

ESTTA Tracking number: **ESTTA641882**

Filing date: **12/01/2014**

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

Proceeding	91215734
Party	Defendant The Solution Group Corp
Correspondence Address	JESUS SANCHELIMA ESQ SANCHELIMA & ASSOCIATES PA 235 SW LE JEUNE RD MIAMI, FL 33134 UNITED STATES
Submission	Motion to Reopen
Filer's Name	Joel Scott Ray
Filer's e-mail	joel@assaproperties.com, richard@assaproperties.com
Signature	/Joel Scott Ray/
Date	12/01/2014
Attachments	Motion to Set Aside Admissions.pdf(68471 bytes) Exhibits 1-12.pdf(3854256 bytes) Exhibit 13.pdf(1804520 bytes) Exhibit 14 for filing.PDF(4046960 bytes) Exhibit 15a.pdf(4497924 bytes) Exhibit 15b.pdf(2952885 bytes)

Attorneys for Opposer
410 Park Avenue, Ste. 1630
New York, NY 10022
Tel: (212) 239-9900 ext. 40
Fax: (212) 239-7468
e-mail: Richard@assaproperties.com and
joel@assaproperties.com

TO:

SANCHELIMA & ASSOCIATES, P.A.
Attorneys for Applicant
235 SW Le Jeune Road
Miami, FL 33134

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

-----X	
ASSA REALTY, LLC,	Trademark Application
<i>Opposer,</i>	Mark: CASSA
-against-	Application Serial No.: 85900657
THE SOLUTION GROUP CORP.,	Filed: April 10, 2013
<i>Applicant.</i>	Published: February 4, 2014
-----X	Opposition No.: 91215734

OPPOSER’S MOTION TO SET ASIDE ADMISSIONS

Opposer, Assa Realty, LLC, (“Opposer”) in the above-captioned Opposition hereby moves for entry of an order, pursuant to TBMP Rule 509(1)(b) and Rule 36(b) of the F.R.C.P. for an order to re-open Opposer’s time to respond to Applicant’s First Set of Requests for Admission to Opposer, because, as explained herein, a delay of eleven days is not prejudicial, there was excusable neglect and the request was manifestly improper; and to either permit Opposer’s response to be treated *nunc pro tunc* or to extend Opposer’s time to answer to the date the response was served. In further support of this motion, Opposer, by and through its undersigned counsel, respectfully represents:

BASIS OF RELIEF

1. Starting in March, 2009 and continuing to date, Opposer has been using the trademark “CASSA” for its hotel and condominium developments, both in national and international advertisements and on the Internet, as well as newspaper advertisements, brochures and other printed materials. Opposer filed an application for the trademark for classes 036 and 037 on June 10, 2013 with a filing basis of 1(a) of actual use as of March 15, 2009 [Exhibit 1].

2. The design of the trademark “CASSA” comes from two sources. First, it is the use of both the Spanish and Italian word “casa” for house. Second, a second “s” was inserted into casa so the trademark would include the name of Applicant’s two members, Isaac Assa and Salim Assa, for whom the company is named for [Exhibit 2].

3. In April 10, 2013, Applicant, The Solution Group, (the “Applicant”) filed with the United States Patent & Trademark Office (the “Office”) an application to the trademark “CASSA” for its residential housing and condominium developments, Class 037. The filing basis was 1(b) an intent-to-use [Exhibit 3].

4. In February, 2014, the Office published for opposition Applicant’s mark.

5. On April 1, 2014, Opposer filed this opposition and issue was joined on May 6, 2014, with the service of Applicant’s answer [Exhibits 4 and 5, respectively].

6. Both side timely served discovery demands.

7. On September 8, 2014, Opposer served its responses to Applicant’s demands for interrogatories and document production [Exhibit 6 and 7 without the attached exhibits].

8. On October 3, 2014, Applicant served its response to Opposer’s demands for interrogatories and document production [Exhibit 8 and 9 without the attached exhibits].

9. As part of its response, Applicant also served a request for admission [Exhibit 10].

10. Opposer served it answer to Applicant’s request for admission on November 14, 2014 [Exhibit 11]. A delay of only eleven days.

11. Opposer denied all admission and objected that such demands were manifestly improper and were made in bad faith. See Exhibit 11.

12. The reason for the delay was inadvertent and not due to any lack of diligence on the part of Opposer. The inadvertence was cause because of the various Jewish Holidays in October caused a disruption to the office, i.e. Yom Kippur, Sukkot, Shemini Atzeret, and Simchat Torah. The members of Applicant, Isaac Assa and Salim Assa are orthodox Jews and the offices were closed to observe those holidays. Under Jewish law, all those who work for the observant must observe those holidays too. Additionally, the request was sent on Friday, October 3, 2014, via e-mail at 5:28 p.m. that was after our Offices closed very early, 2:00 p.m., so people could go home and observe Yom Kippur [Exhibit 12].

13. Further, Mr. Migliaccio was dealing with several medical issues regarding an enlarged prostate, gall and kidney stones, and a hernia. Such issues required him to receive exams, such as sonograms and CAT scans and other treatments.

14. As a result of the disruptions caused by the holidays closing our offices and Mr. Migliaccio's medical issues, any delay was thus inadvertent, does not prejudice Applicant and constitutes excusable neglect.

15. In analyzing this request, the Office should look to "all relevant circumstances surrounding the party's omission. These include . . . the danger of prejudice to the [movant], the length of the delay and its potential impact on judicial proceedings, the reason for the delay, including whether it was within the reasonable control of the movant, and whether the movant acted in good faith [internal citation omitted]." See *Pioneer Investment Services Company v. Brunswick Associates Limited Partnership*, 507 U.S. 380, 394, 113 S.Ct. 1489, 1498 (1993).

A. *Applicant is not Prejudiced by the Short Delay.*

16. The delay of eleven days does not prejudice Applicant. It is better to permit the matter to be decided on its merit. *St. Regis Paper Company v. The Upgrade Corporation*, 86 F.R.D. 355, 31 Fed.R.Serv.2d 448 (W.D. Mich., 1980)(holding that a delay of forty-four days to respond to a notice to admit by defendant was not prejudicial to plaintiff). In *St. Regis*, the district court discussed the interplay of Rule 36(a) and (b). Pursuant to Rule 36(b), the Court found it has the “discretion to permit the withdrawal or amendment of admissions where to do so would facilitate the presentation of the merits of the action unless the party who obtained the admission satisfies the Court that such an action would prejudice his case.” *St. Regis*, 86 F.R.D. at 357.

17. Accordingly, a matter should be decided on its merits, as long as there is no prejudice to party seeking the admissions. Certainly a delay of eleven days is shorter than forty-four days and is a more compelling situation in which to permit the late service of Opposer’s response.

B. *The Inadvertent Delay Constitutes “Excusable Neglect.”*

18. “[E]xcusable neglect’ under Rule 6(b) is a somewhat ‘elastic concept’ and is not limited strictly to omissions caused by circumstances beyond the control of movant.’ Rather, it may encompass delays ‘caused by inadvertence, mistake or carelessness,’ at least when the delay was not long, there is no bad faith, there is no prejudice to the opposing party, and movant’s excuse has some merit.” *LoSacco v. City of Middletown*, 71 F.3d 88, 93 (2d Cir., 1995)(quoting *Pioneer Investment Services Company, supra*).

19. As explained, Applicant's request was served at a time the office was closed for a Jewish Holiday. Further, the Office at that time of the year gets disrupted due to observances for the various Jewish Holidays at that time of year. Also Mr. Migliaccio was dealing with several medical issues. All that combined into cause an inadvertent mistake and a short delay and thus constitutes excusable neglect.

C. *Even if There is No Excusable Neglect, Opposer's Late Service is Still Permitted Pursuant to Rule 36(b) of the F.R.C.P.*

20. Rule 36(b) of the F.R.C.P., the source of TBMP §407, provides for the withdrawal or amendment to admissions. A recent case from the Southern District of New York shows that Rule 36(b) of F.R.C.P. does not include an "excusable neglect" requirement. *River Light V, L.P. v. Lin & J International, Inc.*, 299 F.R.D. 61 (SDNY, 2014). The court persuasively explained in *River Light V* that the better practice is to allow parties to have matters decided on the merits. "Even where the moving party's neglect is unjustified, a refusal to permit withdrawal of deemed admissions may be an overly harsh sanction when a deemed admission would be dispositive of the litigation and no unfair prejudice would result from withdrawal." *Id.* at 64. As explained, herein, Applicant's request for admission goes to the merits of the matter and letting the admissions stand would be dispositive of the claims by Opposer of its continuous use of the trademark since March, 2009, and that it contains the surname of the members of Applicant.

21. The Court in *River Light V* also discussed how the plaintiffs, who requested the admission, could not establish that they had been prejudiced. The court explained that instead of plaintiffs narrowing the issues for trial to the parties' core dispute, plaintiffs were trying to have defendants concede much or all of the claims. *Id.* at 64. Similarly here, Applicant

is merely using the request for admission to have Opposer conceded its claims and not limiting the issues.

D. *The Request for Admission was Manifestly Improper.*

22. A further basis for the granting of Opposer's motion is that the purpose of a request to admit is to have those documents and things that are not in contention agreed upon to limit the issues before the court and to streamline evidence at trial. No response is ever required when a discover demand is manifestly improper. *Williams v. Krieger*, 61 F.R.D. 142 ("it is true that failure to deny is tantamount to an admission, but it is equally true under this rule as under the other, that technical considerations will not be allowed to prevail to the detriment of substantial justice").

23. Here, Applicant's request to admit was made in bad faith. First, Section B of the request, asked Opposer to admit to Applicant's documents, documents that Opposer has never seen until it was disclosed. Opposer has no basis as to admit nor deny such facts because it has no idea as to the veracity of such documents.

24. Second, Section A of the request goes to facts regarding Opposer' constant and continued use of the trademark since March, 2009, the very issues in contention in this Opposition¹. Applicant already knew from Opposer's discovery responses that such use was continuous up to the date of Opposer document response, dated September 8, 2014 [see Exhibit 6 and 7]. As part of Opposer's document production, Applicant received hardcopies of internet advertisements dated September 8, 2014 [Exhibit 13], as well as advertisements from 2010 through the present [Exhibit 14]. Most importantly, a pdf copy of the brochure Opposer has

¹ The essential claim by Opposer is that it developed and actually used the trademark four to five years before any actual use by Applicant, and that such use by Opposer was continuous.

continually used to promote sales of the condominiums since 2009 and to the present was produced [Exhibit 15]².

25. Also part of its production, Opposer produced an e-mail from Graham Hanson Design, the designer of the trademark for Opposer. Graham Hanson Designed explained that the mark was based on the Spanish and Italian word for house “casa,” and the insertion of the additional “s” was to include the name Assa, the name of the two members of Applicant [see Exhibit 2]. Thus such requests were made in bad faith with full knowledge of Opposer’s continued use and the use of a surname within the trademark.

CONCLUSION

26. The late service of Opposer’s response to the request for admission was inadvertent. The short delay of eleven days will not prejudice Applicant. To deny the late service of Opposer’s response will be to the detriment of substantial justice and will bar this matter from being decided on its merits. Accordingly, Opposer’s motion should be granted in its entirety.

Dated: New York, New York
December 1, 2014

Yours, etc,
RICHARD J. MIGLIACCIO, ESQ.

/s/ Joel Scott Ray
By: Joel Scott Ray, Esq.
Attorneys for Opposer
410 Park Avenue, Ste. 1630
New York, NY 10022

² Opposer only submits a small portion of the over 600 pages of documents are need to demonstrate Opposer’s point.

Tel: (212) 239-9900 ext. 40
Fax: (212) 239-7468
e-mail: Richard@assaproperties.com and
joel@assaproperties.com

TO:

SANCHELIMA & ASSOCIATES, P.A.
Attorneys for Applicant
235 SW Le Jeune Road
Miami, FL 33134.

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

-----X
ASSA REALTY, LLC, Trademark Application
Opposer, Mark: CASSA
Application Serial No.: 85900657
-against- Filed: April 10, 2013
THE SOLUTION GROUP CORP., Published: February 4, 2014
Applicant. Opposition No.: 91215734
-----X

CERTIFICATE OF SERVICE

I, Joel Scott Ray, Esq., an attorney for Opposer, do hereby certify that on December 1, 2014, a true and correct copy of the foregoing **NOTICE OF MOTION OF OPPOSER'S MOTION TO SET ASIDE ADMISSIONS WITH EXHIBITS** was served via overnight delivery by Federal Express on the following:

Sanchelima & Associates, P.A.
235 S.W. Le Jeune Road
Miami, Florida 33134
Jesus Sanchelima, Esq.

Dated: New York, New York
December 1, 2014

RICHARD J. MIGLIACCIO, ESQ.

1st Joel Scott Ray
By: Joel Scott Ray, Esq.

EXHIBIT 1

Trademark/Service Mark Application, Principal Register

*NOTE: Data fields with the * are mandatory. The wording "(if applicable)" appears where the field is only mandatory under the facts of the particular application.*

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	N/A
MARK INFORMATION	
*MARK	mark.jpg
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	cassa
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font, style, size, or color.
APPLICANT INFORMATION	
*OWNER OF MARK	Assa Realty LLC
*STREET	410 Park Avenue, Ste. 1630
*CITY	New York
*STATE (Required for U.S. applicants)	New York
*COUNTRY	United States
*ZIP/POSTAL CODE (Required for U.S. applicants only)	10022
PHONE	212-239-9900
LEGAL ENTITY INFORMATION	
TYPE	limited liability company
STATE/COUNTRY WHERE LEGALLY ORGANIZED	New York
GOODS AND/OR SERVICES AND BASIS INFORMATION	
INTERNATIONAL CLASS	036
*IDENTIFICATION	Lease of real estate
FILING BASIS	SECTION 1(a)

FIRST USE ANYWHERE DATE	At least as early as 03/15/2009
FIRST USE IN COMMERCE DATE	At least as early as 03/15/2009
SPECIMEN FILE NAME(S)	SPE0-243911430-154828215_._Cassa2.jpg
SPECIMEN DESCRIPTION	scan/digital photograph of building in New York City with Cassa emblazoned on the side entrance.
INTERNATIONAL CLASS	036
*IDENTIFICATION	Leasing of real estate; Real estate services, namely, condominium management services; Real estate services, namely, rental of vacation homes, condominiums, cabins, and villas using pay per click advertising on a global computer network
FILING BASIS	SECTION 1(a)
FIRST USE ANYWHERE DATE	At least as early as 03/15/2009
FIRST USE IN COMMERCE DATE	At least as early as 03/15/2009
SPECIMEN FILE NAME(S)	SPE0-2-243911430-154828215_._Cassa2.jpg
SPECIMEN DESCRIPTION	scan/digital photograph of building in New York City with Cassa emblazoned on the side entrance.
INTERNATIONAL CLASS	037
*IDENTIFICATION	Real estate development; Real estate development and construction of commercial, residential and hotel property
FILING BASIS	SECTION 1(a)
FIRST USE ANYWHERE DATE	At least as early as 03/15/2009
FIRST USE IN COMMERCE DATE	At least as early as 03/15/2009
SPECIMEN FILE NAME(S)	SPE0-2-243911430-154828215_._Cassa2.jpg
SPECIMEN DESCRIPTION	scan/digital photograph of building in New York City with Cassa emblazoned on the side entrance.
INTERNATIONAL CLASS	043
*IDENTIFICATION	Hotel accommodation services; Hotel services; Resort hotel services; Restaurant and hotel services
FILING BASIS	SECTION 1(a)
FIRST USE ANYWHERE DATE	At least as early as 03/15/2009
FIRST USE IN COMMERCE DATE	At least as early as 03/15/2009
SPECIMEN	SPE0-3-243911430-154828215_._Cassa2.jpg

FILE NAME(S)	
SPECIMEN DESCRIPTION	scan/digital photograph of building in New York City with Cassa emblazed on the side of the entrance.
ATTORNEY INFORMATION	
NAME	Richard Migliaccio, Esq.
FIRM NAME	Richard J. Migliaccio, Esq.
STREET	410 Park Avenue, Ste. 1630
CITY	New York
STATE	New York
COUNTRY	United States
ZIP/POSTAL CODE	10022
PHONE	212-239-9900 ext. 40
FAX	212-239-7498
EMAIL ADDRESS	richard@assaproperties.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
OTHER APPOINTED ATTORNEY	Joel Scott Ray
CORRESPONDENCE INFORMATION	
NAME	Richard Migliaccio, Esq.
FIRM NAME	Richard J. Migliaccio, Esq.
STREET	410 Park Avenue, Ste. 1630
CITY	New York
STATE	New York
COUNTRY	United States
ZIP/POSTAL CODE	10022
PHONE	212-239-9900 ext. 40
FAX	212-239-7498
EMAIL ADDRESS	richard@assaproperties.com;joel@assaproperties.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
FEE INFORMATION	
NUMBER OF CLASSES	3

FEE PER CLASS	325
*TOTAL FEE DUE	975
*TOTAL FEE PAID	975
SIGNATURE INFORMATION	
SIGNATURE	/Joel Scott Ray/
SIGNATORY'S NAME	Joel Scott Ray
SIGNATORY'S POSITION	Attorney of record, New York bar member
SIGNATORY'S PHONE NUMBER	212-239-9900 ext 15
DATE SIGNED	06/10/2013

EXHIBIT 2

Subject: Re: 70 West 45th Street Contact Notes

Date: Tuesday, January 16, 2007 11:44 AM

From: Graham Hanson <jgh@grahamhanson.com>

To: Lauren Salmanson L.Salmanson@themarketingdirectorsinc.com, Hale Everets h.everets@ten-arquitectos.com, "Solly@assaproperties.com" solly@assaproperties.com, More...

Cc: Dorothy Lin dl@grahamhanson.com

Conversation: 70 West 45th Street Contact Notes

All,

Please find attached the "Cassa" name/identity layout as well as the naming overview page.

Cassa:

Derived from the familiar "Casa", Spanish and Italian (and now English) for "House". The original Spanish also provides a subtle referential nod to Ten Arquitectos.

Modified with an additional "s" in reference to "Assa". This reference is, and was intended to be, very subtle. In most cases the connection will not be made unless pointed out. Nevertheless, the distinctive spelling is what makes the name effective. The familiar "Casa" will not work. The ambiguity achieved through the modified name allows the name to work for the entire project - residences and guestrooms.

"Cassa" is a unique yet universal name that can be trademarked and used if and when additional projects are developed in other locations.

Once we receive your formal approval, we will move quickly to issue a comprehensive development schedule.

Thanks,
Graham

On 1/16/07 8:02 AM, "Lauren Salmanson"
<L.Salmanson@themarketingdirectorsinc.com> wrote:

Please find contact notes from yesterday's meeting attached.

Thank you

Lauren Salmanson
The Marketing Directors, Inc

EXHIBIT 3

Trademark/Service Mark Application, Principal Register

Serial Number: 85900657

Filing Date: 04/10/2013

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	85900657
MARK INFORMATION	
*MARK	\\TICRS\EXPORT16\IMAGEOUT 16\859\006\85900657\xml1\APP0002.JPG
SPECIAL FORM	YES
USPTO-GENERATED IMAGE	NO
LITERAL ELEMENT	CASSA
COLOR MARK	NO
*DESCRIPTION OF THE MARK (and Color Location, if applicable)	The mark consists of the word CASSA in lowercase in a stylized font.
PIXEL COUNT ACCEPTABLE	NO
PIXEL COUNT	767 x 167
REGISTER	Principal
APPLICANT INFORMATION	
*OWNER OF MARK	The Solution Group Corp.
*STREET	2 NE 40 Street, Suite 204
*CITY	Miami
*STATE (Required for U.S. applicants)	Florida

*COUNTRY	United States
*ZIP/POSTAL CODE (Required for U.S. applicants only)	33137
PHONE	305-447-1617
FAX	305-445-8484
LEGAL ENTITY INFORMATION	
TYPE	corporation
STATE/COUNTRY OF INCORPORATION	Florida
GOODS AND/OR SERVICES AND BASIS INFORMATION	
INTERNATIONAL CLASS	037
* IDENTIFICATION	real estate development and construction of commercial, residential and hotel property
FILING BASIS	SECTION 1(b)
ATTORNEY INFORMATION	
NAME	Jesus Sanchelima, Esq.
ATTORNEY DOCKET NUMBER	330008.1
FIRM NAME	Sanchelima & Associates, P.A.
STREET	235 SW Le Jeune Road
CITY	Miami
STATE	Florida
COUNTRY	United States
ZIP/POSTAL CODE	33134
PHONE	305-447-1617
FAX	305-445-8484
CORRESPONDENCE INFORMATION	
NAME	Jesus Sanchelima, Esq.
FIRM NAME	Sanchelima & Associates, P.A.
STREET	235 SW Le Jeune Road

CITY	Miami
STATE	Florida
COUNTRY	United States
ZIP/POSTAL CODE	33134
PHONE	305-447-1617
FAX	305-445-8484
FEE INFORMATION	
NUMBER OF CLASSES	1
FEE PER CLASS	325
*TOTAL FEE DUE	325
*TOTAL FEE PAID	325
SIGNATURE INFORMATION	
* SIGNATORY FILE	\\TICRS\EXPORT16\IMAGEOUT16\859\006\85900657\xml1\APP0003.JPG
SIGNATORY'S NAME	Camilo Lopez
SIGNATORY'S POSITION	President

Trademark/Service Mark Application, Principal Register

Serial Number: 85900657

Filing Date: 04/10/2013

To the Commissioner for Trademarks:

MARK: CASSA (stylized and/or with design, see [mark](#))

The literal element of the mark consists of CASSA.

