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

Proceeding	91214578
Party	Defendant LeMar Xavier Lewis
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Submission	Opposition/Response to Motion
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Date	10/03/2016
Attachments	reopen 2.pdf(52548 bytes )

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

LeMar Xavier Lewis

**Parent Opposition No. 91214578**

Respondent/Applicant

Mark: THORO/Serial No. 85/956,925

**Opposition No. 91226723**

v.

Mark: THÖRÖ /Serial No. 86/367,828

LeMans Corporation

**Cancellation No. 92063552**

Opposer

Mark: THORO (Stylized)

Reg. No, 3,206,498

**Respondent/Applicants Motion To "Re-Open Discovery"**  
**Regarding "Parent Opposition No 91214578"**

Pursuant to Trademark Rule 509.01(b)(1) Applicant/Respondent LeMar Xavier Lewis respectfully requests permission from the U.S.P.T.O Board of Trials and Appeals to RE-OPEN discovery regarding "Parent Opposition" 91214578, and the "Suspension of "Petitioners"" Motion For Summary Judgement" until after that initial discovery has been properly completed. Applicant/Respondent LeMar X. Lewis makes this request siting "Willful Neglect", as well as the recent "Consolidation" of the current proceedings. I LeMar X. Lewis have responded to motions and board orders to the best of my ability with little to no legal counsel. Applicants/Respondents sites the inability to reply in a timely manner in that proceeding due to circumstances (both financial and personal) beyond my control, and a general lack of knowledge of Trademark law and Board procedures.

Applicant has tried multiple times to retain and maintain counsel but was not financially capable of doing so. At the time Applicant/Respondent LeMar Xavier Lewis did not fully understand the nature of the discoveries or what information I was required to provide to "Petitioner" or what information/documentation could be withheld. The responses Applicant/Respondent eventually submitted to opposer where ruled "incomplete and unverified" responses (due to the lack of labeling information Event, Date, Location etc). To avoid potentially defaulting in proceeding 91214578, "Applicant/Respondent" responded with "These documents do not exist" for the majority of

the responses.. I've recently been able to consult with legal counsel on how to more efficiently proceed with this process. Applicant/Respondent presently has a better understanding of what's expected of him from the board. Applicant/Respondent LeMar X. Lewis would like the opportunity to re-open discovery prior to the ruling on "Petitioner Request For Summary Judgement" in proceedings 91214578. Granting this motion to Re-Open discovery (siting "Willful Neglect) will allow Applicant/Respondent to re-submit proper, complete and verified responses to "Petitioner/Lemans" Corp initial request for document production/ Interrogatories in parent opposition No.91214578.

Respectfully Submitted,

October 3<sup>rd</sup>, 2016



LeMar X. Lewis

LeMar X. Lewis

878 Summit Greens Blvd.

Clermont , Fl. 34711

### Certificate Of Service

I hereby certify that a true and correct copy of the foregoing APPLICANT/RESPONDENT'S MOTION TO RE\_OPEN DISCOVERY was served via email on this 3<sup>rd</sup> day of October, 2016 upon the following: "Petitioner"Tvold@vwiplaw.com,Pwilliamson@vwiplaw.com (Attorneys for the opposer)

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LeMar X. Lewis

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