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

Proceeding	91207895
Party	Plaintiff Hokie Objective Onomastics Society LLC
Correspondence Address	KEITH FINCH THE CREEKMORE LAW FIRM PC 318 N MAIN STREET BLACKSBURG, VA 24060 UNITED STATES iplaw@creekmorelaw.com, keith@creekmorelaw.com
Submission	Plaintiff's Notice of Reliance
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Signature	/Keith Finch/
Date	12/17/2015
Attachments	HOOS - Opposer's First Notice of Reliance.pdf(2045111 bytes )

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

HOKIE OBJECTIVE ONOMASTICS	)	
SOCIETY LLC,	)	
	)	
Opposer,	)	
v.	)	Opposition No. 91207895
	)	
VIRGINIA POLYTECHNIC INSTITUTE	)	Serial No. 85-531,923
AND STATE UNIVERSITY,	)	
	)	
Applicant.	)	

**OPPOSER’S FIRST NOTICE OF RELIANCE**

Pursuant to Rule 2.120(j) of the Trademark Rules of Practice, Opposer Hokie Objective Onomastics Society LLC hereby makes of record and notifies Applicant Virginia Polytechnic Institute and State University of its reliance on Applicant’s admission of the requests for admission in the attached Opposer’s First Set of Discovery Requests, which Opposer served upon Applicant on September 30, 2013, and to which Applicant did not respond within the period prescribed by the Rules.

HOKIE OBJECTIVE ONOMASTICS SOCIETY LLC

By:



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Keith Finch (VSB No. 37599)  
THE CREEKMORE LAW FIRM PC  
Attorney for Opposer  
318 N. Main Street  
Blacksburg, Virginia 24060  
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CERTIFICATE OF SERVICE

I hereby certify that on December 17, 2015, I served the foregoing by first-class mail upon the following, with a courtesy copy (not including attachments) via e-mail:

Norm J. Rich, Esq.; Robert S. Weisbein, Esq.  
FOLEY & LARDNER LLP  
90 Park Avenue  
New York, NY 10016



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Keith Finch (VSB No. 37599)  
THE CREEKMORE LAW FIRM PC  
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AND STATE UNIVERSITY,	)	
	)	
Applicant.	)	

**OPPOSER'S FIRST SET OF DISCOVERY REQUESTS**

Opposer Hokie Objective Onomastics Society LLC, by counsel, pursuant to Federal Rules of Civil Procedure 33, 34 and 36, through counsel, hereby requests that Applicant Virginia Polytechnic Institute and State University ("VPI&SU") (a) admit the truth of the matters set forth in the following Requests for Admission; (b) produce for inspection and copying (or produce copies of) the documents and things described in the following Requests for Production of Documents at The Creekmore Law Firm PC, 106 Faculty Street, Blacksburg, Virginia 24060; and (c) respond to the following interrogatory. VPI&SU's responses and productions are to be served within the time prescribed by Federal Rules of Civil Procedure 36(a)(3) and 34(b)(2)(A), respectively.

**DEFINITIONS AND INSTRUCTIONS**

- A. The term "communication" refers to any actual or attempted exchange or transfer of information between or among two or more persons.
- B. The term "document" will have the fullest meaning ascribed to the terms "document" and "electronically stored information" by Federal Rule of Civil Procedure 34 and

encompasses written, printed, typed and visually or aurally reproduced material of any kind, whether or not privileged, and includes, but is not limited to, letters, telegrams, facsimile transmissions, electronic mail, work papers, handwritten or other notes, memoranda, inter-office communications, notices, books, studies, analyses, evaluations, statements, summaries, opinions, records, minutes or transcriptions or notations of meetings, telephone conversations or other communications of any type, photographs, bills, contracts, invoices, agreements, orders, receipts, drawings or sketches, advertising or promotional literature, operating manuals or instruction bulletins, cables, tape and other recordings, test data, reports, questionnaires, surveys, charts, graphs, pamphlets and catalogs.