The applicant is not claiming color as a feature of the mark. The mark consists of the word CASSA in lowercase in a stylized font.

The applicant, The Solution Group Corp., a corporation of Florida, having an address of
2 NE 40 Street, Suite 204
Miami, Florida 33137
United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

International Class 037: real estate development and construction of commercial, residential and hotel property

Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services. (15 U.S.C. Section 1051(b)).

The applicant's current Attorney Information:

Jesus Sanchelima, Esq. of Sanchelima & Associates, P.A.
235 SW Le Jeune Road
Miami, Florida 33134
United States

The attorney docket/reference number is 330008.1.

The applicant's current Correspondence Information:

Jesus Sanchelima, Esq.
Sanchelima & Associates, P.A.
235 SW Le Jeune Road
Miami, Florida 33134
305-447-1617(phone)
305-445-8484(fax)

A fee payment in the amount of \$325 has been submitted with the application, representing payment for 1 class(es).

Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Declaration Signature

Signature: Not Provided Date: Not Provided

Signatory's Name: Camilo Lopez

Signatory's Position: President

RAM Sale Number: 85900657

RAM Accounting Date: 04/11/2013

Serial Number: 85900657

Internet Transmission Date: Wed Apr 10 17:09:52 EDT 2013

TEAS Stamp: USPTO/BAS-108.67.201.17-2013041017095276

3901-85900657-5004fc47097f8e244617cdf4db

39f36c2cf2879fab69cf9f91b318ee63e033932-

CC-4150-20130410152716260161

cassa

Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature Section:

Signature: _____

Signatory's Name: Camilo Lopez

Signatory's Position: President

Signatory's Phone Number: 305-447-1617

Date Signed: 04/10/2013

NOTE TO APPLICANT: When filed as part of the electronic form (i.e., scanned and attached as an image file), the signature page **must** include both the signature information **and** the boilerplate declaration language. Do **not** include the entire application, but do ensure that the boilerplate declaration language actually appears; *a signature by itself will not be acceptable*. If, due to browser limitations, the boilerplate declaration language appears on a previous page when printed, you must "merge" the declaration and signature block onto a single page prior to signing, so that the *one complete page* can be scanned to create an acceptable image file. It is recommended that you copy-and-paste the entire text form into another document, manipulate the spacing there to move the declaration and signature section to a separate page, and then print this new version of the text form to send to the signatory.

EXHIBIT 4

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

-----X	
ASSA REALTY, LLC,	Trademark Application
<i>Opposer,</i>	Mark: CASSA
-against-	Application Serial No.: 85900657
THE SOLUTION GROUP CORP.,	Filed: April 10, 2013
<i>Applicant.</i>	Published: February 4, 2014
-----X	Opposition No.: _____

NOTICE OF OPPOSITION

In the matter of the application for registration CASSA for “real estate development and construction of commercial, residential and hotel property” in International Class 37, filed April 10, 2013, by The Solution Group Corp. (“Applicant”), assigned Application Serial No.: 85900657, and published for opposition in the *Official Gazette* on February 4, 2014, Assa Realty, LLC (“Opposer”), believes that it will be damaged by such registration and hereby opposes the registration of Applicant’s mark pursuant to 15 USC §1063 and 37 CFR §2.105. As grounds of opposition, it is alleged that:

1. Opposer, Assa Realty, LLC, is a New York Limited Liability Company that exists pursuant to the laws of the State of New York with its principal place of business at 410 Park Avenue, Ste. 1630, New York, New York 10022.
2. Opposer, since at least March, 2009, has been and is now using the mark CASSA in connection with real estate development and construction of commercial and residential and hotel properties (“Opposer’s Mark”).
3. Opposer filed an Application for CASSA with the USPTO on June 10, 2013, that was assigned Application Serial No. 85955568 (the “Opposer’s Application”).

4. The Opposer's Application was filed based on the actual use of the Mark since March 15, 2009 (the "Opposer's First Use") pursuant to Section 1(a).

5. Applicant filed the proposed mark CASSA on April 10, 2013, Application Serial No. 85900657 for "real estate development and construction of commercial, residential and hotel property" pursuant to Section 1(b), claiming a bona fide intent to use the mark in commerce (the "Applicant's Mark").

6. Opposer's use of Opposer's Mark has been valid and continuous since at least March, 2009, and has not been abandoned or limited in anyway. Opposer's Mark is symbolic of extensive goodwill and consumer recognition. As a result of the substantial amounts of time and effort in advertising and promotion, Opposers have developed an exceedingly valuable goodwill with respect to Opposer's Mark.

7. Applicant's Mark and Opposer's Mark are the very same mark in name, appearance and meaning.

8. Applicant's services and Opposer's services are very similiary.

9. Applicant's services and Opposer's services are likely to be confused.

10. On information and belief, Opposer alleges that the services of Opposer and Applicant are offered or to be offered in similar channels of commerce and offered to similar customers.

11. Applicant's use of and application to register CASSA is without the consent or permission of Opposer.

12. Applicant's Mark and Opposer's Mark are likely to be confused.

13. Opposer's first use of Opposer's Mark precedes any alleged use or intended us of Applicant's first use of Applicant's Mark in commerce.

14. Opposer's first use of Opposer's Mark precedes the filing of Applicant's application to register Applicant's Mark in the United States Patent and Trademark Office.

15. Opposer has been advertising Opposer's Mark both nationally and internationally thru magazines and the internet, since at least March, 2009.

16. Opposer's Mark has been used since as early as March, 2009, in brochures offering residential units.

17. Opposer's Mark has been used since as early as March, 2009, on the internet for its hotels and residences.

18. Opposer has entered into exclusive licensing agreements for the use of Opposer's Mark since January, 2012.

19. Opposer's Mark has been used as a marquee or name of Opposer's buildings since March, 2009.

20. Upon information and belief, Applicant had knowledge of Opposer's Mark based on Opposer's extensive advertisement campaign in print and through on-line media.

21. Upon information and belief, Applicant had knowledge of Opposer's use of Opposer's Mark prior to Applicant's filing to register Applicant's Mark.

22. Applicant is not the true owner of the mark in Application Serial No. 85900657.

23. Applicant has committed fraud in the filing of Application Serial No. 85900657.

24. Opposer's Mark consists of and is composed of the name "Assa" who is the name of the individuals, both Salim Assa and his brother Isaac Assa, who are the members/principals of Opposer and who Opposer is named for.

25. The individuals, Salim Assa and Isaac Assa, are both publicly associated with Opposer's Mark.

26. Applicant's Mark consists of or comprises the names of individuals who did not give Applicant their consent to use their name.

27. As a result of confusing similarity between Opposer's Mark and Applicant's Mark and because the goods or services of Applicant and Opposer are very similar, are in similar channels of commerce, and are directed to similar customers, registration of the proposed mark CASSA in connection with Applicant's services is likely to deceive purchasers as to the source or sponsorship of such services, to cause confusion, to cause mistake, or to deceive.

28. Consumers familiar with the Opposer's Mark are likely to mistakenly believe that Applicant's services are sponsored, authorized, associated with or otherwise approved by Opposer because the proposed mark is identical to Opposer's Mark. Deficiencies or faults in the quality of Applicant's services are likely to reflect negatively upon, tarnish and seriously injure the reputation that Opposer has established for services provided under Opposer's Mark. This confusion is likely to result in loss of revenues to Opposer and damage Opposer's reputation.

29. Applicant's use of the Applicant's Mark does or is likely to falsely suggest a relationship between Applicant's services and Opposer. Such use of CASSA is likely to cause confusion, mistake or deception with respect to the source or sponsorship of Applicant's services. Such use is likely to cause a significant level of sales by Applicant to consumers who would be confused by the use of the proposed mark into believing that Opposer is the source of Applicant's services, resulting in ill-gotten gains by Applicant. Applicant's use of the proposed

mark is therefore likely to result in Applicant's trading off and benefiting from the goodwill associated with Opposer, resulting in ill-gotten gains by Applicant.

30. Opposer is likely to be damaged by the registration of Applicant's mark in that the *prima facie* effect of registration of Applicant's mark would tend to impair Opposer's right to use the wording contained in Applicant's mark.

31. Opposer will be damaged by the registration of Applicant's mark because the Office notified Opposer, in an Office Action date September 23, 2013, that Opposer's application will be refused if Applicant's mark is granted registration by the U.S. Patent and Trademark Office.

32. The Application for the Applicant's Mark was published for opposition in the Official Gazette on February 4, 2014. On February 10, 2014, the Opposer timely filed a request for a 30-day extension of time to oppose the application of Applicant's Mark, which was granted until April 5, 2014. See Exhibit "A."

33. For the foregoing reasons, the registration sought by Applicant is contrary to the provisions of the Lanham Act, and Opposer would be damaged thereby.

WHEREFORE, Opposer prays that the application for registration of the mark CASSA, Application Serial No.: 85900657, be refused and that this Opposition be sustained in favor of Opposer.

The fee required by Sect. 2.6(a)(17) is enclosed herewith.

Opposer hereby appoints Richard Migliaccio, Esq, member of the Bar of the State of New York, and Joel Scott Ray, member of the Bars of the State of New York, Connecticut and registered Patent Attorney, Reg. No. 56,918, at RICHARD J. MIGLIACCIO, ESQ. 410 Park

Avenue, Ste. 1630, New York, NY 10022, to act as attorneys in the matter of the opposition identified above, to prosecute said opposition, to transact all business in the Patent and Trademark Office, and in the United States courts connected with the opposition, to sign its name to all papers which are hereinafter to be filed in connection therewith, and to receive all communications relating to the same.

Dated: New York, New York
April 1, 2014

Yours, etc,
RICHARD J. MIGLIACCIO, ESQ.

/s/ Joel Scott Ray
By: Joel Scott Ray, Esq.
Attorneys for Opposer
410 Park Avenue, Ste. 1630
New York, NY 10022
Tel: (212) 239-9900 ext. 40
Fax: (212) 239-7468
e-mail: Richard@assaproperties.com and
joel@assaproperties.com

TO:

SANCHELIMA & ASSOCIATES, P.A.
Attorneys for Applicant
235 SW Le Jeune Road
Miami, FL 33134

EXHIBIT A

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Richard J. Migliaccio

410 Park Avenue, Ste, 1630
New York, NY 10022

Mailed: February 10, 2014

Serial No.: 85900657

ESTTA TRACKING NO: ESTTA586424

The request to extend time to oppose is granted until
4/5/2014 on behalf of potential opposer **Assa Realty, LLC**

Please do not hesitate to contact the Trademark Trial and
Appeal Board at (571)272-8500 if you have any questions
relating to this extension.

Note from the Trademark Trial and Appeal Board

TTAB forms for electronic filing of extensions of time to
oppose, notices of opposition, petition for cancellation, notice
of ex parte appeal, and inter partes filings are now available
at <http://estta.uspto.gov>. Images of TTAB proceeding files can
be viewed using TTABVue at <http://ttabvue.uspto.gov>.

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

-----X
ASSA REALTY, LLC,

Opposition No.: _____

Opposer,

In the matter of:

-against-

THE SOLUTION GROUP CORP.,

Mark: **CASSA**

Application Serial No.: 85900657

Published: February 4, 2014

Applicant.

-----X

CERTIFICATE OF SERVICE

I, Joel Scott Ray, Esq., do hereby certify that on April 1, 2014, a true and correct copy of the foregoing **NOTICE OF OPPOSITION** was served on the following via overnight delivery by Federal Express to Applicant at its correspondence address of record:

Jesus Sanchelima, Esq.
SANCHELIMA & ASSOCIATES, P.A.
235 SW Le Jeune Rd.
Miami, FL 33134

Dated: New York, New York
April 1, 2014

1st Joel Scott Ray
Joel Scott Ray, Esq.

EXHIBIT 5

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

Assa Realty, LLC

Opposer,

v.

Opposition No. 91215734

The Solution Group Corp.

Applicant,

_____)

ANSWER

Applicant, The Solution Group Corp., a Florida corporation, with its principal place of business at 4100 N. Miami Avenue, Miami, Florida 33127, (hereinafter “Applicant”), owner of the “CASSA” mark and the application serial No. 85/900,657 for its Answer to Petitioner’s Notice of Opposition (hereinafter “Notice”), states and alleges as follows:

1. Applicant lacks knowledge or information sufficient to form a belief about the truth of the assertions in paragraph 1 of the Notice, and thereby denies the allegations in paragraph 1.

2. Applicant lacks knowledge or information sufficient to form a belief about the truth of the assertions in paragraph 2 of the Notice, and thereby denies the allegations in paragraph 2.

3. Applicant admits to the assertions in paragraph 3 of the Notice.

4. Applicant admits that the application was filed alleging use but Applicant is without sufficient knowledge to admit or deny the truth of the rest of the allegations in paragraph 4.
5. Applicant admits to the assertions in paragraph 5 of the Notice.
6. Applicant lacks knowledge or information sufficient to form a belief about the truth of the assertions in paragraph 6 of the Notice, and thereby denies the allegations of paragraph 6.
7. Applicant does not have sufficient knowledge or information to form a belief about the truth of the assertions in paragraph 7 of the Notice as to what meaning Opposer attributes to the mark, and thereby denies the allegations of paragraph 7.
8. Applicant lacks knowledge or information sufficient to form a belief about the truth of the assertions in paragraph 8 of the Notice, and thereby denies the allegations of paragraph 8.
9. Applicant lacks knowledge or information sufficient to form a belief about the truth of the assertions in paragraph 9 of the Notice, and thereby denies the allegations of paragraph 9.
10. Applicant lacks knowledge or information sufficient to form a belief about the truth of the assertions in paragraph 10 of the Notice, and thereby denies the allegations of paragraph 10.
11. No consent is needed. Applicant admits that it never asks Opposer for consent and in fact did not know of its existence.
12. Applicant denies the assertions in paragraph 12.

13. Applicant lacks knowledge or information sufficient to form a belief about the truth of the assertions in paragraph 13 of the Notice, and thereby denies the allegations of paragraph 13.
14. Applicant lacks knowledge or information sufficient to form a belief about the truth of the assertions in paragraph 14 of the Notice, and thereby denies the allegations of paragraph 14.
15. Applicant lacks knowledge or information sufficient to form a belief about the truth of the assertions in paragraph 15 of the Notice, and thereby denies the allegations of paragraph 15.
16. Applicant lacks knowledge or information sufficient to form a belief about the truth of the assertions in paragraph 16 of the Notice, and thereby denies the allegations of paragraph 16.
17. Applicant lacks knowledge or information sufficient to form a belief about the truth of the assertions in paragraph 17 of the Notice, and thereby denies the allegations of paragraph 17.
18. Applicant lacks knowledge or information sufficient to form a belief about the truth of the assertions in paragraph 18 of the Notice, and thereby denies the allegations of paragraph 18.
19. Applicant lacks knowledge or information sufficient to form a belief about the truth of the assertions in paragraph 19 of the Notice, and thereby denies the allegations of paragraph 19.
20. Applicant lacks knowledge or information sufficient to form a belief about the truth of the assertions in paragraph 20 of the Notice, and thereby denies the allegations of paragraph 20.

21. Applicant denies the assertions in paragraph 21.
22. Applicant denies the assertions in paragraph 22.
23. Applicant denies the assertions in paragraph 23.
24. Applicant lacks knowledge or information sufficient to form a belief about the truth of the assertions in paragraph 20 of the Notice, and thereby denies the allegations of paragraph 24.
25. Applicant lacks knowledge or information sufficient to form a belief about the truth of the assertions in paragraph 20 of the Notice, and thereby denies the allegations of paragraph 25.
26. Applicant denies that the marks are the names of an individual, no need to obtain consent from Opposer.
27. Applicant denies the assertions in paragraph 27.
28. Applicant lacks knowledge or information sufficient to form a belief about the truth of the assertions in paragraph 28 of the Notice, and thereby denies paragraph 28.
29. Applicant denies the assertions in paragraph 29.
30. Applicant denies the assertions in paragraph 30.
31. Applicant lacks knowledge or information sufficient to form a belief about the truth of the assertions in paragraph 31 of the Notice, and thereby denies paragraph 31.

32. Applicant lacks knowledge or information sufficient to form a belief about the truth of the assertions in paragraph 32 of the Notice, and thereby denies the allegations of paragraph 32.

33. Applicant denies the assertions in paragraph 33.

Any allegation of the Notice of Opposition that is not admitted herein is expressly denied. Applicant denies that the Opposer is entitled to the relief sought in the Notice of Opposition.

THEREFORE, the Applicant respectfully requests that the Notice of Opposition be dismissed.

Dated: May 6, 2014

Respectfully submitted,

/s/ Jesus Sanchelima

Jesus Sanchelima, Esq. (Fla. Bar No. 231207)
jesus@sanchelima.com
Sanchelima & Associates, P.A.
235 S.W. Le Jeune Road
Miami, Florida 33134
Telephone: (305) 447-1617
Facsimile: (305) 445-8484
Attorneys for The Solution Group Corp.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was mailed electronically on this 6th day of May 2014 to:

/s/ Jesus Sanchelima
Jesus Sanchelima, Esq.

SERVICE LIST

Assa Realty, LLC versus The Solution Group Corp

Richard J. Migliaccio, Esq.
richard@assaproperties.com
410 Park Avenue, Ste, 1630
New York, NY 10022

Joel Scott Ray, Esq.
Joel.Ray@assaproperties.com
410 Park Avenue, Ste, 1630
New York, NY 10022

EXHIBIT 6

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

-----X	
ASSA REALTY, LLC,	Trademark Application
<i>Opposer,</i>	Mark: CASSA
-against-	Application Serial No.: 85900657
THE SOLUTION GROUP CORP.,	Filed: April 10, 2013
<i>Applicant.</i>	Published: February 4, 2014
-----X	Opposition No.: 91215734

**OPPOSER’S RESPONSE TO APPLICANT’S
FIRST SET OF INTERROGATORIES**

PLEASE TAKE NOTICE that Opposer by its attorney, Richard J. Migliaccio, Esq., hereby responds and answers Applicant’s First Set of Interrogatories dated July 29, 2014:

GENERAL STATEMENTS

- A. The information supplied in this Answer is not based solely upon the knowledge of the executing party, but includes the knowledge of other employees of Opposer.
- B. The word usage and sentence structure is that of the attorney for Opposer who in fact prepared this Answer, and the language does not purport to be the exact language of the executing party.
- C. In answering this Interrogatory Request, the best current knowledge, information and beliefs of Opposer’s current personnel have been inquired into.
- D. The terms used in this Answer have the meanings established for them in Opposer’s other pleadings and filings in this case as well.

E. Opposer reserves the right to amend this Answer based on information learned after the filing of this Answer.

GENERAL OBJECTIONS

A. Opposer objects to all of these Interrogatories as unduly burdensome, oppressive, overbroad and premature. Specific interrogatories as challenged below seek information neither relevant to issues disputed in this action nor reasonably calculated to lead to the discovery of admissible evidence. The information sought in these Interrogatories is more properly the subject of a document request and/or depositions.

