all of the questions presented to us by the Opposer (VOLVO INC)

1. **VOLVIE or WOLF BROWN**
2. **VOLVIE or WOLF BROWN**
3. WOLVOL INC
4. It's used in labeling, marketing, branding and advertising of all products under the brand name of wolvol.
5. Wolvol
6. General wholesale and retail channels including online channels.
7. Amazon and related search engines, as well as local outlets in NY.
8. Not public information. We have that info in our offices.
9. Our target market is the typical tablet and related gadget user.
10. This information is our privacy and is included in our records within our office.
11. n/a

12. We generally advertise by local events in NY, as well in the electronic advertising search engines.
13. KerenLasukim is no longer the owner of Wolvol, and the same is with the DBA of thevbskyreading.org.
14. None
15. When we filled our trademark.
16. We had the office actions from the trademark governments office, also we had a phone conference in Feb with the opposer`s attorney, then in June 2013 we received these questions.
17. We had no such incidents with any of our customers that confused between our name and VOLVO.

Thanks

EXHIBIT E

Jimenez, Mildred

From: Lindquist, Leigh Ann
Sent: Tuesday, July 02, 2013 1:54 PM
To: EZ INCORPORATE INC
Subject: Volvo v. Wolvol; Sughre ref: H00124 [IWOV-DCDOC1.FID929131]

Aron

We have not received any response to our document request. Please provide responses. We will correspond shortly about the deficiencies in the responses to interrogatories.

Leigh Ann Lindquist

Leigh Ann Lindquist

Sughrue Mion, PLLC | 2100 Pennsylvania Ave., N. W.Washington, DC 20037 Office:202-663-7409 | Fax:202-293-7860

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-----Original Message-----
From: EZ INCORPORATE INC [mailto:service.bpd@gmail.com]
Sent: Monday, June 24, 2013 11:52 AM
To: Lindquist, Leigh Ann
Subject: Re: Answer to email dated 06/16/2013
Sensitivity: Confidential

Attached.

Thanks
Aron Gancfried
Disclaimer

Pursuant to requirements imposed by the Internal Revenue Service, any tax advice contained in this communication (including any attachments) is not intended to be used, and cannot be used, for purposes of avoiding penalties imposed under the United States Internal Revenue Code or promoting, marketing or recommending to another person any tax-related matter. Please contact us if you wish to have formal written advice on this matter.

The information contained in this message may be privileged and confidential, and protected from disclosure. If the reader of this message is not the intended recipient, or an employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is

strictly prohibited. If you have received this communication in error, please notify us immediately by replying to the message and deleting it from your computer.

-----Original Message-----
From: Lindquist, Leigh Ann [mailto:Llindquist@sughrue.com]
Sent: June 18, 2013 2:54 PM
To: E7186867526@gmail.com
Subject: RE: Trademark opposition no. 91207836 - Volvo v. Wolvol [IWOV-DCDOC1.FID929131]
Sensitivity: Confidential

Attached are copies of Volvo's discovery requests. We expect complete responses by June 30, 2013. As the deadline to respond to these requests passed in May, you have waived your client's right to object to any of these requests.

Leigh Ann Lindquist

Leigh Ann Lindquist

Sughrue Mion, PLLC | 2100 Pennsylvania Ave., N. W.Washington, DC 20037
Office:202-663-7409 | Fax:202-293-7860

EXHIBIT F

Jimenez, Mildred

From: EZ INCORPORATE INC <service.bpd@gmail.com>
Sent: Tuesday, July 02, 2013 2:51 PM
To: Lindquist, Leigh Ann
Subject: RE: Volvo v. Wolvol; Sughre ref: H00124 [IWOV-DCDOC1.FID929131]

Sensitivity: Confidential

Sorry, i`m not sure what documents you are referring to, can you please fwd to me what documents you need?