C. The term “identify” or “identification”:

- (1) when used in reference to documents and things, means to describe sufficiently (a) the type of document or thing (*e.g.*, letter or memorandum, etc.) and, if electronically stored information, the software application used to create it (*e.g.*, Microsoft Word or Microsoft Excel, etc.); (b) the general subject matter of the document or thing; (c) the date of the document or thing; and (d) the author or creator and recipients of the document or thing;
- (2) when used in reference to a communication, means to describe (a) the date of the communication, (b) the substance of the communication, (c) the identity of all persons and/or entities who were parties to the communication, and (d) the form of the communication (*e.g.*, verbal, written, e-mail, telephonic, etc.);
- (3) when used in reference to a natural person, means to state that person’s (a) full name, (b) last known home address, (c) last known home phone

number, (d) last known e-mail address, (e) last known employer, (f) last known work address, and (g) last known job title;

- (4) when used in reference to a legal entity, means to state that entity's (a) full legal name, (b) principal office address and phone number, and (c) responsible officer, owner or agent;
- (5) when used in reference to an agreement, license or understanding, means (a) to identify the parties thereto, (b) to state the date thereof, (c) to describe the general subject matter thereof, and (d) if the agreement, license or understanding is unwritten, to describe in detail the terms and provisions thereof;
- (6) when used in reference to a good or service, means (a) to state the general nature of such good or service, (b) to state the locations where each such good or service has been sold, rendered, offered or provided, and (c) to identify the dates when each such good or service has been sold, rendered, offered or provided; and
- (7) when used in reference to a date, means the exact date, month and year, if ascertainable, or if not, the best approximation (including relationship to other events).

D. The term "person" refers both to natural persons, whether or not in the employ of Applicant or Opposer, and to corporate or other business entities, divisions, departments, units, affiliates, parents, or subsidiaries, and the "acts and knowledge" of a person are defined to include the acts and knowledge of that person's directors, officers, members, employees, representatives, agents and attorneys.

E. The term “Applicant” refers to Virginia Polytechnic Institute and State University.

F. The term “thing” will have the fullest meaning ascribed to the term “tangible thing” by Federal Rule of Civil Procedure 34.

G. The term “trademark” or “mark” includes trademarks, service marks, collective marks, certification marks and trade names as defined in 15 U.S.C. §1127. (Opposer’s use of the term “trademark” or “mark” in connection with a term is for efficiency only and does not constitute a concession by Opposer that such term is in fact entitled to protection as a trademark or mark.)

H. The term “State” will mean any of the fifty states of the United States as well as the District of Columbia and each individual territory, possession, commonwealth or other jurisdiction of the United States.

I. “HOKIE mark” means the mark HOKIE and all variants thereof, including but not limited to the mark HOKIES, as well as all marks containing or including the mark HOKIE or HOKIES or any variant thereof. (Opposer’s use of this defined term is for efficiency only and does not constitute a concession by Opposer that the terms HOKIE and HOKIES are the same when used as a mark, or that they are identical or similar in meaning or usage.)

### **INSTRUCTIONS**

J. If documents or things exist in multiple distinct versions, then produce all such versions. If a document or thing exists in both hard-copy format and electronic format, then produce it in both formats, and ensure that the electronic format is in its native file format (*i.e.*, the format in which it is normally maintained).

K. When asked to “describe” or “describe in detail,” provide a complete and full identification of all details and information concerning such fact, event, ground or allegation that is the subject of the inquiry, including an identification of all documents and things that embody, reflect, refer or relate to, or provide evidence of the fact, grounds or allegation that is the subject of the inquiry.

L. Should Applicant deem to be privileged any documents or information concerning which information or inspection is requested by any of the following requests, Applicant shall indicate that it claims privilege therefor, briefly state the grounds on which the claim of privilege rests, and (consistent with and subject to Federal Rule of Civil Procedure 26(b)(5)(A)) indicate the position held by the person who prepared and/or possesses the document, indicate the position held by the addressee, and identify all persons (and their positions) who received copies of such documents, either at the time of initial distribution or at any subsequent time, all in order that Opposer may have the actual basis to determine whether such documents or information are, in fact, privileged.