B. In addition, many of these Interrogatories seek information which is in possession or control of Applicant or cannot be properly provided until Applicant has produced to Opposer all of the documents requested by Opposer, and until oral depositions before trial, including those of Applicant's witnesses and of third parties, have been completed. Therefore, Opposer reserves its rights to respond more fully to these Interrogatories, if necessary, upon the completion of additional discovery.

SPECIFIC RESPONSES

INTERROGATORY NO. 1:

What are the names and addresses of the persons with the most knowledge pertaining to the matters asserted in your answers to this notice of opposition?

RESPONSE TO INTERROGATORY NO. 1:

a. Solly Assa, 410 Park Avenue, Ste. 1630, New York, NY 10022, tel: 212-239-9900.

b. Robert Lebensfeld, 410 Park Avenue, Ste. 1630, New York, NY 10022,
tel: 212-239-9900.

INTERROGATORY NO. 2:

Describe the business conducted by Opposer, including the time period Opposer, and its predecessor(“s) [*sic*] in interest for Opposer’s Marks, has(ve) been engaged in such business.

RESPONSE TO INTERROGATORY NO. 2:

Real estate development, purchasing properties, building luxury hotels and residential condominiums, leasing and selling of residential units, purchasing and leasing commercial and residential properties, hotel services and other real estate related activities and has been engaged in such business since 2005.

INTERROGATORY NO. 3:

Identify and describe the goods and services on which Opposer has used Opposer’s Marks or any variation thereof.

RESPONSE TO INTERROGATORY NO. 3:

Opposer is using and has been using since 2009 its mark, CASSA, on its project at 70 West 45, New York, New York for both the hotel and residences, e.g. Cassa NY Hotel & Residence. Further, Opposer is using Cassa to identify its new project located at 515 Ninth Avenue, New York, New York, e.g. Cassa Times Square Hotel & Residence, since June, 2014. Those projects include all related services for hotel, and selling and leasing residential units, etc.

INTERROGATORY NO. 4:

- (a) Set forth the date on which Opposer first decided to adopt Opposer's Marks or any variation thereof.
- (b) Describe the circumstances and method by which Opposer adopted the designation **CASSA** or any variation thereof.
- (c) Set forth the reasons why any proposed marks or names, if any, were rejected.
- (d) Identify all documents relating to Opposer's decision to select, adopt and/or user Opposer's Marks or any variation thereof.

RESPONSE TO INTERROGATORY NO. 4:

In January, 2007, Opposer decided to adopt Opposer's Mark. Opposer employed Graham Hanson Design, LLC ("GHD"), a branding and design agency to design and prepare its trademark and branding. GHD developed Opposer's Mark, because it incorporates the name of Opposer and its principles "Assa" as part of the mark and the Spanish/Italian word "casa" for house. Thus it immediately has a connection to Opposer and to its principles. No other marks were considered. All documents related to Opposer's decision to adopt the Mark are annexed to Opposer's document production and are Bates stamped AR0001-AR0007.

INTERROGATORY NO. 5:

State whether any searches or investigations were conducted by Opposer, its attorneys, or any person on its behalf to determine whether the designation **CASSA**, or any variation thereof, was available for use and/or registration and, if so, identify each such search or investigation including the date of the investigations, and the person that conducted said search.

RESPONSE TO INTERROGATORY NO. 5:

GHD conducted a search of Opposer's Mark in 2007.

INTERROGATORY NO. 6:

Identify each document referring or relating in any way to any application, registration, or acquisition by Opposer's Marks or any variation thereof.

RESPONSE TO INTERROGATORY NO. 6:

See Documents Bates stamp AR0001-AR0619.

INTERROGATORY NO. 7:

Identify all documents that refer or relate in any way to Opposer's use in commerce of the Opposer's Marks or any variation thereof.

RESPONSE TO INTERROGATORY NO. 7:

See documents attached to Opposer's document production Bates stamp AR0001-AR0619, which include, but are not limited to the following documents:

- a. Newspaper articles;
- b. Paid advertisements, both in magazines, newspaper and other paper forms, as well as electronic, including the internet;
- c. Copyright registrations;
- d. Newspaper announcements;
- e. Photographs depicting advertisement, flyers, and banners demonstrating first use of Opposer that pre-dates Applicant;
- f. Sales brochures;
- g. Websites and web based content; and
- h. E-mails.

INTERROGATORY NO. 8:

Identify the approximate dollar amount of Opposer's annual sales goods or services rendered bearing the designation **CASSA** or any variation thereof, as well as Opposer's annual advertising and promotional expenditures for such services.

RESPONSE TO INTERROGATORY NO. 8:

Annual sales and revenue using CASSA are for the 45th Street property are approximately \$20 Million per year and for the 515 property that just recently started operating total revenue is projected to be approximately \$14.8 Million per year.

The annual expenses for advertisement and promotion for all properties that use Opposer's Mark for this year is projected to be \$375,000.00.

INTERROGATORY NO.9:

Identify by title, full name, present business address and home address, all persons who participated in and/or authorized and/or directed the promotion of Opposer's goods and services using Opposer's Mark.

RESPONSE TO INTERROGATORY NO. 9:

Graham Hanson Design, 475 Park Avenue South, Floor 19 New York, NY 10016; The Marketing Directors, Inc., 750 Lexington Ave., 18th Floor, New York, NY 10022; Nadine Johnson & Associates, Inc., 436 West 18th Street, New York, NY 10011; KVD Communications, LLC 419 Lafayette St, New York, NY 10003; and Douglas Elliman Real Estate, 575 Madison Ave., New York, NY 10022.

INTERROGATORY NO. 10:

State the advertising media (radio, TV., newspapers, yellow pages, internet, etc.) used by Opposer, to promote its goods and services, by listing the names of the companies, addresses and duration of the advertisements using Opposer's Marks.

RESPONSE TO INTERROGATORY NO. 10:

Websites on the Internet, internet advertisement and magazines.

INTERROGATORY NO. 11:

Identify each different printed advertisement, and/or promotional material and the like, known to Opposer which contains or bears Opposer's Marks or any variation thereof, which has been used or disseminated at the time by Opposer.

RESPONSE TO INTERROGATORY NO. 11:

Websites with domains, e.g. www.cassanyc.com; www.cassatimesquare.com; www.cassarediencenesyc.com; the New York Times, IN NY magazine, and various magazines which are provided as part of Opposer's document production.

INTERROGATORY NO. 12:

Identify any licenses, assignments, consents to use, coexistence agreements and the like, granted by or to Opposer concerning Opposer's Marks, or any variation thereof?

RESPONSE TO INTERROGATORY NO. 12:

Opposer has a licensing agreement with Waterscape Resort, LLC, and Waterscape Resort, LLC has a licensing agreement with 70 West 45th Street, LLC.

INTERROGATORY NO. 13:

If Opposer, or any person acting for or on behalf of Opposer, has consulted with or retained the services of any expert with respect to any of the issues involved in this proceeding, identify each such expert and describe the subject matter on which he or she was consulted or retained, and identify all documents which refer or relate thereto.

RESPONSE TO INTERROGATORY NO. 13:

Opposer objects to this Interrogatory as being improper for this discovery device and is an abuse of the discovery device. Further, Opposer will respond in accordance with the Federal Rules of Civil Procedures, the TTAB procedures and the orders issued by the Office.

INTERROGATORY NO. 14:

Identify each person who participated in the preparation of Opposer's responses to the foregoing interrogatories and who furnished any information in response thereto.

RESPONSE TO INTERROGATORY NO. 14:

Robert Lebensfeld participated in the preparation of this response.

INTERROGATORY NO. 15:

Identify any use of the mark **CASSA**, by Opposer, prior to April of 2013 for any of the services listed in Application No. 85955568.

RESPONSE TO INTERROGATORY NO. 14:

See documents AR0001-AR0530 and AR0534-AR0619. Those documents show the earliest use of Opposer's Mark in March, 2009 to the present.

INTERROGATORY NO. 16:

Identify each communication that Opposer or any person acting for or on behalf of Opposer, has received, either, oral, via electronic means, or in writing, from any person which suggests, implies, or infers that the Opposer may be connected or associated with Applicant, or which inquires as to whether there is or may be such a connection or association, including Opposer's response thereto.

RESPONSE TO INTERROGATORY NO. 16:

Upon information and belief, no such communication has been received.

INTERROGATORY NO. 17:

Identify any instances of actual confusion with Applicant's use of its "CASSA" mark including but not limited to, checks, courier services, letters, invoices, etc. received by Opposer concerning Applicant's "CASSA" mark subject of this application.

RESPONSE TO INTERROGATORY NO. 17:

Opposer sets forth as an instance of actual confusion is Applicant's Mark as depicted on its website and in photographs showing Applicant's Mark posted on walls. The style and form is exactly like Opposer's Mark. Applicant uses all lower case letters. The fact that Applicant uses a fatter font than Opposer is minimal regarding likelihood of confusion. Applicant does not even use a different font or stylization distinct from Opposer. See documents AR0530-AR0533.

PLEASE TAKE FURTHER NOTICE that this response is a continuing response and that Plaintiff reserves that right to supplement or amend this response based on information learned after the filing of this response.

Dated: New York, New York
September 8, 2014

Yours, etc,
RICHARD J. MIGLIACCIO, ESQ.

/s/ Joel Scott Ray
By: Joel Scott Ray, Esq.
Attorneys for Opposer
410 Park Avenue, Ste. 1630
New York, NY 10022
Tel: (212) 239-9900 ext. 40
Fax: (212) 239-7468
e-mail: Richard@assaproperties.com and
joel@assaproperties.com

TO:

SANCHELIMA & ASSOCIATES, P.A.
Attorneys for Applicant
235 SW Le Jeune Road
Miami, FL 33134

EXHIBIT 7

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

-----X	
ASSA REALTY, LLC,	Trademark Application
<i>Opposer,</i>	Mark: CASSA
-against-	Application Serial No.: 85900657
THE SOLUTION GROUP CORP.,	Filed: April 10, 2013
<i>Applicant.</i>	Published: February 4, 2014
-----X	Opposition No.: 91215734

**OPPOSER’S RESPONSE TO APPLICANT’S
FIRST SET OF INTERROGATORIES**

PLEASE TAKE NOTICE that Opposer by its attorney, Richard J. Migliaccio, Esq., hereby responds and answers Applicant’s First Set of Interrogatories dated July 29, 2014:

GENERAL STATEMENTS

- A. The information supplied in this Answer is not based solely upon the knowledge of the executing party, but includes the knowledge of other employees of Opposer.
- B. The word usage and sentence structure is that of the attorney for Opposer who in fact prepared this Answer, and the language does not purport to be the exact language of the executing party.
- C. In answering this Interrogatory Request, the best current knowledge, information and beliefs of Opposer’s current personnel have been inquired into.
- D. The terms used in this Answer have the meanings established for them in Opposer’s other pleadings and filings in this case as well.

E. Opposer reserves the right to amend this Answer based on information learned after the filing of this Answer.

GENERAL OBJECTIONS

A. Opposer objects to all of these Interrogatories as unduly burdensome, oppressive, overbroad and premature. Specific interrogatories as challenged below seek information neither relevant to issues disputed in this action nor reasonably calculated to lead to the discovery of admissible evidence. The information sought in these Interrogatories is more properly the subject of a document request and/or depositions.

B. In addition, many of these Interrogatories seek information which is in possession or control of Applicant or cannot be properly provided until Applicant has produced to Opposer all of the documents requested by Opposer, and until oral depositions before trial, including those of Applicant's witnesses and of third parties, have been completed. Therefore, Opposer reserves its rights to respond more fully to these Interrogatories, if necessary, upon the completion of additional discovery.

SPECIFIC RESPONSES

INTERROGATORY NO. 1:

What are the names and addresses of the persons with the most knowledge pertaining to the matters asserted in your answers to this notice of opposition?

RESPONSE TO INTERROGATORY NO. 1:

a. Solly Assa, 410 Park Avenue, Ste. 1630, New York, NY
10022, tel: 212-239-9900.

b. Robert Lebensfeld, 410 Park Avenue, Ste. 1630, New York, NY 10022,
tel: 212-239-9900.

INTERROGATORY NO. 2:

Describe the business conducted by Opposer, including the time period Opposer, and its predecessor("s) [*sic*] in interest for Opposer's Marks, has(ve) been engaged in such business.

RESPONSE TO INTERROGATORY NO. 2:

Real estate development, purchasing properties, building luxury hotels and residential condominiums, leasing and selling of residential units, purchasing and leasing commercial and residential properties, hotel services and other real estate related activities and has been engaged in such business since 2005.

INTERROGATORY NO. 3:

Identify and describe the goods and services on which Opposer has used Opposer's Marks or any variation thereof.

RESPONSE TO INTERROGATORY NO. 3:

Opposer is using and has been using since 2009 its mark, CASSA, on its project at 70 West 45, New York, New York for both the hotel and residences, e.g. Cassa NY Hotel & Residence. Further, Opposer is using Cassa to identify its new project located at 515 Ninth Avenue, New York, New York, e.g. Cassa Times Square Hotel & Residence, since June, 2014. Those projects include all related services for hotel, and selling and leasing residential units, etc.

INTERROGATORY NO. 4:

- (a) Set forth the date on which Opposer first decided to adopt Opposer's Marks or any variation thereof.
- (b) Describe the circumstances and method by which Opposer adopted the designation **CASSA** or any variation thereof.
- (c) Set forth the reasons why any proposed marks or names, if any, were rejected.
- (d) Identify all documents relating to Opposer's decision to select, adopt and/or user Opposer's Marks or any variation thereof.

RESPONSE TO INTERROGATORY NO. 4:

In January, 2007, Opposer decided to adopt Opposer's Mark. Opposer employed Graham Hanson Design, LLC ("GHD"), a branding and design agency to design and prepare its trademark and branding. GHD developed Opposer's Mark, because it incorporates the name of Opposer and its principles "Assa" as part of the mark and the Spanish/Italian word "casa" for house. Thus it immediately has a connection to Opposer and to its principles. No other marks were considered. All documents related to Opposer's decision to adopt the Mark are annexed to Opposer's document production and are Bates stamped AR0001-AR0007.

INTERROGATORY NO. 5:

State whether any searches or investigations were conducted by Opposer, its attorneys, or any person on its behalf to determine whether the designation **CASSA**, or any variation thereof, was available for use and/or registration and, if so, identify each such search or investigation including the date of the investigations, and the person that conducted said search.

RESPONSE TO INTERROGATORY NO. 5:

GHD conducted a search of Opposer's Mark in 2007.

INTERROGATORY NO. 6:

Identify each document referring or relating in any way to any application, registration, or acquisition by Opposer's Marks or any variation thereof.

RESPONSE TO INTERROGATORY NO. 6:

See Documents Bates stamp AR0001-AR0619.

INTERROGATORY NO. 7:

Identify all documents that refer or relate in any way to Opposer's use in commerce of the Opposer's Marks or any variation thereof.

RESPONSE TO INTERROGATORY NO. 7:

See documents attached to Opposer's document production Bates stamp AR0001-AR0619, which include, but are not limited to the following documents:

- a. Newspaper articles;
- b. Paid advertisements, both in magazines, newspaper and other paper forms, as well as electronic, including the internet;
- c. Copyright registrations;
- d. Newspaper announcements;
- e. Photographs depicting advertisement, flyers, and banners demonstrating first use of Opposer that pre-dates Applicant;
- f. Sales brochures;
- g. Websites and web based content; and
- h. E-mails.

INTERROGATORY NO. 8:

Identify the approximate dollar amount of Opposer's annual sales goods or services rendered bearing the designation **CASSA** or any variation thereof, as well as Opposer's annual advertising and promotional expenditures for such services.

RESPONSE TO INTERROGATORY NO. 8:

Annual sales and revenue using CASSA are for the 45th Street property are approximately \$20 Million per year and for the 515 property that just recently started operating total revenue is projected to be approximately \$14.8 Million per year.

The annual expenses for advertisement and promotion for all properties that use Opposer's Mark for this year is projected to be \$375,000.00.

INTERROGATORY NO.9:

Identify by title, full name, present business address and home address, all persons who participated in and/or authorized and/or directed the promotion of Opposer's goods and services using Opposer's Mark.

RESPONSE TO INTERROGATORY NO. 9:

Graham Hanson Design, 475 Park Avenue South, Floor 19 New York, NY 10016; The Marketing Directors, Inc., 750 Lexington Ave., 18th Floor, New York, NY 10022; Nadine Johnson & Associates, Inc., 436 West 18th Street, New York, NY 10011; KVD Communications, LLC 419 Lafayette St, New York, NY 10003; and Douglas Elliman Real Estate, 575 Madison Ave., New York, NY 10022.

INTERROGATORY NO. 10:

State the advertising media (radio, TV., newspapers, yellow pages, internet, etc.) used by Opposer, to promote its goods and services, by listing the names of the companies, addresses and duration of the advertisements using Opposer's Marks.

RESPONSE TO INTERROGATORY NO. 10:

Websites on the Internet, internet advertisement and magazines.

INTERROGATORY NO. 11:

Identify each different printed advertisement, and/or promotional material and the like, known to Opposer which contains or bears Opposer's Marks or any variation thereof, which has been used or disseminated at the time by Opposer.

RESPONSE TO INTERROGATORY NO. 11:

Websites with domains, e.g. www.cassanyc.com; www.cassatimesquare.com; www.cassarediencenyc.com; the New York Times, IN NY magazine, and various magazines which are provided as part of Opposer's document production.

INTERROGATORY NO. 12:

Identify any licenses, assignments, consents to use, coexistence agreements and the like, granted by or to Opposer concerning Opposer's Marks, or any variation thereof?

RESPONSE TO INTERROGATORY NO. 12:

Opposer has a licensing agreement with Waterscape Resort, LLC, and Waterscape Resort, LLC has a licensing agreement with 70 West 45th Street, LLC.

INTERROGATORY NO. 13:

If Opposer, or any person acting for or on behalf of Opposer, has consulted with or retained the services of any expert with respect to any of the issues involved in this proceeding, identify each such expert and describe the subject matter on which he or she was consulted or retained, and identify all documents which refer or relate thereto.

RESPONSE TO INTERROGATORY NO. 13:

Opposer objects to this Interrogatory as being improper for this discovery device and is an abuse of the discovery device. Further, Opposer will respond in accordance with the Federal Rules of Civil Procedures, the TTAB procedures and the orders issued by the Office.

INTERROGATORY NO. 14:

Identify each person who participated in the preparation of Opposer's responses to the foregoing interrogatories and who furnished any information in response thereto.

RESPONSE TO INTERROGATORY NO. 14:

Robert Lebensfeld participated in the preparation of this response.

INTERROGATORY NO. 15:

Identify any use of the mark **CASSA**, by Opposer, prior to April of 2013 for any of the services listed in Application No. 85955568.

RESPONSE TO INTERROGATORY NO. 14:

See documents AR0001-AR0530 and AR0534-AR0619. Those documents show the earliest use of Opposer's Mark in March, 2009 to the present.

INTERROGATORY NO. 16:

Identify each communication that Opposer or any person acting for or on behalf of Opposer, has received, either, oral, via electronic means, or in writing, from any person which suggests, implies, or infers that the Opposer may be connected or associated with Applicant, or which inquires as to whether there is or may be such a connection or association, including Opposer's response thereto.

RESPONSE TO INTERROGATORY NO. 16:

Upon information and belief, no such communication has been received.

INTERROGATORY NO. 17:

Identify any instances of actual confusion with Applicant's use of its "CASSA" mark including but not limited to, checks, courier services, letters, invoices, etc. received by Opposer concerning Applicant's "CASSA" mark subject of this application.

RESPONSE TO INTERROGATORY NO. 17:

Opposer sets forth as an instance of actual confusion is Applicant's Mark as depicted on its website and in photographs showing Applicant's Mark posted on walls. The style and form is exactly like Opposer's Mark. Applicant uses all lower case letters. The fact that Applicant uses a fatter font than Opposer is minimal regarding likelihood of confusion. Applicant does not even use a different font or stylization distinct from Opposer. See documents AR0530-AR0533.

PLEASE TAKE FURTHER NOTICE that this response is a continuing response and that Plaintiff reserves that right to supplement or amend this response based on information learned after the filing of this response.

Dated: New York, New York
September 8, 2014

Yours, etc,
RICHARD J. MIGLIACCIO, ESQ.