Thanks
Aron Gancfried
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-----Original Message-----
From: Lindquist, Leigh Ann [mailto:Llindquist@sughrue.com]
Sent: July 02, 2013 1:59 PM
To: EZ INCORPORATE INC
Subject: RE: Volvo v. Wolvol; Sughre ref: H00124 [IWOV-DCDOC1.FID929131]
Sensitivity: Confidential

Yes - this email is in response to your email with your responses to interrogatories. You did not respond to the document requests.

-----Original Message-----
From: EZ INCORPORATE INC [mailto:service.bpd@gmail.com]
Sent: Tuesday, July 02, 2013 1:58 PM
To: Lindquist, Leigh Ann
Subject: RE: Volvo v. Wolvol; Sughre ref: H00124 [IWOV-DCDOC1.FID929131]
Sensitivity: Confidential

Did you get my response? I emailed it to you.

Thanks
Aron Gancfried
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Leigh Ann Lindquist

Leigh Ann Lindquist

Sughrue Mion, PLLC | 2100 Pennsylvania Ave., N. W.Washington, DC 20037
Office:202-663-7409 | Fax:202-293-7860

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Thanks
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Sensitivity: Confidential

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Leigh Ann Lindquist

Leigh Ann Lindquist

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Leigh Ann Lindquist

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Leigh Ann Lindquist

Leigh Ann Lindquist

Sughrue Mion, PLLC | 2100 Pennsylvania Ave., N. W.Washington, DC 20037
Office:202-663-7409 | Fax:202-293-7860

Jimenez, Mildred

From: Lindquist, Leigh Ann
Sent: Tuesday, July 02, 2013 3:03 PM
To: E7186867526@gmail.com
Subject: FW: Trademark opposition no. 91207836 - Volvo v. Wolvol [IWOV-DCDOC1.FID929131]
Attachments: H00124_First Set of Interrogatories (WOLVOL) As Served.pdf; H00124_First Request for Documents (WOLVOL) As Served.pdf

Further to our telephone call, I am resending my email of June 18 with the request for documents. You will note there are two attachments to this email. The first is interrogatories and the second is request for documents.

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To: E7186867526@gmail.com
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-----Original Message-----
From: Mullineaux, Valerie
Sent: Friday, June 07, 2013 1:33 PM
To: 'E7186867526@gmail.com'
Cc: Lindquist, Leigh Ann
Subject: RE: Trademark opposition no. 91207836 - Volvo v. Wolvol
Importance: High
Sensitivity: Confidential

Re: Volvo Trademark Holding AB v. EZ Incorporate Inc
Opposition No. 91/207,836
Mark: WOLVOL

Our Ref.: H00124

Dear Mr. Gancfried,

Please see attached from Leigh Ann Lindquist.
Original to follow via first class mail.

Valerie Mullineaux
Assistant
Trademark Practice Group

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

Volvo Trademark Holding AB, Opposer, v. Wolvol Inc.,	Opposition No.: 91207836

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f) the basis of the privilege.

4. If you are unable to respond fully to any interrogatory herein, you should respond to the extent possible and provide an explanation as to why a full response is not possible.

5. All interrogatories herein are directed to that information or those documents within your possession, custody or control, or within the possession, custody or control of your agents, servants and employees and, unless privileged, your attorney. They are also directed to those firms, corporations, partnerships, or trusts that you control and to documents in the possession, custody or control of the employees, agents, next friends, trustees, guardians and/or representatives of such entities.

6. These interrogatories shall be deemed to be continuing. Your attention is directed to Rule 26(e)(1) of the Federal Rules of Civil Procedure which provides as follows:

> A party who has made a disclosure under Rule 26(a) — or who has responded to an interrogatory, request for production, or request for admission — must supplement or correct its disclosure or response:
>
> (A) in a timely manner if the party learns that in some material respect the disclosure or response is incomplete or incorrect, and if the additional or corrective information has not otherwise been

made known to the other parties during the discovery process or in writing

DEFINITIONS

The following definitions shall apply to these interrogatories and instructions thereto:

1. "You," "Your" or "Opposer" refers to Volvo Trademark Holding AB and any parent companies, subsidiaries, affiliates, agents, employees, distributors and representatives.

2. "Applicant" refers to Wolvol Inc. and any of its employees and representatives.