M. Applicant has the duty to supplement its responses to these requests at such times and to the extent required by Rule 26(e)(1) of the Federal Rules of Civil Procedure.

### **REQUESTS FOR ADMISSION**

1. Admit that in the years from 1901 through 1949 VPI&SU did not use the HOKIE mark to identify VPI&SU as a source of goods.
2. Admit that in the years from 1901 through 1949 VPI&SU did not use the HOKIE mark to identify VPI&SU as a source of services.
3. Admit that in the years from 1901 through 1949 VPI&SU did not use the HOKIE mark to distinguish its goods from those of others.

4. Admit that in the years from 1901 through 1949 VPI&SU did not use the HOKIE mark to distinguish its services from those of others.
5. Admit that in the years from 1901 through 1949 VPI&SU did not consistently use the HOKIE mark in a particular typestyle, font or color so as to differentiate it from other text appearing together with the HOKIE mark.
6. Admit that in the years from 1901 through 1949 VPI&SU did not use the “™” symbol together with the HOKIE mark.
7. Admit that in the years from 1901 through 1949 VPI&SU did not consistently use the HOKIE mark on a particular part of the page so as to differentiate it from other text appearing together with the HOKIE mark.
8. Admit that in the years from 1901 through 1949 VPI&SU did not use the HOKIE mark in any constant pattern that set it off or distinguished it from other text appearing together with the HOKIE mark.
9. Admit that in the years from 1901 through 1949 VPI&SU did not use the HOKIE mark in any list of VPI&SU’s trademarks or service marks.
10. Admit that in the years from 1901 through 1949 VPI&SU did not use the HOKIE mark on any uniforms of its athletic teams.
11. Admit that in the years from 1901 through 1949 VPI&SU did not use the HOKIE mark on any of its sports scoreboards or sports fields.
12. Admit that in the years from 1901 through 1949 VPI&SU did not use the HOKIE mark on any of its buildings.
13. Admit that in the years from 1901 through 1949 VPI&SU did not use the HOKIE mark in any advertisements.

14. Admit that in the years from 1901 through 1949 VPI&SU did not use the HOKIE mark in the title of any publication.

15. Admit that in the years from 1901 through 1949 VPI&SU did not use the HOKIE mark in the name of any restaurant or eatery.

16. Admit that in the years from 1901 through 1949 VPI&SU did not use the HOKIE mark on any gold pins, gold earrings, tie tacks, charms, rings, watches, clocks, writing paper, folders, note pads, stationery, looseleaf binders, decals, bumper stickers, note books, calendars, post cards, posters, pens, brief case type portfolio covers, brief cases, travel bags, backpacks, wallets, umbrellas, drinking glasses, mugs, plastic cups, insulating sleeve holders for beverage cans, waste paper baskets, t-shirts, sport shirts, sweat pants, shorts, sweat shirt, sweaters, jerseys, pants, ties, baby bibs, caps, hats, shoes, jackets, or bath robes that were transported or sold in commerce.

17. Admit that in the years from 1901 through 1949 VPI&SU did not use the terms HOKIE KIDS CLUB, HEALTHY HOKIE, HOKIE NATION, HOKIE NATION NETWORK, HOKIES HELPING HOKIES, HOKIES 4 HIRE, HOKIES FOR THE HUNGRY, HOKIE HANDS, HOKIE PASSPORT, HOKIE HARVEST SALE, HOKIE CAMP, HOKIE FAMILY DAY, HOKIE SPIRIT PICNIC, HOKIE MART, HOKIEMART, HOKIE EXPRESS, HOKIE SHOP, HOKIESHOP.COM, HOKIE FLYING CLUB, HOKIE TICKETS, HOKIETICKETS.COM, HOKIE HANDBOOK, HOKIE NEWS, HOKIE PARENT, HOKIE HUDDLER, HOKIE SPA, HOKIE F6, HOKIE HI, HOKIE BIRD WINE, HOKIE WATER, HOKIE GRILL, HOKIE FOR LIFE, HOKIE HOME, or HOKIE STONE in connection with any goods or services.