/s/ Joel Scott Ray
By: Joel Scott Ray, Esq.
Attorneys for Opposer
410 Park Avenue, Ste. 1630
New York, NY 10022
Tel: (212) 239-9900 ext. 40
Fax: (212) 239-7468
e-mail: Richard@assaproperties.com and
joel@assaproperties.com

TO:

SANCHELIMA & ASSOCIATES, P.A.
Attorneys for Applicant
235 SW Le Jeune Road
Miami, FL 33134

EXHIBIT 8

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

Assa Realty, LLC

Opposer,

v.

Opposition No. 91215734

The Solution Group Corp.

Applicant,

_____)

**APPLICANT'S RESPONSE TO OPPOSER'S FIRST SET OF
REQUEST FOR PRODUCTION OF DOCUMENTS**

Applicant The Solution Group Corp hereby responds to Opposer's First Set of Request for Production as follows:

Applicant produces these documents and continues to search for more relevant documents. Applicant also files herewith its privilege log for all communications prior to the institution of this proceeding and relating to the mark applied for.

REQUEST NO 1. All documents showing the earliest use of Applicant's mark.

RESPONSE: On March 18, 2013, the digital version of the CASSA at Georgetown Brochure was uploaded to the cassa.co website. The printed version of the brochure was available on April 17, 2013. Bates Nos. 000064 through 000082 corresponds to the digital CASSA at Georgetown brochure. Bates Nos. 000061 through 000063 correspond to cached pages of the website from May 9, 2013.

REQUEST NO 2. All documents showing the current use of Applicant's mark.

RESPONSE: See Bates Nos. 000053 through 000060, 000064 through 000091, and 000245 through 000247.

REQUEST NO 3. All documents regarding the development of Applicant's mark.

RESPONSE: The mark was initially selected after holding several meetings with personnel of the Plvral, LLC advertising agency, a study of the market and a reflection on a truly cross-cultural word to define the idea and concept. No documents exist.

REQUEST NO 4. All e-mails or correspondence regarding the development of Applicant's mark.

RESPONSE: No documents exist.

REQUEST NO 5. All documents referring to or demonstrating actual confusion between Applicant's mark and Opposer's mark.

RESPONSE: Applicant is not aware of the existence of any of these documents.

REQUEST NO 6. All documents, memorandums (sic), e-mails or other writings in which Applicant referred to or discuss Opposer's mark.

RESPONSE: The requested documents pertaining to communication with its attorney is privileged. Applicant is not aware of the existence of non-privileged documents created prior to the institution of these proceedings since Applicant did not know of Opposer's existence.

REQUEST NO 7. All documents, reports, studies or surveys discussing or analyzing the likelihood of confusion between Applicant's mark and Opposer's mark.

RESPONSE: To the best of Applicant's knowledge, no such documents exist.

REQUEST NO 8. All documents, reports, studies or surveys discussing or analyzing the development of the connection of Applicant's mark with Solution as the source in the public's mind.

RESPONSE: To the best of Applicant's knowledge, no such documents exist.

REQUEST NO 9. All documents, reports, studies or surveys produced in the development of Applicant's mark.

RESPONSE: To the best of Applicant's knowledge, no such documents exist.

REQUEST NO 10. All documents evidencing Applicant's plan to expand it (sic) use of Applicant's mark in connection with Applicant's goods and services.

RESPONSE: To the best of Applicant's knowledge, no such documents exist.

REQUEST NO 11. All news stories and other media that have referred to Applicant's mark, including but not limited to, newspapers, magazines and social media.

RESPONSE: See Bates Nos. 000187 through 000244, 000256 through 000266.

REQUEST NO 12. All contracts, licenses or other agreements Applicant has entered into with any other party involving the use of Applicant's mark.

RESPONSE: No agreements, or contracts or licenses exist.

REQUEST NO 13. All documents indicating the identity of the employees of Applicant that were responsible for developing Applicant's mark.

RESPONSE: To the best of Applicant's knowledge, no such documents exist.

REQUEST NO 14. All documents relating to Applicant's searches conducted for marks that included the designations that constitute Applicant's mark.

RESPONSE: See Bates Nos. 000092 through 000186.

REQUEST NO 15. All documents regarding Applicant's promotional efforts using the Applicant's mark in connection with Applicant's goods and services.

RESPONSE: See Bates Nos. 000001 through 000017, and 000053 through 000091, 000245 through 348.

REQUEST NO 16. All documents regarding or concerning Applicant's first use of Applicant's mark in connection with its goods and services.

RESPONSE: See Bates Nos. 000 061 through 000084.

REQUEST NO 17. All documents referring to or relating in any way to Applicant's application, registration or acquisition of Applicant's Mark or any variation thereof.

RESPONSE: See Bates Nos. 000020 through 000060.

REQUEST NO 18. All documents regarding Applicant's decision to select, adopt or use Applicant's Mark or any variation thereof.

RESPONSE: See Bates Nos. 000092 through 000186.

Dated: October 3rd, 2014

Respectfully submitted,

/s/ Jesus Sanchelima
Jesus Sanchelima, Esq. (Fla. Bar No. 231207)
jesus@sanchelima.com
Sanchelima & Associates, P.A.
235 S.W. Le Jeune Road
Miami, Florida 33134
Telephone: (305) 447-1617
Facsimile: (305) 445-8484
Attorneys for The Solution Group Corp.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was mailed electronically by mutual agreement on this 3rd day of October 2014 to:

Richard J. Migliaccio, Esq.
richard@assaproperties.com
410 Park Avenue, Ste, 1630
New York, NY 10022

Joel Scott Ray, Esq.
Joel.Ray@assaproperties.com
410 Park Avenue, Ste, 1630
New York, NY 10022

Sanchelima & Associates, P.A.
235 S.W. Le Jeune Rd.,
Miami, FL 33134-1762
Telephone: (305) 447-1617
Facsimile: (305) 445-8484
jesus@sanchelima.com

By: /s/ Jesus Sanchelima
Jesus Sanchelima

EXHIBIT 9

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

Assa Realty, LLC

Opposer,

v.

Opposition No. 91215734

The Solution Group Corp.

Applicant,

_____)

**APPLICANT'S ANSWERS TO OPPOSER'S FIRST SET OF
INTERROGATORY REQUESTS**

Applicant The Solution Group Corp hereby answers to Opposer's First Set of Interrogatories as follows:

INTERROGATORY 1. Identify the person, including their name and relationship to Applicant, who will answer these Interrogatories on behalf of Applicant, and the basis of the person's knowledge.

RESPONSE: Raul Sanchez de Varona, Chief Operating Officer/Chief Financial Officer and Vice President of the Solution Group Corp.

INTERROGATORY 2. Set forth the names and addresses of those peoples of Applicant or hired by Applicant who have knowledge of the issues involved in this matter.

RESPONSE:

1. Camilo A. Lopez, President and Managing Director of the Solution Group Corp. (4100 N. Miami Avenue, 2nd Floor, Miami, FL 33127).
2. Raul Sanchez de Varona, Chief Operating Officer/Chief Financial Officer of the Solution Group Corp. (4100 N. Miami Avenue, 2nd Floor, Miami, FL 33127).

INTERROGATORY 3. Set forth the facts and circumstances how Applicant developed Applicant's Mark.

RESPONSE: The mark was initially selected after holding several meetings with members of the advertising agency, Plvral, LLC on or about October 2012. It was further developed through a study of the market and a reflection on what Applicant perceived as a cross-cultural word to define the idea and concept.

INTERROGATORY 4. Describe the methods, investigations and procedures used by Applicant, its attorneys or any person on its behalf to determine whether Applicant's Mark was available for use or registration, including the dates of each search or investigation and the name of the persons who conducted such search or investigation.

RESPONSE: A trademark search was conducted on January 31, 2013 for Applicant's mark. See Bates Nos. 000092 through 0000186.

INTERROGATORY 5. Set forth the results of all investigations and searches to determine whether Applicant's Mark was available for use or registration.

RESPONSE: A trademark search was conducted on January 31, 2013 for Applicant's mark. See Bates Nos. 000092 through 0000186 for the results of the trademark search.

INTERROGATORY 6. Set forth the date on which Applicant decided to adopt and to use Applicant's Mark or any variation thereof.

RESPONSE: Beginning in October 2012, several meetings were conducted with the advertising agency, Plvral, LLC., wherein Applicant's Mark was selected and developed.

INTERROGATORY 7. Set forth what other marks were considered and why they were not used.

RESPONSE: No other marks were considered.

INTERROGATORY 8. Set forth the earliest date on which Applicant used Applicant's Mark or any variation thereof.

RESPONSE: On or about March 18, 2013, the digital version of the CASSA at Georgetown Brochure was uploaded to the cassa.co website. The printed version of the brochure was available on April 17, 2013. Bates Nos. 000064 through 000082 corresponds to the digital

CASSA at Georgetown brochure. Bates Nos. 000061 through 000063 correspond to cached pages of the website from May 9, 2013.

INTERROGATORY 9. Set forth whether Applicant, its principals, employees or any person hired by Applicant knows of or has heard of Salim or Solly Assa, Isaac Assa or Assa Realty, LLC, include the earliest dates, and how they learned of them.

RESPONSE: Applicant became aware of Salim or Solly Assa, Isaac Assa and Assa Realty, LLC only through the cease and desist letter sent by Assa Realty, LLC on June 10, 2013.

INTERROGATORY 10. Did Applicant ever obtain permission from Salim or Solly Assa or Isaac Assa to use Applicant's Mark. If your answer is in the affirmative, then include the date of such permission and how it was given.

RESPONSE: Permission was not requested, as Applicant was not aware of Salim or Solly Assa or Isaac Assa nor that permission was necessary.

INTERROGATORY 11. Set forth the goods or service that Applicant uses for Applicant's Mark or any variation thereof.

RESPONSE: Applicant uses and/or intends to use its mark for Real estate development and construction of commercial, residential and hotel property in international class 037.

INTERROGATORY 12. Set forth Applicant's annual sale of goods or service using Applicant's Mark or any variation thereof.

RESPONSE: To date Applicant has sold approximately \$6,776,000.00. Applicant also has a pending contract of an additional \$39,000,000.00.

INTERROGATORY 13. Set forth Applicant's annual advertising and promotional expenses for such goods or services that use the Applicant's Mark or any variation thereof.

RESPONSE: Annual advertising and promotional expenses amount to approximately \$520,315.00.

INTERROGATORY 14. Set forth all the advertng media, including, but not limited to, television, radio, internet, newspapers, magazines, e-magazines, social media, used by Applicant to promote its goods and services using Applicant's Mark. Include in your response the names of companies, addresses and length of time of the advertisements and the geographic locations of such advertisement.

RESPONSE: Advertisements and marketing for CASSA includes, but is not limited to:

- a. Brochures, PowerPoint presentations, fliers, newsletters, and fact sheets.
- b. Websites: cassa.co, cassabrickell.com, thesolutiongroup.net
- c. Press releases

d. Social media: Facebook and Instagram

e. Paid advertisements, in magazines, newspapers, online journals, and other media:

Miami Diario | Miami | Printed and digital | January 2014 - July 2014

ClearChannel | Miami | Digital Billboard | November 2013

YPO Gala | Miami | Printed | October 2013

Nuevo Habitat | Venezuela | Printed | September 2013

Diario Urbano | Venezuela | Printed | April 2014

Noticias 24 | Venezuela | Digital | Sept. - Nov., 2014

El Pais | Uruguay | Printed | June 2013

Brickell Magazine | Printed: 2 Page Spread Ad in 6 Consecutive Issues: Sep., Oct., Nov. and Dec. 2014 / Jan. and Feb. 2015

Venezuela | Bloque de Armas | Printed and Web Campaign

Variedades | Monthly

OK Venezuela | Every two weeks

Too Much | Every two months

H&D Decoracion | Every two months

Ronda | Every two weeks

Playboy | Monthly

Fascinacion | 2001

Meridiano | Daily news

f. Trade Shows: Expo Habitat Internacional Caracas | Oct. 31 – Nov. 3, 2013

Miami New Construction Show, Miami | Aug 29 – 31

The Real Deal | South Florida Forum and Showcase | October 23

Florida Expo 2014, San Juan | August 30

Gran Salón Inmobiliario, Bogotá | October 8-12

Expo Habitat Internacional, Caracas | November 5 – 9

g. Email marketing through weekly eblasts since February 2013

h. Online videos: *cassa Concept*: https://www.youtube.com/watch?v=_GV_Yre9XG8

Helicopter Tours: <https://www.youtube.com/watch?v=2Nug8e7rywM>

i. Events: *cassa talks* #1 - Ponce de Leon Architects | TSG Offices | April 11

TSG Corporate Run - cassa brickell | TSG Team featuring cassa brickell |

Downtown & Brickell | April 24

Experience cassa brickell | cassa brickell Sales Center | May 29

cassa walks | #1 - Architecture, nature and art | PAMM | June 10

Groundbreaking | cassa at GT community | Sept 13, 2013

Helicopter tours | Ft. Lauderdale Executive Airport | January 17, 2013

j. Media Coverage: *Metro Citizen* - posted 7/7/14

BisNow - posted 7/3/14

South Florida Business Journal - posted 7/23/14
Miami Today: posted 7/30/14.

See Bates Nos. 000001 through 000019, 000053 through 000091, and 000187 through 000348.

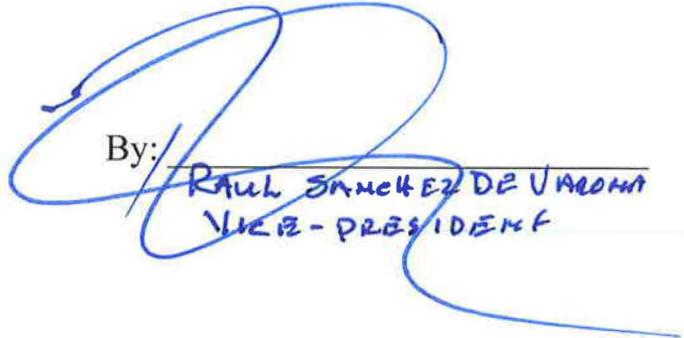
INTERROGATORY 15. Set forth all licenses, agreements, assignments, consents to use, co-existence agreements entered into or concerning Applicant's Mark or any variation thereof.

RESPONSE: No agreements, or contracts or licenses exist.

INTERROGATORY 16. Set forth any instances of actual confusion between Applicant's Mark and Opposer's Mark received by Applicant. Such actual confusion includes, but is not limited to, invoices, letters, inquires, reports, blogs, social media, etc.

RESPONSE: Applicant is not aware of the existence of any of documents related to instances of actual confusion.

THE SOLUTION GROUP CORP.

By: 
RAUL SANCHEZ DE VARONA
VICE-PRESIDENT

VERIFICATION OF INTERROGATORY RESPONSES

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

Before me, the undersigned authority, personally appeared

RAUL SANCHEZ DE VARONA

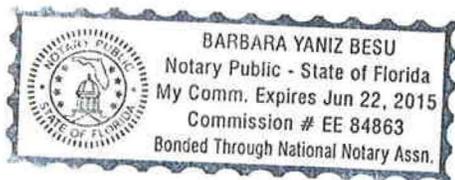
who, being duly sworn, deposes and says that the attached Answers to Interrogatories are true and correct to the best of his/her knowledge, information, and belief.

SWORN TO AND SUBSCRIBED

Before me this 30th day of Sept, 2014.


Notary Public
State of Florida

My Commission Expires:



CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was mailed electronically by mutual agreement on this 3rd day of October 2014 to:

Richard J. Migliaccio, Esq.
richard@assaproperties.com
410 Park Avenue, Ste, 1630
New York, NY 10022

Joel Scott Ray, Esq.
Joel.Ray@assaproperties.com
410 Park Avenue, Ste, 1630
New York, NY 10022

Sanchelima & Associates, P.A.
235 S.W. Le Jeune Rd.,
Miami, FL 33134-1762
Telephone: (305) 447-1617
Facsimile: (305) 445-8484
jesus@sanchelima.com

By: /s/ Jesus Sanchelima
Jesus Sanchelima

EXHIBIT 10

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

Assa Realty, LLC
Opposer,

v.

**Opposition No. 91215734
In re application No. 85900657
Mark: CASSA**

The Solution Group Corp.
Applicant,

_____)

APPLICANT'S FIRST SET OF REQUESTS FOR ADMISSION TO OPPOSER

Applicant, The Solution Group Corp. (hereinafter "Applicant"), by and through its undersigned attorney, hereby submits to Opposer, Assa Realty, LLC. (hereinafter "Opposer") Applicant's First Request for Admissions, pursuant to Rule 2.120 of the Trademark Rules of Practice, TBMP 407 and Rule 36 of the Federal Rules of Civil Procedure. The requests are to be answered separately, fully, in writing, and served on counsel for Applicant no later than thirty (30) days after receipt.

A. That each of the following statements is true:

1. That Opposer has not used, the designation "CASSA" by itself for lease of real estate in interstate commerce in 2014.
2. That Opposer has not used, the designation "CASSA" by itself for lease of real estate in interstate commerce in 2013.
3. That Opposer has not used, the designation "CASSA" by itself for lease of real estate in interstate commerce in 2012.
4. That Opposer has not used, the designation "CASSA" by itself thereof for lease of real estate in interstate commerce in 2012.

5. That Opposer has not used, the designation “CASSA” by itself thereof for lease of real estate in interstate commerce in 2011.
6. That Opposer has not used, the designation “CASSA” by itself thereof for lease of real estate in interstate commerce in 2010.
7. That Opposer has not used, the designation “CASSA” by itself thereof for lease of real estate in interstate commerce in 2009.
8. That Opposer has not used, the designation “CASSA” by itself thereof for lease of real estate in interstate commerce prior to March 15, 2009.
9. That Opposer has not used, the designation “CASSA” by itself thereof for real estate services in interstate commerce in 2014.
10. That Opposer has not used, the designation “CASSA” by itself thereof for real estate services, namely, condominium management services in interstate commerce in 2013.
11. That Opposer has not used, the designation “CASSA” by itself for real estate services in interstate commerce in 2012.
12. That Opposer has not used, the designation “CASSA” by itself for real estate services, namely, condominium management services in interstate commerce in 2011.
13. That Opposer has not used, the designation “CASSA” by itself for real estate services, namely, condominium management services in interstate commerce in 2009.
14. That Opposer has not used, the designation “CASSA” by itself for real estate services, namely, condominium management services in interstate commerce prior to March 15, 2009.

15. That Opposer has not used, the designation “CASSA” by itself for real estate services, namely, rental of vacation homes, condominiums, cabins, and villas using pay per click advertising on a global computer network in interstate commerce in 2014.
16. That Opposer has not used, the designation “CASSA” by itself for real estate services, namely, rental of vacation homes, condominiums, cabins, and villas using pay per click advertising on a global computer network in interstate commerce in 2013.
17. That Opposer has not used, the designation “CASSA” by itself thereof for real estate services, namely, rental of vacation homes, condominiums, cabins, and villas using pay per click advertising on a global computer network in interstate commerce in 2012.
18. That Opposer has not used, the designation “CASSA” by itself for real estate services, namely, rental of vacation homes, condominiums, cabins, and villas using pay per click advertising on a global computer network in interstate commerce in 2011.
19. That Opposer has not used, the designation “CASSA” by itself for real estate services, namely, rental of vacation homes, condominiums, cabins, and villas using pay per click advertising on a global computer network in interstate commerce in 2010.
20. That Opposer has not used, the designation “CASSA” by itself for real estate services, namely, rental of vacation homes, condominiums, cabins, and villas using pay per click advertising on a global computer network in interstate commerce in 2009.
21. That Opposer has not used, the designation “CASSA” by itself for real estate services, namely, rental of vacation homes, condominiums, cabins, and villas using pay per click advertising on a global computer network in interstate commerce prior to March 15, 2009.