3. "Document" means that the original and all non-identical copies of any writing of any kind, which is known by you to exist or to have existed or which at any time has been in your possession, custody, or control, including, but not limited to letters, envelopes, forms, affidavits, correspondence, telegraphs, telecopies, telefaxes, paper communications, signed statements, tabulations, charts, memoranda, checks, appointment books, records, proposals, memoranda or other transcripts by mechanical device, by long hand or short hand recording, tape recorded or by electronic or by any other means, computer generated information, computer software, data stored in a computer, intra-office communications, inter-office communications, all summaries of all communications, telephonic or otherwise, microfiche, microfilm, lists, bulletins, calendars, circulars, desk pads, opinions, ledgers, minutes, agreements, journals, diaries, contracts, invoices, balance sheets, telephone messages or other messages, magazines, pamphlets, articles, notices, newspapers, studies, worksheets, telexes, cables and all other graphic materials, writings and instruments, however produced or reproduced. A document includes all documents appended thereto.

4. "Relating to" or "Relate to" means constituting, discussing, mentioning, containing, analyzing, embodying, reflecting, identifying, incorporating, describing, commenting on, referring to, considering, recommending, dealing with or pertaining to in whole or in part.

5. "Identify" with respect to persons means to give, to the extent known, the person's full name, present or last known address and when referring to a natural person, additionally, present or last known place of employment. Once a person has been identified in accordance with this paragraph, only the name of that person need to be listed in response to subsequent discovery requests in the identification of that person.

6. "Identify" with respect to each document means to give, to the extent known: (a) the type of document; (b) the general subject matter; (c) the date of the document; and (d) the author(s), addressee(s), and recipient(s).

7. "Identify" with respect to oral communications shall mean: (a) the communication medium, i.e., in person or telephonic; (b) the date of each such communication; (c) the full name and current business and residence address of those who were present at each communication; and (d) the substance and nature of each such communication.

8. "Person" means any natural person or any business, legal or governmental agency or association.

9. The connectors "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery requests all responses that might otherwise be construed to be outside its scope.

10. "Including" means including without limitation.

11. "Applicant's Mark" means the mark set forth in Application Serial No. 85/453,974.

INTERROGATORIES

INTERROGATORY NO. 1

Identify the person(s) most knowledgeable about the selection and adoption of Applicant's Mark.

INTERROGATORY NO. 2

Identify the person(s) most knowledgeable about Applicant's use of Applicant's Mark in the United States.

INTERROGATORY NO. 3

Identify the person(s) most knowledgeable about the business operations of Applicant.

INTERROGATORY NO. 4

Identify all entities which are using Applicant’s Mark.

INTERROGATORY NO. 5

Describe every way in which Applicant's Mark is used in commerce by Applicant in connection with its products and business, including but not limited to uses in promotion and advertising.

INTERROGATORY NO. 6

Identify all domain names owned by Applicant which include WOLVOL.

INTERROGATORY NO. 7

Describe the channels of trade and distribution channels through which Applicant's goods bearing Applicant's Mark are promoted, offered, and sold to potential customers and customers in the United States.

INTERROGATORY NO. 8

Identify all media forms in which Applicant's goods have been advertised or promoted in connection with Applicant's Mark in the United States.

INTERROGATORY NO. 9

State Applicant's revenue from sales of goods bearing or associated with Applicant's Mark for each year, inclusive, from 2011 to date.

INTERROGATORY NO. 10

Describe the type of customer and market segment to which Applicant offers, promotes and sells Applicant's goods in connection with Applicant's Mark.

INTERROGATORY NO. 11

State the dollar amount Applicant has expended in advertising and promotions in commerce under Applicant's mark in connection with each medium identified in response to Interrogatory No. 8 since Applicant's use of Applicant's Mark in any manner began.

INTERROGATORY NO. 12

Identify the printed publications available in the United States where Applicant's Mark has been mentioned or displayed in any context, including the title, date and page number of such publication.