18. Admit that in the years from 1950 through 1960 VPI&SU did not use the HOKIE mark to identify VPI&SU as a source of goods.

19. Admit that in the years from 1950 through 1960 VPI&SU did not use the HOKIE mark to identify VPI&SU as a source of services.
20. Admit that in the years from 1950 through 1960 VPI&SU did not use the HOKIE mark to distinguish its goods from those of others.
21. Admit that in the years from 1950 through 1960 VPI&SU did not use the HOKIE mark to distinguish its services from those of others.
22. Admit that in the years from 1950 through 1960 VPI&SU did not consistently use the HOKIE mark in a particular typestyle, font or color so as to differentiate it from other text appearing together with the HOKIE mark.
23. Admit that in the years from 1950 through 1960 VPI&SU did not use the “™” symbol together with the HOKIE mark.
24. Admit that in the years from 1950 through 1960 VPI&SU did not consistently use the HOKIE mark on a particular part of the page so as to differentiate it from other text appearing together with the HOKIE mark.
25. Admit that in the years from 1950 through 1960 VPI&SU did not use the HOKIE mark in any constant pattern that set it off or distinguished it from other text appearing together with the HOKIE mark.
26. Admit that in the years from 1950 through 1960 VPI&SU did not use the HOKIE mark in any list of VPI&SU’s trademarks or service marks.
27. Admit that in the years from 1950 through 1960 VPI&SU did not use the HOKIE mark on any uniforms of its athletic teams.
28. Admit that in the years from 1950 through 1960 VPI&SU did not use the HOKIE mark on any of its sports scoreboards or sports fields.

29. Admit that in the years from 1950 through 1960 VPI&SU did not use the HOKIE mark on any of its buildings.

30. Admit that in the years from 1950 through 1960 VPI&SU did not use the HOKIE mark in any advertisements.

31. Admit that in the years from 1950 through 1960 VPI&SU did not use the HOKIE mark in the title of any publication.

32. Admit that in the years from 1950 through 1960 VPI&SU did not use the HOKIE mark in the name of any restaurant or eatery.

33. Admit that in the years from 1950 through 1960 VPI&SU did not use the HOKIE mark on any gold pins, gold earrings, tie tacks, charms, rings, watches, clocks, writing paper, folders, note pads, stationery, looseleaf binders, decals, bumper stickers, note books, calendars, post cards, posters, pens, brief case type portfolio covers, brief cases, travel bags, backpacks, wallets, umbrellas, drinking glasses, mugs, plastic cups, insulating sleeve holders for beverage cans, waste paper baskets, t-shirts, sport shirts, sweat pants, shorts, sweat shirt, sweaters, jerseys, pants, ties, baby bibs, caps, hats, shoes, jackets, or bath robes that were transported or sold in commerce.

34. Admit that in the years from 1950 through 1960 VPI&SU did not use the terms HOKIE KIDS CLUB, HEALTHY HOKIE, HOKIE NATION, HOKIE NATION NETWORK, HOKIES HELPING HOKIES, HOKIES 4 HIRE, HOKIES FOR THE HUNGRY, HOKIE HANDS, HOKIE PASSPORT, HOKIE HARVEST SALE, HOKIE CAMP, HOKIE FAMILY DAY, HOKIE SPIRIT PICNIC, HOKIE MART, HOKIEMART, HOKIE EXPRESS, HOKIE SHOP, HOKIESHOP.COM, HOKIE FLYING CLUB, HOKIE TICKETS, HOKIETICKETS.COM, HOKIE HANDBOOK, HOKIE NEWS, HOKIE PARENT, HOKIE HUDDLER, HOKIE SPA, HOKIE F6, HOKIE HI, HOKIE BIRD WINE, HOKIE WATER,

HOKIE GRILL, HOKIE FOR LIFE, HOKIE HOME, or HOKIE STONE in connection with any goods or services.

