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

Proceeding	91214376
Party	Defendant Isaac Daniel Group, Inc.
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Submission	Other Motions/Papers
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Date	09/15/2014
Attachments	Social_Code_Mobile_Initial_Disclosures_TTAB_314.pdf(101329 bytes )

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

SOCIAL CODE, LLC,	)	Opposition No.: <b>91214376</b>
	)	
Opposer,	)	Mark: <b>SOCIAL CODE MOBILE</b>
	)	
v.	)	Serial No.: <b>85/761,507</b>
	)	
ISAAC DANIEL GROUP, INC.	)	Filed: <b>October 23, 2012</b>
	)	
Applicant.	)	
	)	
	)	
	)	
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**APPLICANT'S INITIAL DISCLOSURES PURSUANT TO FED. R. CIV. P. 26(a)(1)**

Pursuant to Rule 26(a)(1), Fed. R. Civ. P., Applicant Isaac Daniel Group, Inc. ("Applicant"), makes the following Initial Disclosures to Opposer, Social Code, LLC, ("Opposer"). By providing these Initial Disclosures, Applicant does not waive any objections which may be appropriate (a) to the use, for any purpose, by Opposer of any of the information or documents disclosed; (b) to the admissibility or relevance of any of the information or documents disclosed; or (c) any applicable privilege, including attorney-client privilege, and/or any protection afforded by the work product doctrine. Applicant reserves the right to supplement these Initial Disclosures as discovery proceeds.

**I. Rule 26(a)(1)(A): Individuals Likely to Have Discoverable Information That Applicant May Use to Support Its Claims or Defenses**

Pursuant to Rule 26(a)(1)(A), Applicant discloses persons believed to have discoverable information that Applicant may use to support its claims or defenses. Applicant therefore reserves the right, pursuant to Rule 26(e), to amend or supplement this list. Notwithstanding these objections, and without waiver thereof, Applicant lists the following:

1. Isaac S. Daniel (c/o Carol N. Green, Esq. - address and Telephone # below). Mr. Daniel has information regarding the creation of the disputed mark, the nature of the business to which the mark relates, the marketing of the mark, the advertising of the mark and the lack of any alleged confusion between Opposer's mark and Applicant's.

2. Judine Hooke (c/o Carol N. Green, Esq. - address and Telephone # below). Same as above.

3. Principal officers, directors and/or other employees of the Opposer may have information relating to any alleged confusion.

4. The Applicant reserves the right to employ expert witnesses.

**II. Rule 26(a)(1)(B): Documents that Applicant May Use to Support its Claims or Defenses**

Applicant has in its possession, custody or control the following documents, which Applicant may use to support its claims or defenses:

1. Application for Applicant's Mark, i.e. U.S. Trademark Application Serial No.: 85/761,507.

2. Opposer's trademark registration(s).

3. Prosecution history for Opposer's trademark registration.

4. Opposer's website and/or other marketing materials using Opposer's mark.

5. Marketing materials and/or website using the Applicant's mark.

These documents are located at the offices of the undersigned counsel. Applicant will make such documents available to Opposers in response to discovery requests. Applicant may also use publicly available documents to support its claims or defenses.

**III. Rule 26(a)(1)(C): Computation of Damages Claimed.**

Opposer's Opposition is limited to relief in the form of the rejection of the Applicant's application.

**IV. Rule 26(a)(1)(D): Insurance Agreements**

No insurance policy of Applicant provides coverage for the claims alleged in this lawsuit.

Dated: September 15, 2014.

Respectfully submitted,

/Carol N. Green/

Carol N. Green, Esq.

*Attorney for Applicant*

**Isaac Daniel Group, Inc.**

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document was served by electronic mail to [mimi.rupp@kaplan.com](mailto:mimi.rupp@kaplan.com), Opposer's counsel, on September 15, 2014 to:

Mimi K. Rupp, Esq.

Vice-President, Assoc. General Counsel: Intellectual Property

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/Carol N. Green/

Carol N. Green, Esq.