22. That Applicant's mark CASSA with its stylized letter design, subject of the present application, for real estate development and construction of commercial, residential and hotel property and Opposer's mark CASSA NY for condominium management service, rental of vacation homes, condominiums, cabins, and villas using pay per click advertising on a global computer network are unlikely to be confused.
23. That Applicant's mark CASSA with its stylized letter design, subject of the present application, for real estate development and construction of commercial, residential and hotel property and Opposer's mark CASSA NY for real estate development and construction of commercial, residential and hotel property are unlikely to be confused.
24. That Applicant's mark CASSA with its stylized letter design, subject of the present application, for real estate development and construction of commercial, residential and hotel property and Opposer's mark CASSA NY for hotel accommodation services, hotel services, resort hotel services; restaurant and hotel services are unlikely to be confused.
25. That Opposer does not have any documents purporting to show actual confusion between Opposer's services and Applicant's services using their respective marks.
26. That Opposer has not received telephone calls from Applicant's customers or potential customers.
27. The designation "CASSA" is not a surname.
28. The customers and potential customers for real estate development and construction of commercial, residential and hotel property are different than those customers and potential customers for condominium management services, rental of vacation homes, condominiums, cabins, and villas using pay per click advertising on a global computer network.

29. The customers and potential customers for real estate development and construction of commercial, residential and hotel property are different than those customers and potential customers for hotel accommodation services, hotel services, resort hotel services, restaurant and hotel services.

B. That each of the following identified or attached copies of documents¹, exhibited with these requests, are genuine.

1. Promotional event photographs (Bates No. 000001 – 017).
2. Advertisements for CASSA Brickell (Bates No. 000018 – 019).
3. USPTO Documents for Application Serial No. 85900657 (Bates No. 000020-052).
4. Screenshots from the www.cassa.co website from 2014 (Bates No. 000053 – 060).
5. Screenshots from Wayback Machine of www.cassa.co from 2013 (Bates No. 000061 - 063).
6. Brochures of CASSA at Georgetown (Bates No. 000064 – 084).
7. Screenshots from the www.cassabrickell.com website from 2014 (Bates No. 000085 – 091).
8. Search report for the mark CASSA dated 1/31/13 (Bates No. 000092 – 186).
9. News articles and magazines of CASSA (Bates No. 000187 – 207).
10. Real estate sites and listings for CASSA (Bates No. 000208 – 244).
11. Screenshots from the www.tsgeuropeltd.eu website in 2014 (Bates No. 000245 – 247).

¹ Documents are being emailed in pdf format in different transmissions to avoid bandwidth problems.

12. Photographs of the commencement of construction for CASSA at Georgetown (Bates No. 000248).
13. Advertisements in the form of Eblasts (electronic mails) for CASSA (Bates No. 000251 – 255).
14. Advertisement for CASSA in *Diario Miami* (Bates No. 000256.)
15. Advertisement for CASSA in *El Pais* (Uruguay) (Bates No. 000257)
16. Advertisement for CASSA in www.Noticias24.com (Bates No.000258).
17. Advertisement for CASSA in *Nuevo Habitat* (Bates No. 000259)
18. Advertisements for CASSA (Bates No.000260 – 261)
19. Newsletter for CASSA (Bates No. 000262 - 000263).
20. Photograph of a CASSA station at Dadeland Mall in Florida (Bates No. 000264).
21. Facebook posts for CASSA (Bates No. 000265).
22. CASSA helicopter tour invitation (Bates No. 000266).
23. Advertisements and newsletters for CASSA (Bates No. 000268 – 280; 000284 – 299).
24. CASSA factsheet (Bates No. 000281).
25. CASSA Brickell press release (Bates No. 000282 - 000283).
26. CASSA Brickell concept presentation (Bates No. 000300 - 347).
27. CASSA Brickell event digital invitation (Bates No. 000348).

Dated: October 3rd 2014

Respectfully submitted,

/ Jesus Sanchelima/

Jesus Sanchelima, Esq. (Fla. Bar No. 231207)

jesus@sanchelima.com

Sanchelima & Associates, P.A.

235 S.W. Le Jeune Road

Miami, Florida 33134

Telephone: (305) 447-1617

Facsimile: (305) 445-8484

Attorneys for Applicant The Solution Group Corp.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was mailed electronically, as per the parties' agreement, on this 3rd day of October, 2014 to the addressees included in the list below.

/Jesus Sanchelima/
Jesus Sanchelima, Esq.

SERVICE LIST

Assa Realty, LLC v. The Solution Group Corp

Richard J. Migliaccio, Esq.
richard@assaproperties.com
410 Park Avenue, Ste, 1630
New York, NY 10022

Joel Scott Ray, Esq.
Joel.Ray@assaproperties.com
410 Park Avenue, Ste, 1630
New York, NY 10022

EXHIBIT 11

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

-----X ASSA REALTY, LLC, <i>Opposer,</i> -against- THE SOLUTION GROUP CORP., <i>Applicant.</i> -----X	Trademark Application Mark: CASSA Application Serial No.: 85900657 Filed: April 10, 2013 Published: February 4, 2014 Opposition No.: 91215734
---	--

**OPPOSER’S RESPONSE TO APPLICANT’S FIRST
SET OF REQUESTS FOR ADMISSION TO OPPOSER**

ASSA REALTY, LLC by and through its attorney, Richard J. Migliaccio, Esq., as and for a response to Applicant’s request for admission dated October 3, 2014, respectfully alleges as follows:

GENERAL OBJECTIONS APPLICABLE TO ALL RESPONSES

A. Opposer objects to Applicant’s notice to admit because it is palpably improper, an abuse of the discovery device, designed to harass Opposer, seeks admissions that go to the ultimate issues in this matter, does not set forth clear-cut matters of fact about which there could be no reasonable dispute, is palpably improper and Opposer is not obligated to provide responses.

B. Opposer objects to all the requests for Section B of Applicant’s notice to admit because those documents are completely in possession of the Applicant, are Applicant’s own documents and it is impossible for Opposer to admit or deny the truthfulness of those documents because they have been and are solely in possession of Applicant.

SPECIFIC RESPONSES

A. Opposer responds to each of the following statements as follows:

1. Deny.

2. Deny.

3. Deny.

4. Deny.

5. Deny.

6. Deny.

7. Deny.

8. Deny.

9. Deny.

10. Deny.

11. Deny.

12. Deny.

13. Deny.

14. Deny.

15. Deny.

16. Deny.

17. Deny.

18. Deny.

19. Deny.

20. Deny.

21. Deny.
22. Deny.
23. Deny.
24. Deny.
25. Deny.
26. Deny.
27. Deny.
28. Deny.
29. Deny.

B. Opposer responded to each of the following statements as follows:

1. Deny.
2. Deny.
3. Deny.
4. Deny.
5. Deny.
6. Deny.
7. Deny.
8. Deny.
9. Deny.
10. Deny.
11. Deny.
12. Deny.

13. Deny.
14. Deny.
15. Deny.
16. Deny.
17. Deny.
18. Deny.
19. Deny.
20. Deny.
21. Deny.
22. Deny.
23. Deny.
24. Deny.
25. Deny.
26. Deny.
27. Deny.

Dated: New York, New York
November 14, 2014

Yours, etc,
RICHARD J. MIGLIACCIO, ESQ.

1/s/ Joel Scott Ray
By: Joel Scott Ray, Esq.
Attorneys for Opposer
410 Park Avenue, Ste. 1630
New York, NY 10022
Tel: (212) 239-9900 ext. 40
Fax: (212) 239-7468
e-mail: Richard@assaproperties.com and
joel@assaproperties.com

TO:

SANCHELIMA & ASSOCIATES, P.A.
Attorneys for Applicant
235 SW Le Jeune Road
Miami, FL 33134

EXHIBIT 12

Joel Ray

From: Legal [legal@sanchelima.com]
Sent: Friday, October 03, 2014 5:28 PM
To: Joel Ray; Richard Migliaccio
Cc: Jesus Sanchelima; Jessica Pedroza
Subject: PART 1 Our file No: 340152 *** For: v. Assa Realty, LLC (CASSA) *** State/Country: U.S.A.

Attachments: 141002le.ReqAdmCASSA (Final).pdf; ATT00005.htm; 141003le.Answer1stInterrog (Final).pdf; ATT00006.htm; 141003le.Resp 1st Req Prod (Final).pdf; ATT00007.htm; Documents PART 1.zip; ATT00008.htm

October 3rd, 2014

Joel Scott Ray, Esq.
410 PARK AVENUE
STE 1630
New York NY 10022

Re: v. Assa Realty, LLC (CASSA)
Our File No.: 340152

Dear Mr. Ray,

Enclosed please find Applicant's First Set of Requests for Admission to Opposer, Applicant's Response to Opposer's First Set of Requests for Production, and Applicant's Answer to Opposer's First Set of Interrogatory Requests.

The documents are being emailed in pdf format in different transmissions to avoid bandwidth problems. This is Part 1.

Please acknowledge receipt of these documents. Please let us know if you are unable to open any of the enclosed documents.

If you have any questions please do not hesitate to contact our office.

Thank you,

Liany Estevez for
Jesus Sanchelima, Esq.

Sanchelima & Associates, P.A.
Since 1977
235 S.W. Le Jeune Road
Miami, Florida 33134-1762
Tel.: 305-447-1617
Fax: 305-445-8484

12/1/2014

Email: legal@sanchelima.com

Web: www.sanchelima.com

Skype: sanchelima229

WE DON'T HAVE CASES,
WE HAVE CLIENTS. ®

IMPORTANT: The information contained in this e-mail message is confidential and is intended only for the named addressee(s). Thank you.

EXHIBIT 13

Web Images Shopping News Maps More Search tools

About 4,330,000 results (0.36 seconds)

Cassa Residences - cassaresidencesnyc.com
 Ad www.cassaresidencesnyc.com/
 Luxury West Side NYC rentals with fine amenities and great views

[Availability](#) [Residences](#)
[Contact](#) [Amenities](#)

Boutique Hotel NYC in Midtown Manhattan -Cassa Hotel ...
www.viceroyhotelgroup.com/en/cassa
 Cassa Hotel 45th Street in New York is a boutique hotel in NYC with a convenient location in Midtown Manhattan adjacent to Times Square and near New York ...

4.4 [34 Google reviews](#) · [Write a review](#) · [Google+ page](#) - \$359

70 W 45th St, New York, NY 10036
 (212) 302-8700
[Guestrooms](#) - [Hotel Frequently Asked ...](#) - [Suites](#)

Cassa Hotel 45th Street New York Special Offers Page
www.viceroyhotelgroup.com/en/cassa/reservations/special_offers
 Special Offers. Share to Facebook, Twitter, or Pinterest. SECURITY WARNING: ...

Cassa hotel
www.cassanyc.com/
 standard, full service boutique hotel in the cosmopolitan heart of midtown. Manhattan. Cassa NY will place its privileged residents between the boutiques of Fifth.

Cassa Hotel and Residences at 515 Ninth Ave. in Midtown ...
streeteasy.com/.../cassa-hotel-and-residences-515-9-avenue-new_york
 Cassa Hotel and Residences, 515 Ninth Ave.: RESIDENCE FEATURES: Oversized windows, Rift cut white oak floors, Bosch washer and dryer; Chef's Kitchen ...

Cassa Hotel 45th Street New York - TripAdvisor
www.tripadvisor.com › ... › [New York City Hotels](#) › TripAdvisor
 Rating: 4.5 - 1,133 reviews - Price range: \$\$\$
 "If you are not familiar with NY hotel rooms being on the small size, I would suggest you upgrade to a suite. A suite in NY and at the Cassa Hotel will be the size ..."

Images for cassa Report images



[More images for cassa](#)

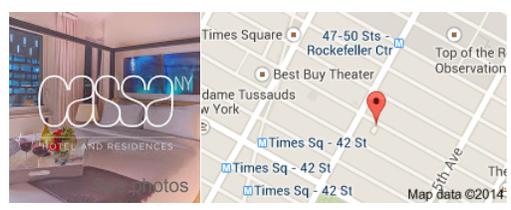
Cedar Area Select Soccer Association: Home
www.cassasoccer.com/
 CASSA club site for Cedar Springs, Michigan organization.

CASAA - The Consumer Advocates for Smoke-free ...
casaa.org/
 Non-profit organization promoting tobacco harm reduction policies, educating the public about innovative products such as electronic cigarettes and smoke-free ...

Cassa depositi e prestiti
cassadpp.it/en/index.html › Cassa Depositi e Prestiti
 Cassa Depositi e Prestiti (CDP) is a joint-stock company under public control. CDP manages a major share of the savings of Italians: postal savings.

Cassa Hotel & Residences - Wikipedia, the free encyclopedia
en.wikipedia.org/wiki/Cassa_Hotel_%26_Residences › Wikipedia
 Cassa Hotel & Residences is a 48-storey building at 70 West 45th Street in Midtown Manhattan in New York City, USA. It was designed by TEN Arquitectos ...

Number of rooms: 165 hotel rooms; 57 resi... **Architect:** Enrique Norten
 Floor count: 48 **Architecture firm:** Ten Arquitectos, Cetra Ru...



Cassa Hotel 45th Street New York

4.4 [34 Google reviews](#)
 4-star hotel • Midtown

Chic boutique retreat offers modern quarters, fitness club access & a casual indoor/outdoor eatery.

Address: 70 W 45th St, New York, NY 10036
Phone: (212) 302-8700

Ads **Book a room**

Check-in Check-out

Booking.com	\$359 / night	<input type="button" value="Book"/>
Travelocity	\$389 / night	<input type="button" value="Book"/>

[View more rates](#)

Reviews

- "The **beds were very comfortable** and the shower was amazing." 5 reviewers
- "**Standard room** not much larger than twin bed."
- "It is very centrally located and close to times square and **rockefeller center.**"

[View all Google reviews](#)

More reviews: [booking.com](#), [hotelchatter.com](#), [oyster.com](#), [quikbook.com](#)

People also search for

 Andaz Wall Street	 Refinery Hotel	 Club Quarters-Midtown	 Hotel Plaza Athenee New York	 Hotel M
---	---	--	---	--

Feed

Cassa Depositi e Prestiti - Wikipedia, the free encyclopedia

en.wikipedia.org/wiki/Cassa_Depositi_e_Prestiti ▼ Wikipedia ▼

Cassa Depositi e Prestiti (CDP SpA) is an Italian bank founded in 1850 in Torino; after the unification of Italy, in 1863 it was restructured and the headquarters ...

Searches related to **cassa**

- [cassa decor](#) [casa spanish](#)
- [cassa instrument](#) [cassa forense](#)
- [cassa fashion](#) [cassa integrazione](#)
- [cassa e cig](#) [cassa geometri](#)

1 2 3 4 5 6 7 8 9 10 **Next**

New York, NY - From your Internet address - Use precise location - Learn more

[Help](#) [Send feedback](#) [Privacy & Terms](#)

JOIN | LOG IN | USD

New York City Hotels Flights Vacation Rentals Restaurants Things to Do Best of 2014 Trending Now More Write a Review ¹⁺

United States New York (NY) New York City New York City Hotels

Search for a city, hotel, etc.

Cassa Hotel 45th Street New York - New York City

[See 451 more New York City hotels](#)



Enter dates for best prices

Check In

Check Out

Show Prices

Compare best prices from top travel sites



and 4 more sites!

Cassa Hotel 45th Street New York

1,133 reviews

"A LITTLE GEM HIDEAWAY"

reviewed 3 days ago

I do want to say that I am in the hospitality business, and travel a lot, so I can be more critical than most other guests. I stayed here on a recommendation in...

You might also like these New York City hotels

Wyndham New Yorker Hotel



Check In

Check Out

Show Prices

5,820 reviews

"great"

Room service was very good, other services (information, reception) friendly but not very polite. Rooms clean...

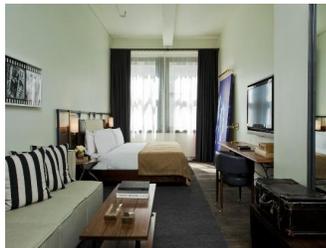
Reviewed September 7, 2014

Free Internet

Pets Allowed

Shuttle Service

Refinery Hotel



Check In

Check Out

Show Prices

1,052 reviews

Travelers' Choice® 2014 Winner

Top Hotels

"Saved the Day!!"

We originally were to spend 3 nights at The Hudson Hotel on W 58th, but after a night of being checked into...

Reviewed September 7, 2014

Free Internet

Pets Allowed

Row NYC Hotel



Check In

Check Out

Show Prices

1,213 reviews

"Great Location, great stay!"

We stayed in NY for the week of July 4th, booked the hotel through expedia.com. Read some mixed reviews...

Reviewed September 6, 2014

Free Internet

The Bryant Park Hotel

Check In

Check Out

Show Prices

2,053 reviews

"Ideal location, friendly staff, reasonable rates"

During a recent trip to NYC, I booked a room at this hotel because it was located right on Bryant Park (which...

Reviewed September 7, 2014

Free Parking

Free Internet

Shuttle Service



NYLO New York City



[826 reviews](#)

"Yes, a repeater"

We chose the NYLO because of family living nearby. We had 3 rooms and they put us on the same floor close...

Reviewed September 6, 2014

[Pets Allowed](#)

Sanctuary Hotel New York



[2,141 reviews](#)

"Could not have been more pleased!"

My husband and I stayed here for 5 nights last week for our 10 year anniversary trip and could not have been...

Reviewed September 7, 2014

[Free Breakfast](#)

[Free Internet](#)

[Pets Allowed](#)

Distrikt Hotel



[3,207 reviews](#)

"Great Location"

This hotel is a great location. The rooms are not very big, but at the end of the day in New York all you...

Reviewed September 8, 2014

[Free Internet](#)

Sofitel New York



[4,158 reviews](#)

"Great stay."

My husband and I stayed several nights at the Sofitel and were very pleased with the comfortable, quiet and...

Reviewed September 4, 2014

[Free Internet](#)

[Pets Allowed](#)

Casablanca Hotel Times Square



[3,460 reviews](#)

Travelers' Choice® 2014 Winner

Top Hotels

"Incredible stay!"

Easily one of the best hotel experiences ever!!!! We loved it! Beautiful room, excellent location, nice...

Reviewed September 6, 2014

[Free Breakfast](#)

[Free Internet](#)

Warwick New York Hotel

[2,217 reviews](#)

"Very wel situated"

The Warwick is handy to most things in New York. It is within easy walking distance of Times Square in one...

Reviewed September 8, 2014



Hyatt Times Square New York



[428 reviews](#)

"54th floor rooftop bar"

Went to see a Broadway show and hang out for a night in NYC so my dad and I stayed here. They have a 54th...

Reviewed September 7, 2014

Free Internet

Empire Hotel



[2,627 reviews](#)

"Can't ask for better location to Lincoln Center"

At the last minute, I decided to move from my NJ hotel (close to office location) into NYC for my Lincoln...

Reviewed September 6, 2014

Swimming Pool

Free Internet

Pets Allowed

New York Marriott Marquis



[5,112 reviews](#)

"Good Times Square Option"

Just spent a night at the Marquis and it was great! My room was very clean, the staff provided excellent...

Reviewed September 7, 2014

Pod 51 Hotel



[2,997 reviews](#)

"Easy"

Liked the location. Cafes, pharmacy, subway and 5th street are all within a 5-10min walk. Wifi service was...

Reviewed September 7, 2014

Free Internet

Park Lane Hotel



[2,217 reviews](#)

"Excellent location"

The location of this hotel is excellent, close to Central Park. 5th Avenue and other nice places are on...

Reviewed September 6, 2014

Pets Allowed

Eventi - a Kimpton Hotel

[1,995 reviews](#)

"Best deal in NYC"

NY hotels are expensive. Rooms are small, staff is rude. Not worth the money. Etc. you probably heard this...



Reviewed September 6, 2014

Pets Allowed

Hilton Times Square



Check In

Check Out

Show Prices

3,265 reviews

"Great Stay and No Complaints!!!"

We've traveled to NYC Times Square multiple times and this was our first stay at the Hilton, and we will be...

Reviewed September 7, 2014

Pets Allowed

Pod 39 Hotel



Check In

Check Out

Show Prices

1,240 reviews

"Great location, perfect for solo travelers."

Stayed there for a week during the 2014 US Open. The room was quite small but you know that going in, and...

Reviewed September 7, 2014

Free Internet Pets Allowed Kids Activities

Staybridge Suites Times Square - New York City



Check In

Check Out

Show Prices

3,017 reviews

"Tidy hotel, good location"

Close to all major New York attract actions, Time Sq, Central Park Broadway etc. Hotel is comfortable regards...

Reviewed September 7, 2014

Free Breakfast Free Internet Pets Allowed

Millennium Hotel Broadway



Check In

Check Out

Show Prices

2,993 reviews

"Great Hotel!!!!"