35. Admit that in the years from 1961 through 1965 VPI&SU did not use the HOKIE mark to identify VPI&SU as a source of goods.

36. Admit that in the years from 1961 through 1965 VPI&SU did not use the HOKIE mark to identify VPI&SU as a source of services.

37. Admit that in the years from 1961 through 1965 VPI&SU did not use the HOKIE mark to distinguish its goods from those of others.

38. Admit that in the years from 1961 through 1965 VPI&SU did not use the HOKIE mark to distinguish its services from those of others.

39. Admit that in the years from 1961 through 1965 VPI&SU did not consistently use the HOKIE mark in a particular typestyle, font or color so as to differentiate it from other text appearing together with the HOKIE mark.

40. Admit that in the years from 1961 through 1965 VPI&SU did not use the “™” symbol together with the HOKIE mark.

41. Admit that in the years from 1961 through 1965 VPI&SU did not consistently use the HOKIE mark on a particular part of the page so as to differentiate it from other text appearing together with the HOKIE mark.

42. Admit that in the years from 1961 through 1965 VPI&SU did not use the HOKIE mark in any constant pattern that set it off or distinguished it from other text appearing together with the HOKIE mark.

43. Admit that in the years from 1961 through 1965 VPI&SU did not use the HOKIE mark in any list of VPI&SU’s trademarks or service marks.

44. Admit that in the years from 1961 through 1965 VPI&SU did not use the HOKIE mark on any uniforms of its athletic teams.

45. Admit that in the years from 1961 through 1965 VPI&SU did not use the HOKIE mark on any of its sports scoreboards or sports fields.

46. Admit that in the years from 1961 through 1965 VPI&SU did not use the HOKIE mark on any of its buildings.

47. Admit that in the years from 1961 through 1965 VPI&SU did not use the HOKIE mark in any advertisements.

48. Admit that in the years from 1961 through 1965 VPI&SU did not use the HOKIE mark in the title of any publication.

49. Admit that in the years from 1961 through 1965 VPI&SU did not use the HOKIE mark in the name of any restaurant or eatery.

50. Admit that in the years from 1961 through 1965 VPI&SU did not use the HOKIE mark on any gold pins, gold earrings, tie tacks, charms, rings, watches, clocks, writing paper, folders, note pads, stationery, looseleaf binders, decals, bumper stickers, note books, calendars, post cards, posters, pens, brief case type portfolio covers, brief cases, travel bags, backpacks, wallets, umbrellas, drinking glasses, mugs, plastic cups, insulating sleeve holders for beverage cans, waste paper baskets, t-shirts, sport shirts, sweat pants, shorts, sweat shirt, sweaters, jerseys, pants, ties, baby bibs, caps, hats, shoes, jackets, or bath robes that were transported or sold in commerce.

51. Admit that in the years from 1961 through 1965 VPI&SU did not use the terms HOKIE KIDS CLUB, HEALTHY HOKIE, HOKIE NATION, HOKIE NATION NETWORK, HOKIES HELPING HOKIES, HOKIES 4 HIRE, HOKIES FOR THE HUNGRY, HOKIE HANDS, HOKIE PASSPORT, HOKIE HARVEST SALE, HOKIE CAMP, HOKIE FAMILY

DAY, HOKIE SPIRIT PICNIC, HOKIE MART, HOKIEMART, HOKIE EXPRESS, HOKIE SHOP, HOKIESHOP.COM, HOKIE FLYING CLUB, HOKIE TICKETS, HOKIETICKETS.COM, HOKIE HANDBOOK, HOKIE NEWS, HOKIE PARENT, HOKIE HUDDLER, HOKIE SPA, HOKIE F6, HOKIE HI, HOKIE BIRD WINE, HOKIE WATER, HOKIE GRILL, HOKIE FOR LIFE, HOKIE HOME, or HOKIE STONE in connection with any goods or services.

52. Admit that in the years from 1966 through 1972 VPI&SU did not use the HOKIE mark to identify VPI&SU as a source of goods.