INTERROGATORY NO. 13

(a) Identify all trade shows or professional meetings of any type (including date and location) where Applicant's Mark has been displayed and/or promoted in the United States from October 2011 to date.

(b) Identify all documents relating thereto.

INTERROGATORY NO. 14

Describe the relationship between Applicant and Keren Lasukim Inc., DBA thevbskyreading.org.

INTERROGATORY NO. 15

State whether Applicant has ever received an opinion from legal counsel or any other person concerning a possible trademark conflict with Opposer, or the absence thereof, arising out of Applicant's adoption, use or application to register Applicant's Mark.

INTERROGATORY NO. 16

Describe the circumstances surrounding Applicant's first awareness of Opposer's use or registration of the mark VOLVO in any form.

INTERROGATORY NO. 17

Identify all inquiries or communications Applicant has ever received from any source which concerned Opposer and/or Opposer's VOLVO marks or products/services.

INTERROGATORY NO. 18

Identify and describe in detail any instances of actual confusion or inquiries about the relationship of Applicant and/or its products sold under Applicant's Mark to Opposer and/or its products/services.

INTERROGATORY NO. 19

(a) Describe all goods and services offered under Applicant's Mark; and

(b) Identify exemplary documents describing same.

INTERROGATORY NO. 20

Identify all persons who participated in any way in the preparation of the answers or responses to these interrogatories, separately by interrogatory, and state specifically, with reference to interrogatory number, the area of participation of each such person.

Respectfully submitted,

VOLVO TRADEMARK HOLDING AB

By: _____

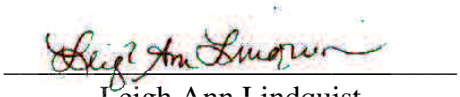
Gary D. Krugman
Leigh Ann Lindquist
SUGHRUE MION, PLLC
2100 Pennsylvania Avenue, N.W.
Washington, D.C. 20037-3202
Tel: (202) 663-7909
Fax: (202) 331-4308

April 15, 2013

CERTIFICATE OF SERVICE

I, Leigh Ann Lindquist, hereby certify that on April 15, 2013, true copies of the **OPPOSER'S FIRST SET OF INTERROGATORIES TO APPLICANT** and **OPPOSER'S FIRST SET OF DOCUMENT REQUESTS TO APPLICANT** were sent via U.S. mail, postage prepaid, to:

Aron Gancfried
Ez Incorporate Inc
952 52nd St
Brooklyn, NY 11219-4002



Leigh Ann Lindquist

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

Volvo Trademark Holding AB, Opposer, v. Wolvol Inc.,	Opposition No.: 91207836

OPPOSER'S FIRST SET OF DOCUMENT REQUESTS TO APPLICANT

In accordance with the provisions of Rule 34 of the Federal Rules of Civil Procedure and Trademark Rule 2.120, Opposer makes the following requests for the production of documents and things to Applicant. The requested documents and things shall be produced for inspection and copying at the offices of Opposer's counsel, SUGHRUE MION, PLLC, 2100 Pennsylvania Avenue, N.W., Washington, D.C. 20037-3202, or at any other location which is mutually agreeable to the parties, within thirty (30) days from service of these requests.

The definitions and instructions set forth in OPPOSER'S FIRST SET OF INTERROGATORIES served concurrently herewith are incorporated herein by reference.

REQUESTS

1. All documents and things identified in Applicant's responses to Opposer's First Set of Interrogatories.

2. All documents and things that evidence Applicant's use of Applicant's Mark.

3. All documents and things that show Applicant's use of Applicant's Mark as of October 23, 2011.

4. All documents and things relating to Applicant's channels of trade, to promote, offer and sell its goods under Applicant's Mark.

5. All documents and things relating to Applicant's classes of customers to which the goods under Applicant's Mark are offered.

6. All documents and things relating to Applicant's advertising and promotion of its goods under Applicant's Mark.

7. All documents and things evidencing total sales of Applicant's goods offered under the Applicant's Mark.

8. Documents and things sufficient to identify Applicant's advertising and promotional expenditures for goods offered under Applicant's Mark.