Great service!!!!!!! 44th and 45th street were blocked off to traffic due to a parade so we couldn't drive...

Reviewed September 7, 2014

Free Internet Pets Allowed



Reviews and advice on hotels, resorts, flights, vacation rentals, travel packages, and lots more!

[About Us](#) | [Site Map](#) | [Help Center](#)

© 2014 TripAdvisor LLC All rights reserved. [TripAdvisor Terms of Use](#) and [Privacy Policy](#).

* TripAdvisor LLC is not a booking agent and does not charge any service fees to users of our site... (more)

TripAdvisor LLC is not responsible for content on external web sites. Taxes, fees not included for deals content.

EXHIBIT 14

AUTUMN 2019

CENTURION

MAGAZINE



Falling For Florida

Contrarian Travel • Winning Winders

Cirque Du Mode • Napa Valley Now

PUTOVANJE

ZA DVOJE

www.putovanjazadvoje.com

cijena 35

Ronjenje
na Jadranu

Tema broja:

Istra

Krstarenje
Volge

Edinburgh

Andamansk
otočje

TOP
TRGOVA



Abu Dhabi

Four Seasons
Hualālai Hawaii

- Budimpešta • Lošini
- Kirgistan • Čengde



ISSN 1848-2029

AK0503



Cassa Hotel and Residences New York

U središtu Manhattan, u blizini užurbanosti i vrele Times Squarea, šoping iskustava Pete i Madison avenije te blještavih svjetala njujorške kazališne četvrti, smjestio se Cassa Hotel and Residences. Svojim scističiranim stilom, hotel pruža gostima osjećaj udobnosti i luksuza stovremeno. U njemu se nalazi 165 soba i 57 apartmana, moderno i luksuzno uređenih. Sve sobe su prostrane i prozirne, a neki od apartmana imaju spojene sobe, što je idealno za obitelji. U sobama je pomno opabran svaki detalj: od načina na koji su izložene knjige o umjetnosti do rearsrajubih proizvoda za kupanje. Angela Cerchia, vlasnica, pruža vam je korištenje modernog fitness studija, krenele i urazjed grada, nebaerio hotela nazazise muzeju, galerija i obistin iznamerost, kao što su Museum of Modern Art, The Metropolitan Museum of Art, Metropolitan Opera, izgrada Chrysler i Central Park. Za više informacija posjetite www.cassahotelny.com



EVERYTHING TO SEE, DO, EAT, BUY AND ENJOY IN THIS GREAT CITY

tenth anniversary year

SHOPPING
DINING
ENTERTAINMENT
ART & ANTIQUES
SPAS & SALONS
TOURS
TRANSPORTATION
MUSEUMS
MAPS

GOSSIP GIRL'S

SPEAKS NO EVIL

**Ring in
THE TOP
DINING
TRENDS of the New Year!**

features

18 Westwick on the Hudson

by Bob Cannon

Hunky British actor Ed Westwick's claim to fame is on this side of The Pond—and in this city—where he plays the kind of man women love to hate on *Gossip Girl* and manages to stay out of the tabloids.

20 10 Savory Trends

by Kiri Tannenbaum

As *IN New York* magazine begins its second decade, we present a plateful of chefs' most *au courant* ideas, including parsnip for dessert, wine-friendly foods and feasting on every single part of a pig.

departments

- 8 **SKYLINE**
Hot happenings around town
- 10 **FOOTLIGHTS**
Behind-the-curtain news
- 12 **ECLECTIC COLLECTOR**
Art, antiques and stylish finds
- 14 **PROPERTY VALUES**
Local real-estate survey
- 16 **STYLE CENTRAL**
All things terrific and chic

inside source

- 40 **SHOPS & SERVICES**
- 48 **ART & ANTIQUES**
- 52 **ENTERTAINMENT**
- 64 **MUSEUMS**
- 68 **DINING**

information

- 30 **CALENDARS:** January, February and March highlights
- 39 **YOUR PERSONAL CONCIERGE™**
Tips from a knowing guide
- 54 **TOURS**
- 56 **NEIGHBORHOOD INFO**
- 58 **RADIO STATIONS**
- 60 **TRAVEL, TICKETS & TRANSPORTATION**
- 80 **NEIGHBORHOODS**
- 80 **TEMPERATURE CONVERSION**
- 80 **NYC WEATHER**
- 81 **FYI: DETAILS & NUMBERS**
- 82 **BUS/SUBWAY MAPS**
- 84 **NYC MAP & ADDRESS LOCATOR**
- 88 **IN THE KNOW**
Only-in-New-York fun facts



48



 **INNEWYORK.COM**
Now on the Web and iPhone

inside source

YOUR PERSONAL CONCIERGE™



PHOTO: JON KNEPFFER/WWW.BREWERYCRAFTER.COM

Melting-pot Blocks

We've all heard of Chinatown and Little Italy, but there are several other less well-known ethnic enclaves in New York City. Nick Stofocik, Chef Concierge at Cassa Hotel and Residences and self-proclaimed Midtown expert, thinks that Little Brazil (W. 46th St., btw Fifth & Sixth aves.) is one of this multicultural city's best-kept secrets. Minutes from the flashy, frenzied heart of Times Square, this block, a mini Brazilian neighborhood since the 1980s, is lined with restaurants, including Ipanema (13 W. 46th St., 730-5848), that offer the flavors and culture of Rio de Janeiro. "Order a daily special, *linguica frita* (fried sausage) or *bacalhau cozido*, which is broiled or fried codfish with potatoes," suggests Stofocik. Visitors can walk from Brazil to Korea by heading only 14 blocks south (W. 32nd St., btw Fifth & Sixth aves.) to always bustling Koreatown. Close to Macy's Herald Square, the street features restaurants, such as perennially packed Woorijip (12 W. 32nd St., 244-1115), and "shops that are completely authentic to Korea," Stofocik says. These and other pocket communities in all five boroughs add color and spice to the flavorful metropolitan melting pot.—AB



TIPS FROM:
Nick Stofocik,
Chef Concierge,
Cassa NY Hotel and
Residences, 70 W. 45th
St., 302-8700

THE SYMBOLS below identify key listing distinctions: \$ inexpensive, \$\$ moderate, \$\$\$ expensive, ♿ handicap accessible, 🎁 gifts, 👶 child friendly, 🍷 food/snacks, 🍹 drinks, 🏳️ gay/lesbian patrons, 📄 dress code, 🎵 music, 🛏 private rooms, 🔄 replace, ☀ outdoor dining, 📞 CityPass. Telephone numbers are in area code unless noted. Dial 1+area code-seven-digit number. For essential numbers, go to "FYI" (p. 81). For mass transit, see **Bus & Subway Maps** (pp. 82-83).

SHOPS & SERVICES

stores, salons, spas,
24-hour services...

Chic spending spots for all, new store openings, great places to relax and reenergize and more.

40

ART & ANTIQUES

galleries, studios,
shops, antique stores...

Art and antique shops, galleries, studios, and antique stores.

48

ENTERTAINMENT

theater, nightlife,
attractions, tours...

The scoop on Broadway and Off-Broadway shows, city sights, music, clubs, special events and travel info.

52

MUSEUMS

exhibits
and collections...

A guide to world-renowned showcases of art, culture, science and history.

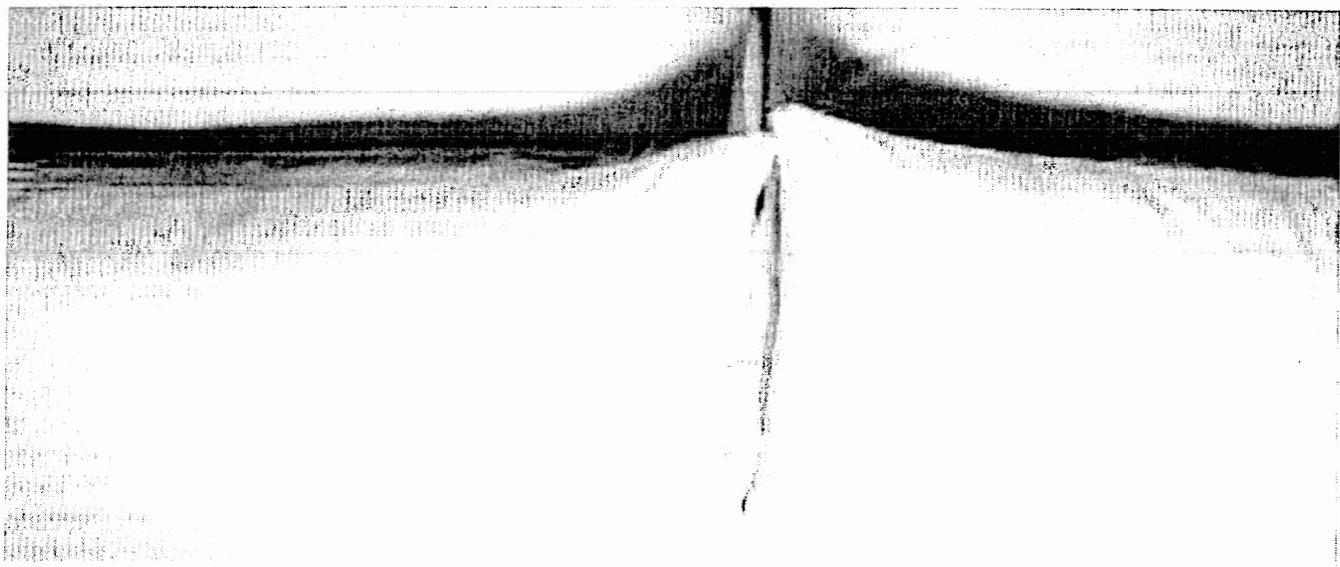
64

DINING

restaurants, cafes,
hotel dining...

Recent openings, trendy eateries, hot hotel restaurants and the latest on celeb chefs' incredible edibles.

68



cassa

GUEST ROOMS, NEW CONDOMINIUM

HOTEL RESIDENCES & CITY VILLAS

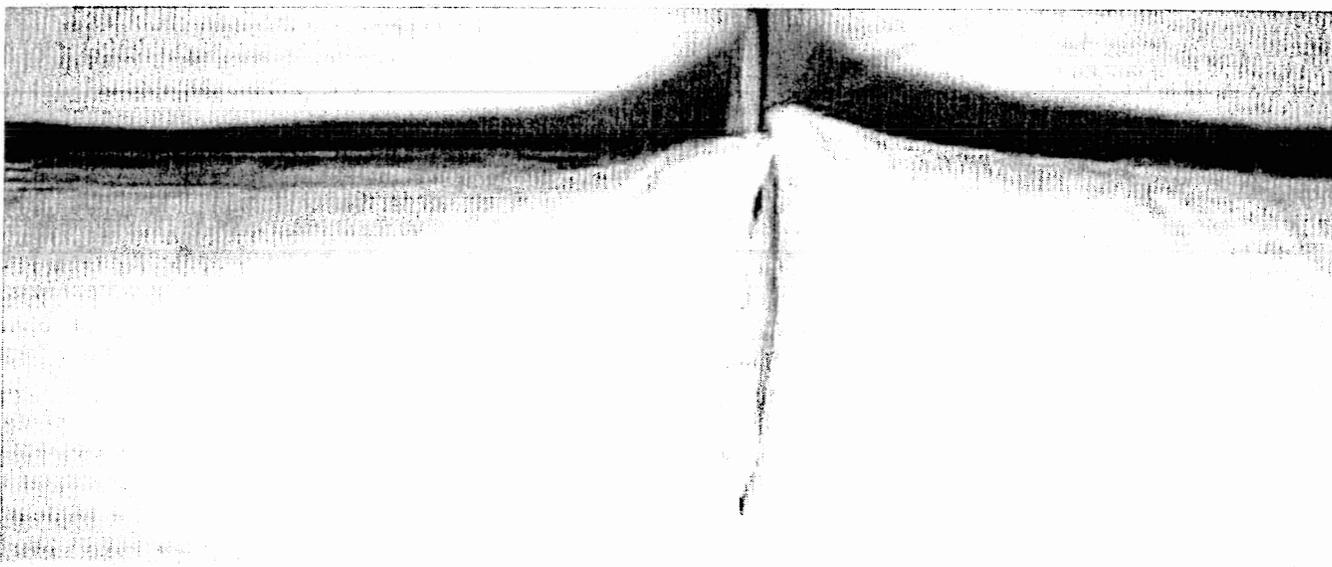
SEVENTY WEST FORTY FIFTH STREET

URBAN LOCATION. COMFORT OF HOME.

Architecture & Interiors by Enrique Nortén & Cetra Ruddy
New Luxury Studio Lofts/1 Bedroom/2 Bedrooms Available
By Appointment Only/212 123 4567 or www.CassaNY.com

Developed by Assa Properties Marketing & Exclusive Sales Agent: The Marketing Directors, Inc.

© 2011 The Marketing Directors, Inc. All rights reserved. The complete offering prospectus is available at www.CassaNY.com.



cassa

GUEST ROOMS, NEW CONDOMINIUM

HOTEL RESIDENCES & CITY VILLAS

SEVENTY WEST FORTY FIFTH STREET



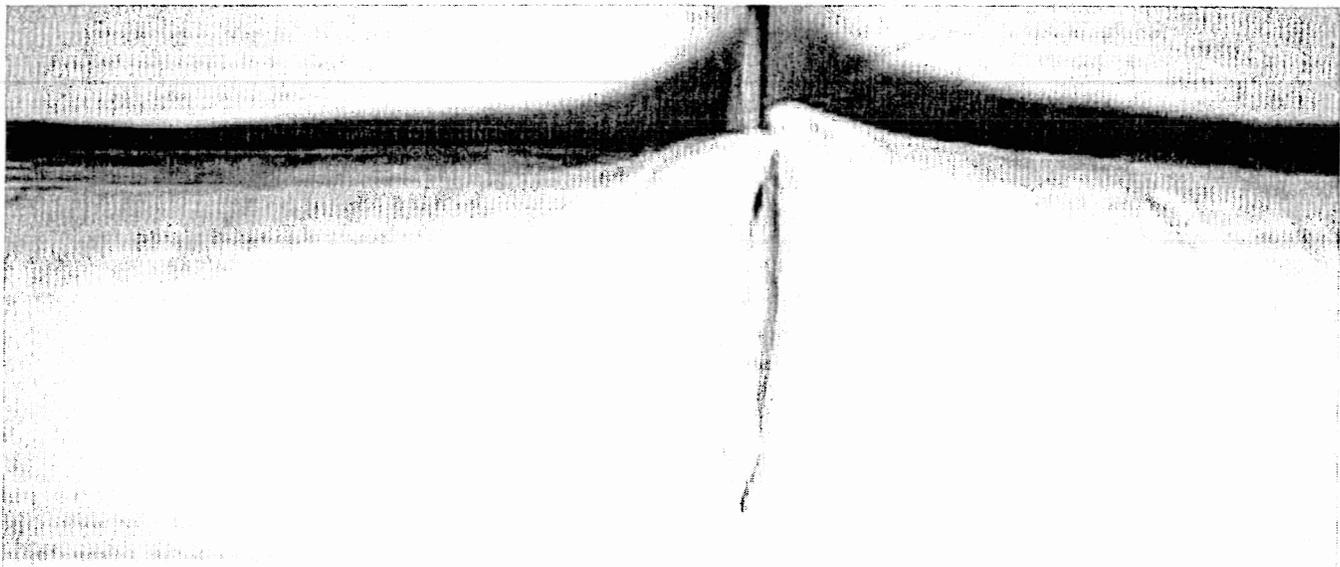
URBAN LOCATION. COMFORT OF HOME.

Architecture & Interiors by Enrique Norten & Cetra Ruddy
New Luxury Studio Lofts/1 Bedroom/2 Bedrooms Available

By Appointment Only/212.123.4567 or www.CassaNY.com

Developed by Assa Properties, Marketing & exclusive Sales Agent: The Marketing Directors, Inc.

Equal Housing Opportunity. The complete offering brochure is available from the sponsor, Assa, LLC, 2014

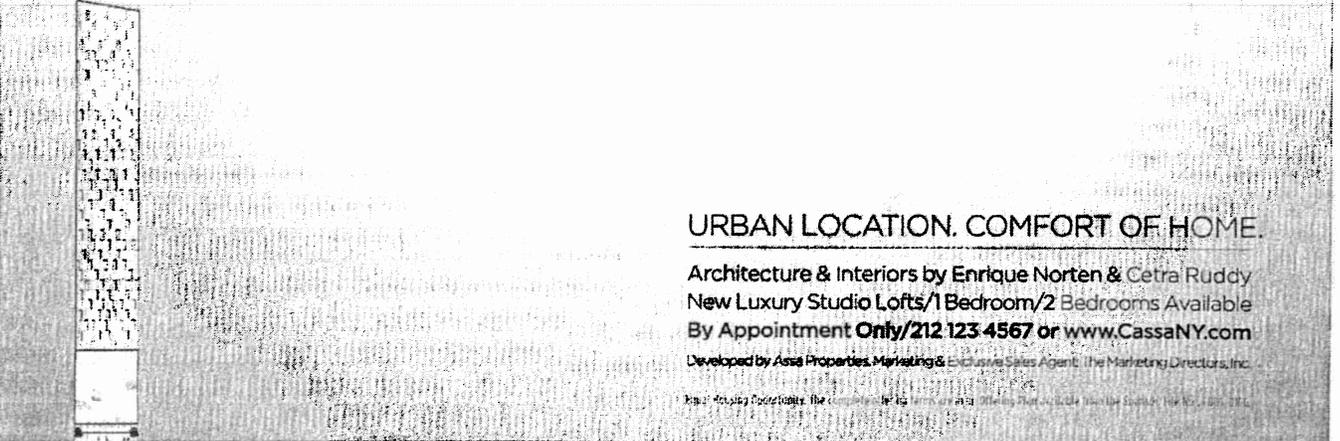


CASSA

GUEST ROOMS, NEW CONDOMINIUM

HOTEL RESIDENCES & CITY VILLAS

SEVENTY WEST FORTY FIFTH STREET



URBAN LOCATION. COMFORT OF HOME.

Architecture & Interiors by Enrique Norten & Cetra Ruddy
New Luxury Studio Lofts/1 Bedroom/2 Bedrooms Available
By Appointment **Only/212 123 4567** or www.CassaNY.com

Developed by Assa Properties Marketing & Exclusive Sales Agent: The Marketing Directors, Inc.

Equal Housing Opportunity. The complete listing information is available from the Equal Housing Opportunity Office.