53. Admit that in the years from 1966 through 1972 VPI&SU did not use the HOKIE mark to identify VPI&SU as a source of services.

54. Admit that in the years from 1966 through 1972 VPI&SU did not use the HOKIE mark to distinguish its goods from those of others.

55. Admit that in the years from 1966 through 1972 VPI&SU did not use the HOKIE mark to distinguish its services from those of others.

56. Admit that in the years from 1966 through 1972 VPI&SU did not consistently use the HOKIE mark in a particular typestyle, font or color so as to differentiate it from other text appearing together with the HOKIE mark.

57. Admit that in the years from 1966 through 1972 VPI&SU did not use the "TM" symbol together with the HOKIE mark.

58. Admit that in the years from 1966 through 1972 VPI&SU did not consistently use the HOKIE mark on a particular part of the page so as to differentiate it from other text appearing together with the HOKIE mark.

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62. Admit that in the years from 1966 through 1972 VPI&SU did not use the HOKIE mark on any of its sports scoreboards or sports fields.

63. Admit that in the years from 1966 through 1972 VPI&SU did not use the HOKIE mark on any of its buildings.

64. Admit that in the years from 1966 through 1972 VPI&SU did not use the HOKIE mark in any advertisements.

65. Admit that in the years from 1966 through 1972 VPI&SU did not use the HOKIE mark in the title of any publication.

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67. Admit that in the years from 1966 through 1972 VPI&SU did not use the HOKIE mark on any gold pins, gold earrings, tie tacks, charms, rings, watches, clocks, writing paper, folders, note pads, stationery, looseleaf binders, decals, bumper stickers, note books, calendars, post cards, posters, pens, brief case type portfolio covers, brief cases, travel bags, backpacks, wallets, umbrellas, drinking glasses, mugs, plastic cups, insulating sleeve holders for beverage cans, waste paper baskets, t-shirts, sport shirts, sweat pants, shorts, sweat shirt, sweaters,

jerseys, pants, ties, baby bibs, caps, hats, shoes, jackets, or bath robes that were transported or sold in commerce.

68. Admit that in the years from 1966 through 1972 VPI&SU did not use the terms HOKIE KIDS CLUB, HEALTHY HOKIE, HOKIE NATION, HOKIE NATION NETWORK, HOKIES HELPING HOKIES, HOKIES 4 HIRE, HOKIES FOR THE HUNGRY, HOKIE HANDS, HOKIE PASSPORT, HOKIE HARVEST SALE, HOKIE CAMP, HOKIE FAMILY DAY, HOKIE SPIRIT PICNIC, HOKIE MART, HOKIEMART, HOKIE EXPRESS, HOKIE SHOP, HOKIESHOP.COM, HOKIE FLYING CLUB, HOKIE TICKETS, HOKIETICKETS.COM, HOKIE HANDBOOK, HOKIE NEWS, HOKIE PARENT, HOKIE HUDDLER, HOKIE SPA, HOKIE F6, HOKIE HI, HOKIE BIRD WINE, HOKIE WATER, HOKIE GRILL, HOKIE FOR LIFE, HOKIE HOME, or HOKIE STONE in connection with any goods or services.

69. Admit that in the years from 1973 through 1977 VPI&SU did not use the HOKIE mark to identify VPI&SU as a source of goods.

70. Admit that in the years from 1973 through 1977 VPI&SU did not use the HOKIE mark to identify VPI&SU as a source of services.

71. Admit that in the years from 1973 through 1977 VPI&SU did not use the HOKIE mark to distinguish its goods from those of others.

72. Admit that in the years from 1973 through 1977 VPI&SU did not use the HOKIE mark to distinguish its services from those of others.

73. Admit that in the years from 1973 through 1977 VPI&SU did not consistently use the HOKIE mark in a particular typestyle, font or color so as to differentiate it from other text appearing together with the HOKIE mark.