9. All documents which relate to Opposer's VOLVO mark and/or Applicant's first awareness thereof.

10. All documents and things which refer to Opposer.

11. All documents which show that Applicant is the owner of Applicant's Mark.

12. All documents and things which evidence the relationship between Applicant and Keren Lasukim Inc., DBA thevbskyreading.org.

13. All documents or things upon which Applicant intends to rely in this proceeding.

Respectfully submitted,

VOLVO TRADEMARK HOLDING AB

By: _____

Gary D. Krugman
Leigh Ann Lindquist
SUGHRUE MION, PLLC
2100 Pennsylvania Avenue, N.W.
Washington, D.C. 20037-3202
Tel: (202) 663-7909
Fax: (202) 331-4308

April 15, 2013

EXHIBIT G

WOLVOL INC

1318 57 STREET

BROOKLYN, NY 11219

RE: OPPOSITION NO. 91207836

1. Attached!
2. Attached photos.
3. It was on all major retail sites. Amazon, Google, eBay.
4. All major retail sites. Amazon, Google, eBay.
5. We sell to all classes
6. It's in our confidential records
7. It's in our corporate filings. (we will make it available upon court demand only)
8. It's in our corporate filings. (we will make it available upon court demand only)
9. The opposition documents received are all on the system of the USPTO.GOV
10. The opposition documents received are all on the system of the USPTO.GOV
11. All information related to filing our mark is on the system of the USPTO.GOV
12. We have no relationship as par an entity ownership with them any longer.
13. All documents will be supplied upon court demand.

EXHIBIT H

Jimenez, Mildred

From: Lindquist, Leigh Ann
Sent: Monday, July 15, 2013 7:12 PM
To: EZ INCORPORATE INC; E7186867526@gmail.com
Subject: Volvo Trademark Holding AB v. EZ Incorporate Inc; Our Ref: H00124 [IWOV-DCDOC1.FID929131]
Attachments: H00124_Deficiency letter July 15, 2013.PDF

Dear Sirs

Please see the attached letter.

Leigh Ann Lindquist

Leigh Ann Lindquist
Sughrue Mion, PLLC | 2100 Pennsylvania Ave., N. W. Washington, DC 20037| Office: 202-663-7409 | Fax: 202-293-7860
Llindquist@sughrue.com - www.sughrue.com

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Sughrue
SUGHRUE MION, PLLC

2100 Pennsylvania Avenue, NW
Washington, DC 20037-3213
T 202.293.7060
F 202.293.7860

www.sughrue.com

Leigh Ann Lindquist
T 202.663.7409
Llindquist@sughrue.com

July 15, 2013
VIA EMAIL ONLY
E7186867526@gmail.com

Aron Gancfried
EZ Incorporate Inc.
952 52nd St
Brooklyn, NY 11219-4002

Re: *Volvo Trademark Holding AB v. EZ Incorporate Inc*
Opposition No. 91/207,836
Mark: WOLVOL
Our Ref.: H00124

Dear Mr. Gancfried:

We received your responses to Volvo Trademark Holding's discovery requests. We note a number of deficiencies in these requests. Below we discuss each deficient answer.

We remind you that since you have served responses to Volvo's discovery request months after they were due, you are not permitted to object to any interrogatory or document request. In addition, there is a protective order in place, and information and documents are to be produced under that protective order.

INTERROGATORIES

Please note that there are 20 interrogatories. You have 17 numbered responses. There are 3 interrogatories you simply ignored. Please provide complete responses to all interrogatories.

In addition, you are required to have the applicant verify the responses by signing a dated verification statement. We have not received that.

Interrogatory No. 1

In this interrogatory, we sought information about the person(s) most knowledgeable about the selection and adoption of the WOLVOL mark. The response is "Volvie or Wolf Brown". This is an incomplete response.

The instructions for the interrogatories clearly state that: "'Identify' with respect to persons means to give, to the extent known, the person's full name, present or last known

address and when referring to a natural person, additionally, present or last known place of employment." Please amend your answer in accordance with the instructions.