GUEST ROOMS, NEW CONDOMINIUM

HOTEL RESIDENCES & CITY VILLAS

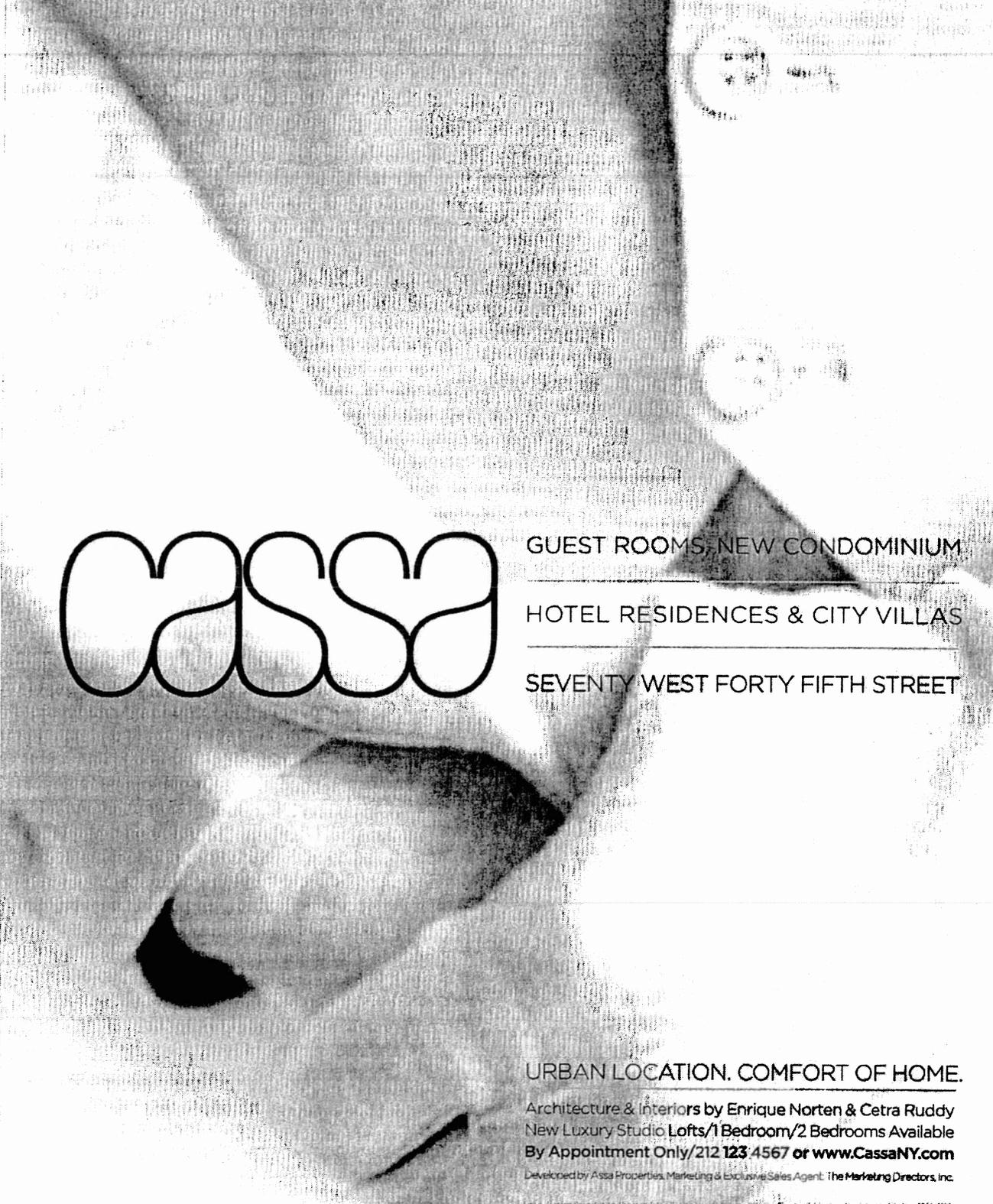
SEVENTY WEST FORTY FIFTH STREET

URBAN LOCATION. COMFORT OF HOME.

Architecture & Interiors by Enrique Norten & Cetra Ruddy
New Luxury Studio Lofts/1 Bedroom/2 Bedrooms Available
By Appointment Only/212 123 4567 or www.CassaNY.com

Developed by Assa Properties. Marketing & Exclusive Sales Agent: The Marketing Directors, Inc.

Equal Housing Opportunity. The complete offering terms are in an Offering Plan available from the sponsor. File No. 1003-01654



cassa

GUEST ROOMS, NEW CONDOMINIUM

HOTEL RESIDENCES & CITY VILLAS

SEVENTY WEST FORTY FIFTH STREET

URBAN LOCATION. COMFORT OF HOME.

Architecture & interiors by Enrique Norten & Cetra Ruddy
New Luxury Studio Lofts/1 Bedroom/2 Bedrooms Available
By Appointment Only/212 123 4567 or www.CassaNY.com

Developed by Assa Properties, Marketing & Exclusive Sales Agent: The Marketing Directors, Inc.

© 2005 CassaNY.com. All rights reserved. The CassaNY logo and name are trademarks of CassaNY.com and are the property of CassaNY.com. CD05-0166

How Sweet It Is

Page 18

SCALING NEW HEIGHTS

Page 34

GEHRY SPRUCES UP NYC

The star architect adds his own touch to the Big Apple skyline with Eight Spruce Street. Page 6

Creating a Lifestyle

‡ Assa Properties' new offering – Cassa Hotel and Residences – features unique architecture that stands out in Manhattan. *By Alan Dorich*

Assa Properties –
Cassa Hotel and Residences
www.cassahotelny.com
Location: New York City
Scope: New building with 57 residences and 165 guest rooms

➤ **For Solly Assa, real estate has never** been a stepping stone to bigger and better things. Instead, he has a long-term commitment to the industry. “Real estate is not a short-term business,” he declares. “You don’t [succeed] by buying [a property] today and selling it tomorrow, like in the stock market.”

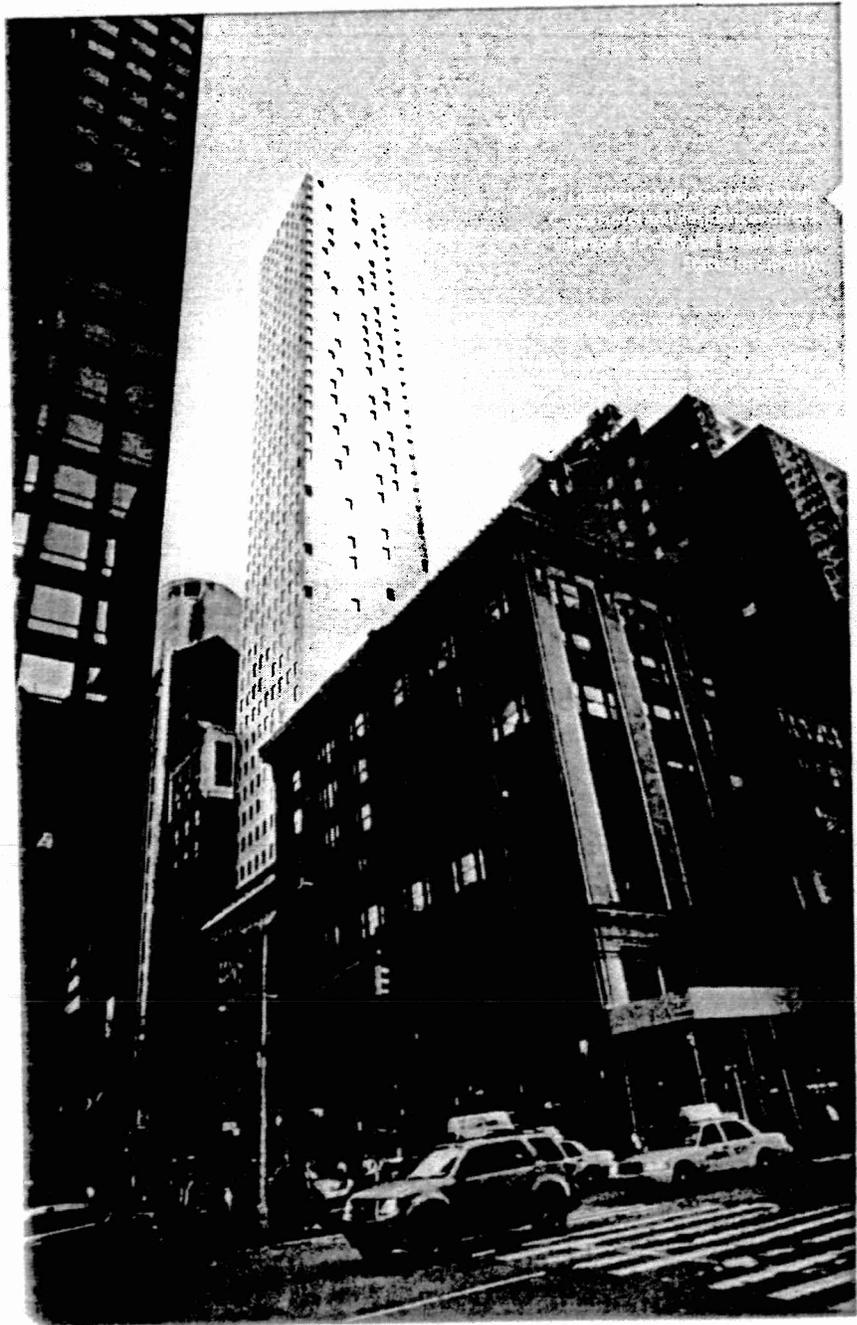
Assa is the owner of Assa Properties, a developer of residential, retail and commercial properties. The firm made a recent addition to its portfolio with Cassa Hotel and Residences in New York City. The building, designed by Enrique Norten of TEN Arquitectos and CetraRuddy, features 57 residences and 165 guest rooms. It spans 170,000 square feet and stands 48 stories.

Assa himself created the concept for Cassa, which takes its name from “casa,” meaning “house” in Spanish. “It is a hotel and it is a residence,” he says. “We’re creating this lifestyle right in the middle of Manhattan.”

Unique Style

“We tried to capture the best possible product,” Assa says with pride. For instance, past the building’s reception area, visitors can find a catwalk suspended over a restaurant that will lead them to a vertical garden, which provides a natural feel to the development.

Cassa’s hotel rooms are furnished with leather seating, ottomans and black leather studded headboards. The walls



SEARCH Sign In | Register | Contact Us | Submit Content Like 400 +1 153

Home All Rentals Apartments Near By Size Neighborhoods Price Range Search No Fee Blog

Similar Buildings

-  One Columbus Place
400 West 59th Street
-  Archstone Midtown West
250 West 50th Street
-  Archstone Clinton
510 West 52nd Street
-  The Biltmore
271 West 47th Street
-  The Westport
500 West 56th Street

Cassa

70 West 45th Street | Midtown West

Cassa, a newly constructed luxury high-rise in the Midtown section of Manhattan built in 2009, stands out among Manhattan's new luxury rental apartment buildings for many reasons. Located at 70 West 45th Street in a centralized location between 5th and 6th Avenue, Cassa has a white exterior and a bold, obelisk-like design that makes it unmistakable, especially in contrast to the older buildings that surround it. Furthermore, Cassa is a Hotel and Residence, so renters at this newly constructed apartment building enjoy year-round hotel service, something that is rare in the current Manhattan luxury rental listings.

The exclusive rental apartments at Cassa boast high ceilings and modern layouts that emphasize space and light. These luxury rentals have a contemporary design that will make you love living at Cassa. [Read more about Cassa](#)

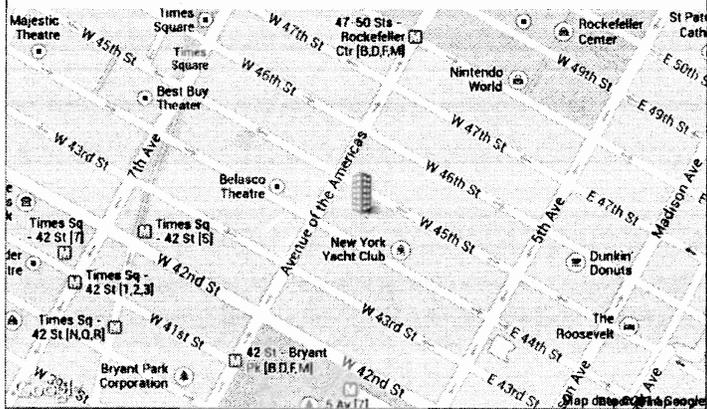
Like 0 Tweet 2 +1 2 Printer-friendly version Send to friend

4 Bedroom Apartment Information

Starting at **\$20,000 per month** Floors **A B C D** [Request 4 Bedroom Showing »](#)

70 West 45th Street Neighborhood Highlights

BUILDINGS NEARBY NEARBY PLACES SUBWAYS STREET VIEW



Apartment Details

Features: Washer and Dryer

Bathroom:

Kitchen: Kitchen: Open Dishwasher

Cassa Building Details

<p>Neighborhood Midtown West</p> <p>Year Built 2009</p> <p>Number of Apartments 57</p> <p>Number of Floors 45</p> <p>Building Access Elevator</p>	<p>Developer Assa Properties</p> <p>Architect Cetra/Ruddy Incorporated</p> <p>Service Level Full Service</p> <p>Type Post-war High-rise</p>	<p>Building Amenities:</p> <ul style="list-style-type: none"> WiFi Storage Room Rooftop Deck Garden Garage Fitness Center Business Center 	<p>Building Features:</p> <ul style="list-style-type: none"> Live-in Super Elevator Doorman Concierge
--	---	---	--

Request More Info about Cassa



MORE PHOTOS

Related Blog Posts

- YOY Rental Prices Continue to Increase
- Manhattan Apartments Rented for Tourist Experience

NYC Apartments by Neighborhood

- Astoria
- Battery Park City
- Brooklyn Heights
- Chelsea
- Chinatown & Little Italy
- Clinton
- Downtown Brooklyn
- DUMBO
- East Village
- Financial District
- Garment District
- Gramercy Park
- Greenpoint
- Greenwich Village
- Harlem
- Long Island City
- Lower East Side
- Midtown East
- Midtown West
- Morningside Heights
- Murray Hill
- NoHo
- Roosevelt Island
- Soho
- Times Square
- Tribeca
- Turtle Bay
- Upper East Side
- Upper West Side
- West Village
- Williamsburg

NAVIGATION

- Site Map
- Contact Us

INFORMATION

- Privacy Policy
- Terms of use and copyright information

SHARE LUXURY RENTALS MANHATTAN

Like 400 Tweet 34 +1 152 0

SYNDICATION

- Buildings RSS
- Blog RSS
- Site RSS
- For personal use only

ENGINE

All information is provided with no warranty and is subject to Terms of use © 2008-2014 LuxuryRentalsManhattan.com (212) 457-8697

EXHIBIT 15

CASSA^{NY}

70 WEST FORTY FIFTH STREET
UNIVERSALLY COSMOPOLITAN

iconic

AN ARCHITECTURAL ICON IN THE HEART OF MANHATTAN

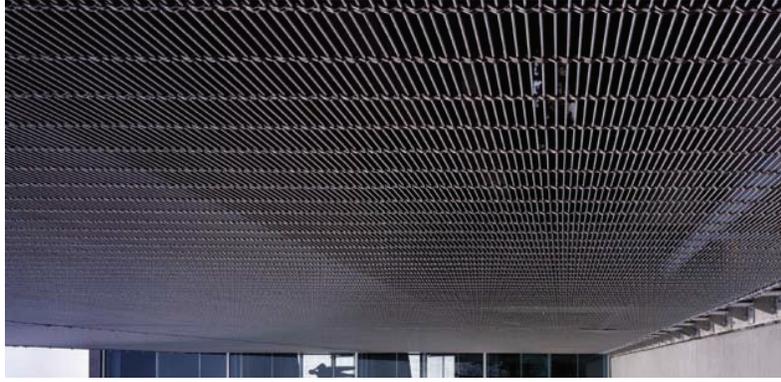
Created by one of the most influential and respected contemporary architectural firms, TEN Architects/ Enrique Norton, in collaboration with Cetra Ruddy, a prestigious architecture and interior design firm, Cassa will take its place as a recognizable part of the dynamic skyline of New York City.

Featuring elegant proportions and dramatically articulated windows, Cassa's striking exterior both complements and contrasts with the surrounding cityscape. A refreshing addition to the architectural and social fabric of New York City, Cassa will provide a rewarding quality of life for those who will call it home.









DESIGN STATEMENT

TEN Arquitectos/Enrique Northen

The tower will strike a prominent profile in the Manhattan skyline, distinguishing itself from the conventional glass and stone edifices surrounding it. Its delicate proportion is unique among its stout neighbors as a result of the constricted site where it sits and its slender floor plates. The resulting form creates an obelisk marking its location among the chorus of the midtown skyline.

The tower's windows and their punctured rhythm become the facade's only ornaments as they are brought to life by the guests and inhabitants that dwell inside. It is their activity that makes the building glow as it registers itself on the tower's skin.

The challenge was to combine the very private functions of the luxury residences with the public functions of the boutique hotel, restaurant and lounge, allowing them to co-exist while functioning independently. The result is a sequence of fluid spaces that converge at the lobby, merging interior and exterior, intimate and urban.

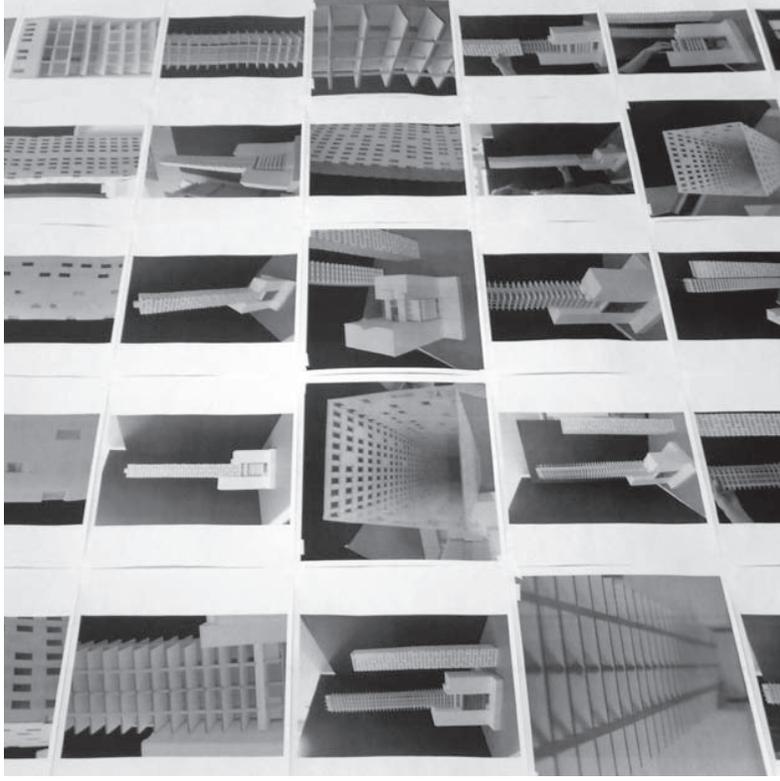
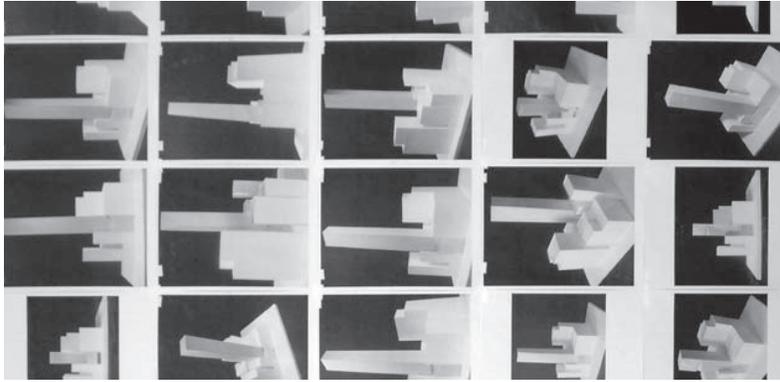
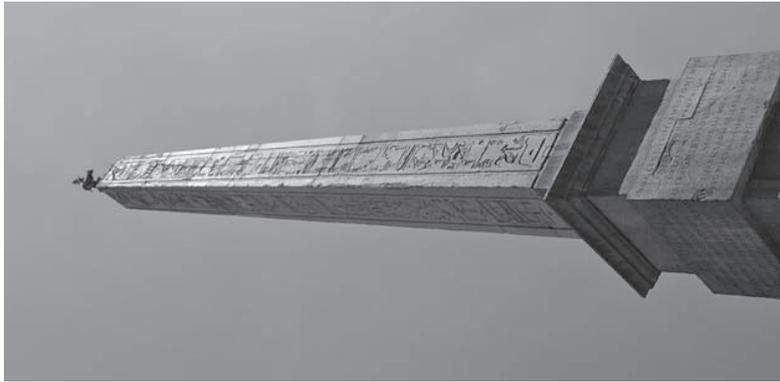
CetraRuddy

The interior public spaces were designed to welcome and inspire. Soaring fine-tuned volumes accented by luxurious materials and the finest artwork and sculptural furniture elements greet you as you enter the building. The lush garden is a private oasis within midtown Manhattan and is a focal point of the experience of the hotel and residences.

Within the vocabulary of the modernism of the building, the finest wood, stone, glass, lacquer and leather finishes from around the world were selected to create the most refined living experience. Diverse tactile finishes of crystalline and hand-chiseled materials create a symphony of experiences.