74. Admit that in the years from 1973 through 1977 VPI&SU did not use the “TM” symbol together with the HOKIE mark.

75. Admit that in the years from 1973 through 1977 VPI&SU did not consistently use the HOKIE mark on a particular part of the page so as to differentiate it from other text appearing together with the HOKIE mark.

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77. Admit that in the years from 1973 through 1977 VPI&SU did not use the HOKIE mark in any list of VPI&SU’s trademarks or service marks.

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79. Admit that in the years from 1973 through 1977 VPI&SU did not use the HOKIE mark on any of its sports scoreboards or sports fields.

80. Admit that in the years from 1973 through 1977 VPI&SU did not use the HOKIE mark on any of its buildings.

81. Admit that in the years from 1973 through 1977 VPI&SU did not use the HOKIE mark in any advertisements.

82. Admit that in the years from 1973 through 1977 VPI&SU did not use the HOKIE mark in the title of any publication.

83. Admit that in the years from 1973 through 1977 VPI&SU did not use the HOKIE mark in the name of any restaurant or eatery.

84. Admit that in the years from 1973 through 1977 VPI&SU did not use the HOKIE mark on any gold pins, gold earrings, tie tacks, charms, rings, watches, clocks, writing paper,

folders, note pads, stationery, looseleaf binders, decals, bumper stickers, note books, calendars, post cards, posters, pens, brief case type portfolio covers, brief cases, travel bags, backpacks, wallets, umbrellas, drinking glasses, mugs, plastic cups, insulating sleeve holders for beverage cans, waste paper baskets, t-shirts, sport shirts, sweat pants, shorts, sweat shirt, sweaters, jerseys, pants, ties, baby bibs, caps, hats, shoes, jackets, or bath robes that were transported or sold in commerce.

85. Admit that in the years from 1973 through 1977 VPI&SU did not use the terms HOKIE KIDS CLUB, HEALTHY HOKIE, HOKIE NATION, HOKIE NATION NETWORK, HOKIES HELPING HOKIES, HOKIES 4 HIRE, HOKIES FOR THE HUNGRY, HOKIE HANDS, HOKIE PASSPORT, HOKIE HARVEST SALE, HOKIE CAMP, HOKIE FAMILY DAY, HOKIE SPIRIT PICNIC, HOKIE MART, HOKIEMART, HOKIE EXPRESS, HOKIE SHOP, HOKIESHOP.COM, HOKIE FLYING CLUB, HOKIE TICKETS, HOKIETICKETS.COM, HOKIE HANDBOOK, HOKIE NEWS, HOKIE PARENT, HOKIE HUDDLER, HOKIE SPA, HOKIE F6, HOKIE HI, HOKIE BIRD WINE, HOKIE WATER, HOKIE GRILL, HOKIE FOR LIFE, HOKIE HOME, or HOKIE STONE in connection with any goods or services.

### **INTERROGATORY**

1. Describe in detail the reasons for any denial of any of the above requests for admission, including the date of the use, the duration of the use, the type and quantity of goods or services on or in connection with which the use occurred, and identification of the source of any information supporting the denial.

**REQUEST FOR PRODUCTION  
OF DOCUMENTS AND THINGS**

I. Produce all documents and things supporting, or relied upon in making, any denial of any of the above requests for admission, or relied upon in responding to the above interrogatory.

HOKIE OBJECTIVE ONOMASTICS SOCIETY LLC

By:



---

Keith Finch (VSB No. 37599)  
THE CREEKMORE LAW FIRM PC  
Attorney for Opposer  
318 N. Main Street  
Blacksburg, Virginia 24060  
(540) 443-9350 – Telephone  
(540) 443-9350 – Facsimile  
keith@creekmorelaw.com

CERTIFICATE OF SERVICE

I hereby certify that on September 30, 2013, I served the foregoing by first-class mail upon the following:

Norm J. Rich  
FOLEY & LARDNER LLP  
3000 K ST NW FL W6  
Washington, DC 20007-5109



---

Keith Finch (VSB No. 37599)  
THE CREEKMORE LAW FIRM PC  
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