Interrogatory No. 2

In this interrogatory, we sought information about the person(s) most knowledgeable about Applicant's use of its WOLVOL mark. The response is "Volvie or Wolf Brown". This is an incomplete response.

The instructions for the interrogatories clearly state that: "'Identify' with respect to persons means to give, to the extent known, the person's full name, present or last known address and when referring to a natural person, additionally, present or last known place of employment." Please amend your answer in accordance with the instructions.

Interrogatory No. 3

In this interrogatory, we sought information about the person(s) most knowledgeable about the business operations of applicant. The response is "Wolvol Inc.". Please identify a person in response.

Interrogatory No. 4

This interrogatory seeks the names of other entities using the WOLVOL mark. The response indicates where the WOLVOL mark is used. The response does not identify any other entities which use the WOLVOL mark. Please provide an amended complete response to this interrogatory.

Interrogatory No. 5

This interrogatory asks how the WOLVOL mark is used. The response is "Wolvol". This response is incomprehensible. Please amend.

Interrogatory No. 6

Here, we have asked which domain names owned by Applicant include term WOLVOL. The response is "General wholesale and retail channels including online channels". Please amend this response as the current answer is non-responsive.

Interrogatory No. 7

We are seeking information about the channels of trade and distribution channels for the WOLVOL goods in this interrogatory. The answer is "Amazon and related search engines, as well as local outlets in NY".

This answer is incomprehensible. What does "related search engines" mean? Amazon is not a search engine. What are "local outlets in NY"? Please amend your answer.

Interrogatory No. 8

This interrogatory asks for the identity of media forms where the WOLVOL goods have been advertised and promoted. The answer provided is that this information is not public information.

Where a product is advertised or promoted is not confidential information. Even if it was, the Standardized Protective Order is in place in this proceeding. You may produce this information under the protective order. If we find that the information is not confidential [which it is not] we will file a motion with the Board to remove the confidentiality designation.

Please amend your answer and provide a complete response.

Interrogatory No. 9

This interrogatory seeks information about Wolvol's revenues from sales from 2011 to date. The response provided is "Our target market is the typical tablet and related gadget user." This is incomprehensible. Please provide a complete response to Interrogatory No. 9.

Interrogatory No. 10

Here we have asked about the type of customer and market segment to which Wolvol offers, promotes and sells its WOLVOL goods. The response you provided is: "This information is our privacy and is included in our records within our office."

Such information is not confidential. Even if it was, the Standardized Protective Order is in place in this proceeding. You may produce this information under the protective order. If we find that the information is not confidential [which it is not] we will file a motion with the Board to remove the confidentiality designation.

Please amend your answer and provide a complete response.

Interrogatory No. 11

In this interrogatory, we are seeking information about advertising and marketing expenditures. Your response is "n/a". If you have not spent any money on advertising and marketing, please so state. If you have spent money on advertising and marketing, please amend your answer. Responses to other of your interrogatories, indicate you have spent money on advertising and marketing.

Interrogatory No. 12

Here, we have asked that you identify printed publications where the WOLVOL mark has been mentioned or displayed. We have further asked that you provide the title, date and page number of the publication. Your response to this interrogatory is non-responsive. Please review the interrogatory and provide a complete response.

Interrogatory No. 13

This is a two-part interrogatory. Please identify trade shows and professional shows attended. We also ask for the identity of documents in this interrogatory. Please refer to the Definitions section of the Interrogatories if you have any questions about how to respond.

Your response is incomprehensible.

Interrogatory No. 14

We have asked you to describe the relationship between two entities. Your response is "None". We do not believe that is the case. Please review the interrogatory and response.

Interrogatory No. 15

This interrogatory asks if the applicant has ever received a legal opinion. The response is "When we filled our trademark". Please confirm that this is the intended response to an interrogatory which would generally be answered "yes" or "no".

Interrogatory No. 16

This interrogatory asks when the applicant became aware of the VOLVO mark. The response you have provided is incomprehensible and non-responsive. Please amend the response.

Interrogatory Nos. 18 - 20

You have not responded to these interrogatories. Please provide complete, comprehensible responses.

DOCUMENT REQUESTS

We first note that you have not indicated when the responses documents will be forwarded to us. Please advise.

In addition, if there are no documents responsive to the request, please indicate that.

Request Nos. 1 and 2

The responses state that there are attachments. Nothing was attached when the responses were forwarded via email except the one Word document with the written responses. Please forward the responsive documents.

Request No. 3

The response to this interrogatory which asks for documents evidencing the first use of the WOLVOL mark is incomprehensible and non-responsive. Please provide documents which evidence use of the WOLVOL mark as of October 12, 2011.

Request No. 4

Again, we have asked for documents in these requests. You have not provided any documents merely a statement in response to our request for documents showing the channels of trade the applicant uses. Please amend your response.

Request No. 5

The statement you have provided is non-responsive to this request for document. Please review the request and amend your response.

Request No. 6

This request has asked for documents evidencing advertising and promotion of the WOLVOL goods. You have advised that these are "confidential records". Advertising and promotion documents are generally not confidential. If some of the documents responsive to this request are confidential, you may produce them under the protective order discussed above.

Request No. 7

You advise in response to our request for documents that evidence sales information that these are corporate documents and you will make them available under "court demand". You are obligated to respond to our request and not withhold responsive documents. There is a protective order in place and documents may be produced under the protective order. Please amend your response and produce responsive documents.

In addition, you are not permitted to object to this request as we received these responses months late. You waived your right to object.

Request No. 8

You advise in response to our request for documents that evidence of advertising and promotional expenditures are corporate documents and you will make them available under "court demand". You are obligated to respond to our request and not withhold responsive documents. There is a protective order in place and documents may be produced under the protective order. Please amend your response and produce responsive documents.

In addition, you are not permitted to object to this request as we received these responses months late. You waived your right to object.

Request No. 9

Please provide a complete response to this request.

Request No. 10

Please provide a complete response to this request.

Request No. 11

In response to the interrogatories, number 13, you indicate that KerenLasukim is no longer the owner of Wolvol, and the same is with the DBA of thevbskyreading.org. Documents evidencing this information are responsive to this request. Please provide them.

Request No. 12

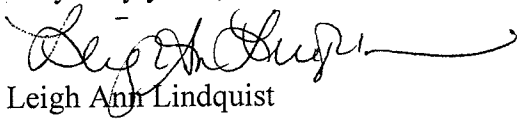
Responsive documents to this request would include any change of ownership and any past relationship.

Request No. 13

Please provide all documents that you intend to rely in this proceeding. You are not permitted to object to this request as we received these responses months late. You waived your right to object.

Given that we have waited months for these initial responses, we must have complete amended responses to the discovery requests by July 19, 2013. If we do not, we will be forced to file a motion to compel with the Trademark Trial and Appeal Board.

Very truly yours,



Leigh Ann Lindquist

LAL

EXHIBIT I

Jimenez, Mildred

From:	Lindquist, Leigh Ann
Sent:	Thursday, July 25, 2013 7:20 PM
To:	E7186867526@gmail.com; EZ INCORPORATE INC
Subject:	FW: Volvo Trademark Holding AB v. EZ Incorporate Inc; Our Ref: H00124 [IWOV-DCDOC1.FID929131]
Attachments:	H00124_Deficiency letter July 15, 2013.PDF

From: Lindquist, Leigh Ann [mailto:Llindquist@sughrue.com]
Sent: Monday, July 15, 2013 7:12 PM
To: EZ INCORPORATE INC; E7186867526@gmail.com
Subject: Volvo Trademark Holding AB v. EZ Incorporate Inc; Our Ref: H00124 [IWOV-DCDOC1.FID929131]

Dear Sirs

Please see the attached letter.

Leigh Ann Lindquist

Leigh Ann Lindquist
Sughrue Mion, PLLC | 2100 Pennsylvania Ave., N. W. Washington, DC 20037| Office: 202-663-7409 | Fax: 202-293-7860
Llindquist@sughrue.com - www.sughrue.com

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Sughrue
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2100 Pennsylvania Avenue, NW
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T 202.293.7060
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Leigh Ann Lindquist
T 202.663.7409
Llindquist@sughrue.com

July 15, 2013
VIA EMAIL ONLY
E7186867526@gmail.com

Aron Gancfried
EZ Incorporate Inc.
952 52nd St
Brooklyn, NY 11219-4002

Re: *Volvo Trademark Holding AB v. EZ Incorporate Inc*
Opposition No. 91/207,836
Mark: WOLVOL
Our Ref.: H00124

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The instructions for the interrogatories clearly state that: "'Identify' with respect to persons means to give, to the extent known, the person's full name, present or last known

address and when referring to a natural person, additionally, present or last known place of employment." Please amend your answer in accordance with the instructions.

Interrogatory No. 2

In this interrogatory, we sought information about the person(s) most knowledgeable about Applicant's use of its WOLVOL mark. The response is "Volvie or Wolf Brown". This is an incomplete response.

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Interrogatory No. 16

This interrogatory asks when the applicant became aware of the VOLVO mark. The response you have provided is incomprehensible and non-responsive. Please amend the response.

Interrogatory Nos. 18 - 20

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DOCUMENT REQUESTS

We first note that you have not indicated when the responses documents will be forwarded to us. Please advise.

In addition, if there are no documents responsive to the request, please indicate that.

Request Nos. 1 and 2

The responses state that there are attachments. Nothing was attached when the responses were forwarded via email except the one Word document with the written responses. Please forward the responsive documents.

Request No. 3

The response to this interrogatory which asks for documents evidencing the first use of the WOLVOL mark is incomprehensible and non-responsive. Please provide documents which evidence use of the WOLVOL mark as of October 12, 2011.

Request No. 4

Again, we have asked for documents in these requests. You have not provided any documents merely a statement in response to our request for documents showing the channels of trade the applicant uses. Please amend your response.

Request No. 5

The statement you have provided is non-responsive to this request for document. Please review the request and amend your response.

Request No. 6

This request has asked for documents evidencing advertising and promotion of the WOLVOL goods. You have advised that these are "confidential records". Advertising and promotion documents are generally not confidential. If some of the documents responsive to this request are confidential, you may produce them under the protective order discussed above.

Request No. 7

You advise in response to our request for documents that evidence sales information that these are corporate documents and you will make them available under "court demand". You are obligated to respond to our request and not withhold responsive documents. There is a protective order in place and documents may be produced under the protective order. Please amend your response and produce responsive documents.

In addition, you are not permitted to object to this request as we received these responses months late. You waived your right to object.

Request No. 8

You advise in response to our request for documents that evidence of advertising and promotional expenditures are corporate documents and you will make them available under "court demand". You are obligated to respond to our request and not withhold responsive documents. There is a protective order in place and documents may be produced under the protective order. Please amend your response and produce responsive documents.

In addition, you are not permitted to object to this request as we received these responses months late. You waived your right to object.

Request No. 9

Please provide a complete response to this request.

Request No. 10

Please provide a complete response to this request.

Request No. 11

In response to the interrogatories, number 13, you indicate that KerenLasukim is no longer the owner of Wolvol, and the same is with the DBA of thevbskyreading.org. Documents evidencing this information are responsive to this request. Please provide them.

Request No. 12

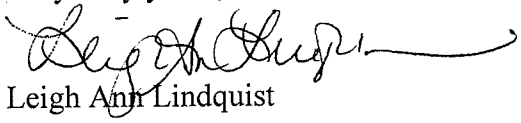
Responsive documents to this request would include any change of ownership and any past relationship.

Request No. 13

Please provide all documents that you intend to rely in this proceeding. You are not permitted to object to this request as we received these responses months late. You waived your right to object.

Given that we have waited months for these initial responses, we must have complete amended responses to the discovery requests by July 19, 2013. If we do not, we will be forced to file a motion to compel with the Trademark Trial and Appeal Board.

Very truly yours,



Leigh Ann Lindquist

LAL