The interior design and planning of the hotel and residences create refined spaces that accentuate the unique plan of the building. Creating a unified design statement for the building's exterior and interior, light and reflective materials were selected for the interior to create light-filled environments. A refined palette of pale wood, limestone and glistening stainless steel create a carefully crafted interior.

process



details



Miele stainless steel cooktop



Miele stainless steel speed oven



Liebherr refrigerator and freezer



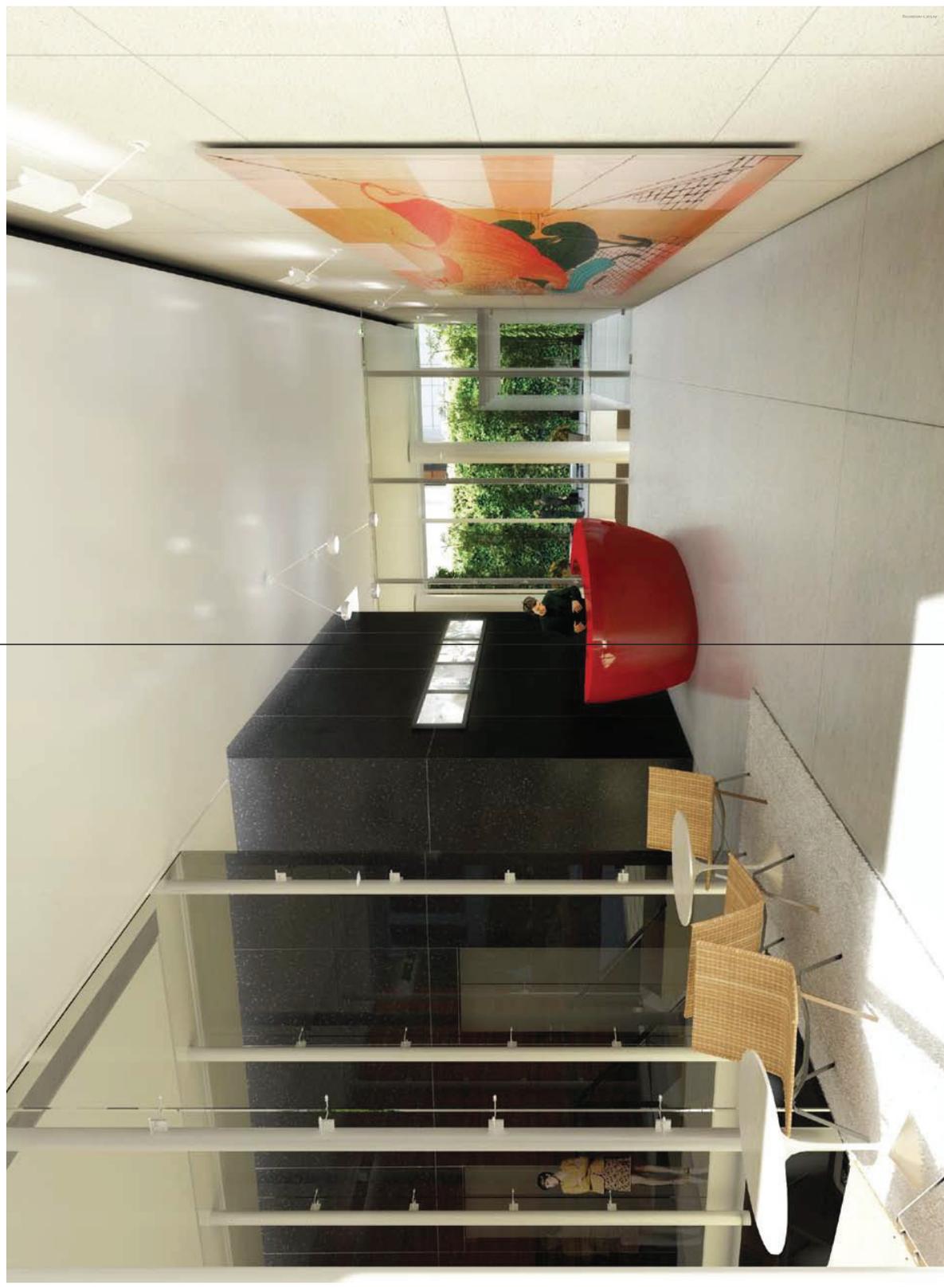
Miele integrated panel dishwasher



lobby

WELCOME HOME

Step into your home, one of New York's finest hotels. Sure to become one of New York City's most desirable residential addresses, Casa is the ideal urban home. Located just steps from the best of midtown, your well-conceived and thoughtfully-designed home comes with a professional and caring staff, premium hotel services and world-class amenities.





amenities

RELAXATION. ENJOYMENT. HEALTH AND HAPPINESS.

Dine in a world-class restaurant, without leaving your home. Enjoy evening cocktails outdoors with friends in the Courtyard or on the 8th floor Lounge & Terrace. The exceptional amenities at Cassa will provide you with an environment to socialize, entertain, exercise or simply relax.





Lounge & Terrace on the eighth floor

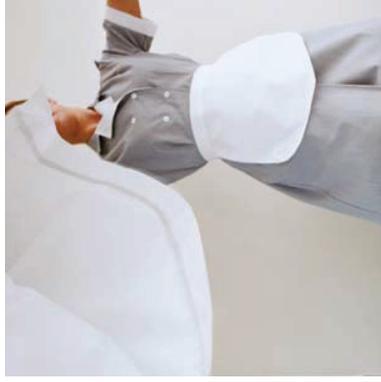
SERVICES

IN THE TRADITION OF THE WORLD'S FINEST HOTELS

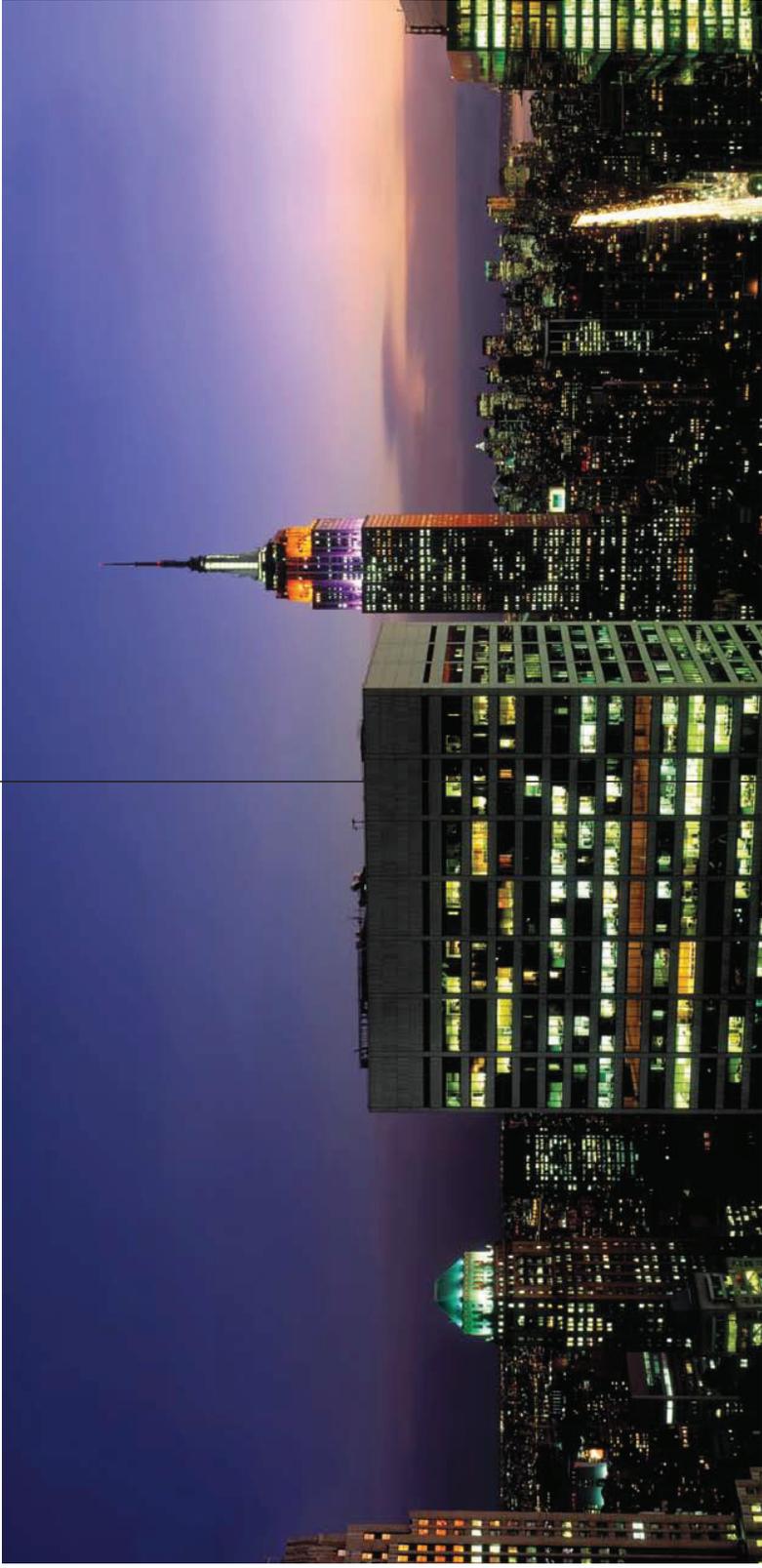
Your staff will provide a wide array of services that give you convenience and peace of mind, while you're busy with work or enjoying all that the city has to offer. You will experience a level of service with every convenience and consideration, whether it's a private dinner party in your home or tickets to the theater.

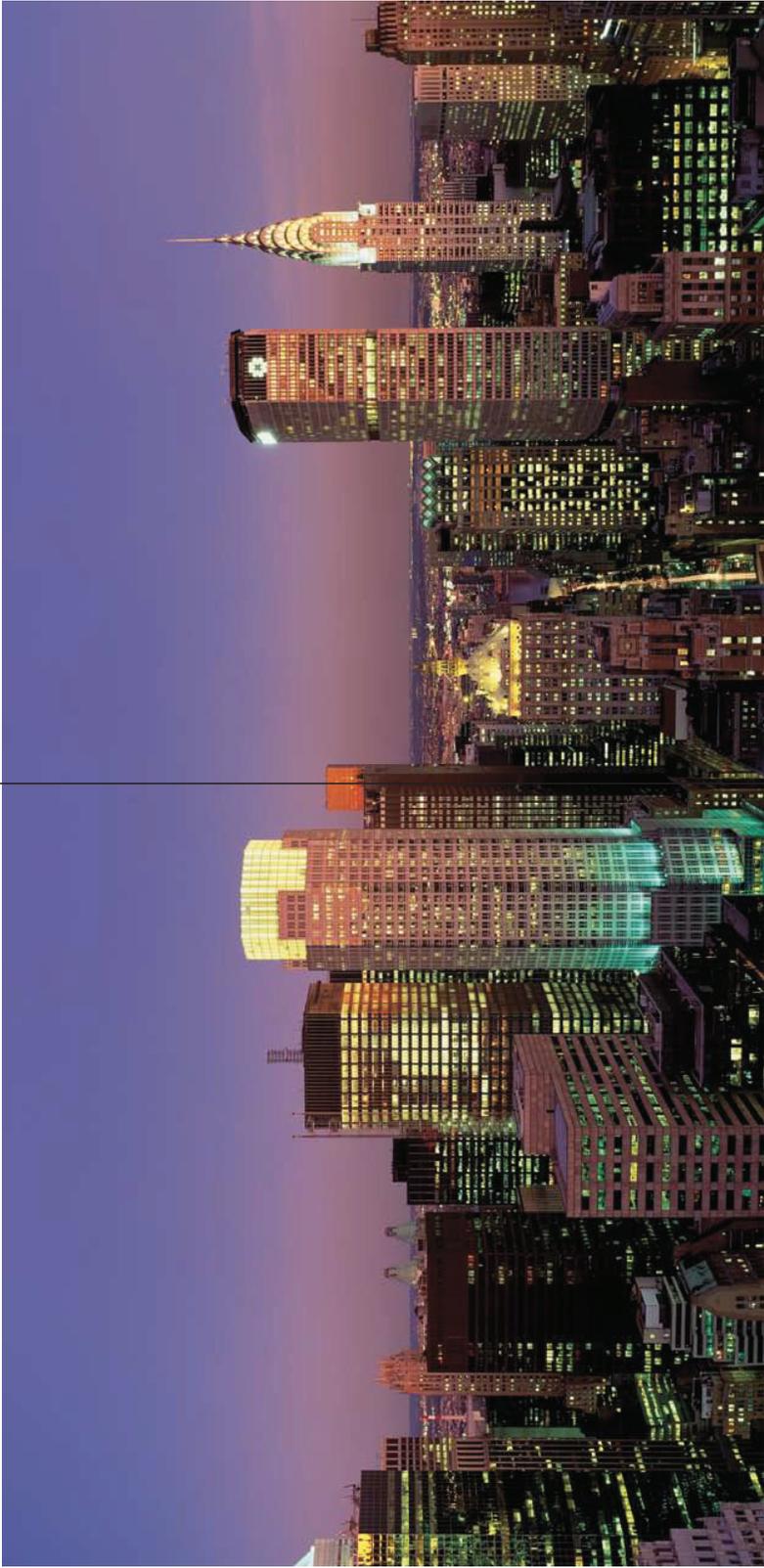
A la carte services include:

- 24-hour room service
- Dry cleaning and laundry services
- Full housekeeping and turn down services
- 24-hour concierge, including travel arrangements, local and international postage, and in-room message services
- Child and pet care services
- Daily fresh flower deliveries
- Limousine service
- Valet service
- Storage for residents
- Overnight hand-polished shoeshine service



VIEWS





location

A RARE AND DESIRABLE OPPORTUNITY

Just steps from your front door are some of the world's most remarkable landmarks, renowned restaurants, fashionable shops and boutiques, and cultural opportunities. From world-class Broadway theater and four star dining to some of Manhattan's most popular landmark destinations, such as Rockefeller Center, Fifth Avenue and Times Square, you can participate in the world's most dynamic city at your own pace.

MUSEUMS/ATTRACTIONS

- 1 International Center for Photography
- 2 Radio City Music Hall
- 3 St. Patrick's Cathedral
- 4 American Folk Art Museum
- 5 Museum of Modern Art
- 6 Trump Tower
- 7 Carnegie Hall

SHOPPING

- 1 HBO Shop
- 2 Thomas Pink
- 3 Ann Taylor
- 4 Best Buy
- 5 Fossil
- 6 Brooks Brothers
- 7 Paul Stuart
- 8 Barnes & Noble
- 9 Sephora
- 10 American Girl
- 11 Lacoste
- 12 Ann Taylor
- 13 Saks Fifth Avenue
- 14 Jimmy Choo
- 15 Versace
- 16 Cartier
- 17 Salvatore Ferragamo
- 18 Tourneau
- 19 Ermengildo Zegna
- 20 Fendi
- 21 Thomas Pink
- 22 TUMI
- 23 Davidoff
- 24 Dunhill
- 25 Takashimaya
- 26 Manolo Blahnik
- 27 Henri Bendel
- 28 Harry Winston
- 29 Sony Style
- 30 Mont Blanc
- 31 Gucci
- 32 Prada
- 33 Tiffany & Co.
- 34 Louis Vuitton
- 35 Burberry
- 36 Chanel
- 37 Christian Dior
- 38 Bergdorf Goodman
- 39 FAO Schwarz
- 40 Apple

RESTAURANTS

- 1 Sushi Zen
- 2 db Bistro Moderne
- 3 Triomphe
- 4 Shaan
- 5 Gaby Brasserie Francaise
- 6 Re Sette
- 7 Morton's The Steakhouse
- 8 Le Marais
- 9 Bond 45
- 10 Blue Fin
- 11 AJ Maxwell's Steakhouse
- 12 Del Frisco's
- 13 City Lobster
- 14 Sea Grill
- 15 Gilt
- 16 Le Bernardin
- 17 Bar Americain
- 18 21 Club
- 19 La Grenouille
- 20 The Modern
- 21 Gordon Ramsay at The London
- 22 Adour
- 23 Milos Estiatorio
- 24 Town
- 25 Russian Tea Room
- 26 Nobu S7
- 27 Harry Cipriani

HOTELS

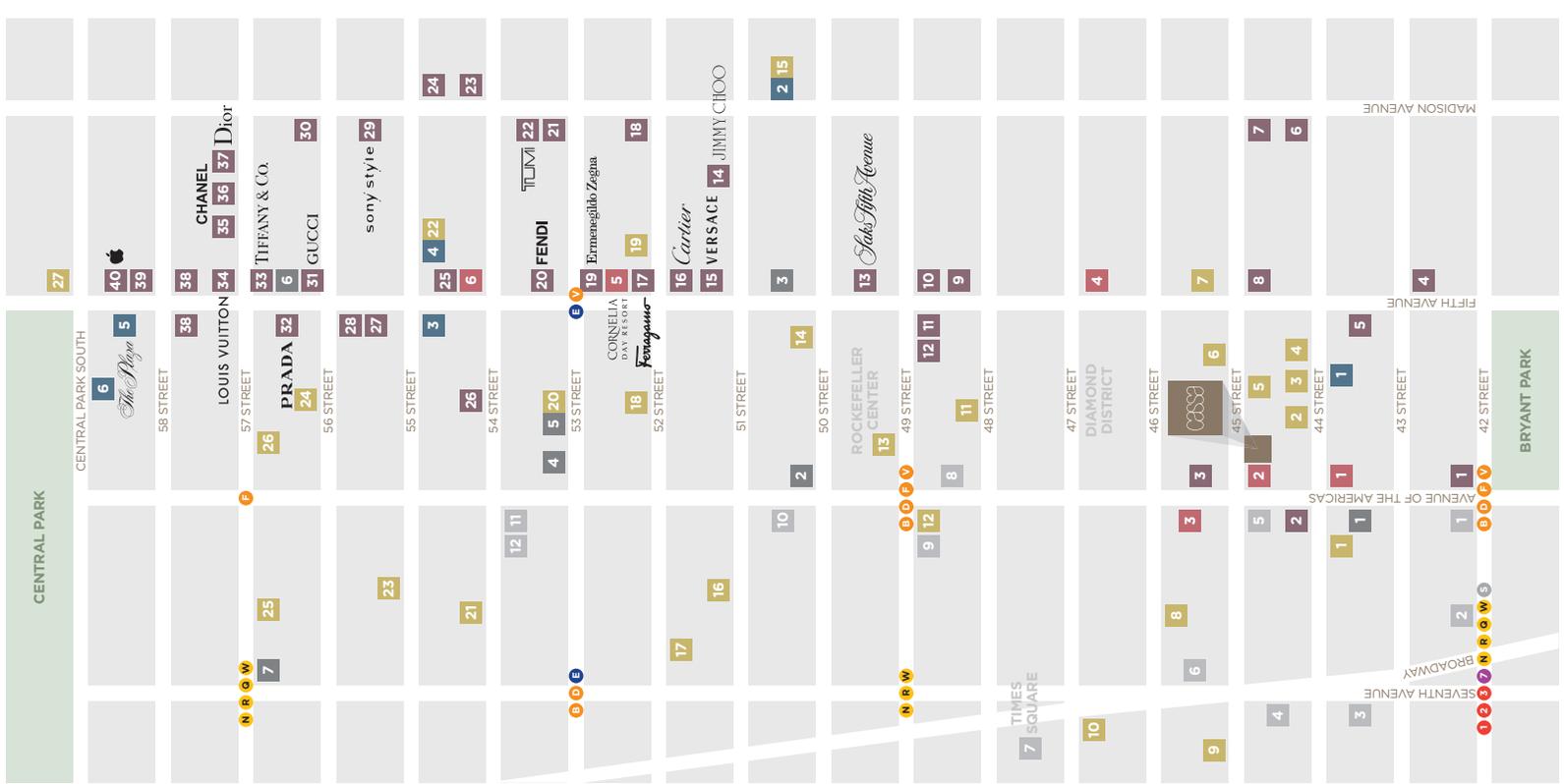
- 1 Royalton
- 2 The New York Palace
- 3 The Peninsula
- 4 St. Regis
- 5 The Plaza
- 6 The Ritz-Carlton

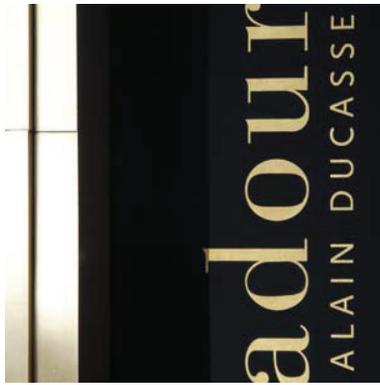
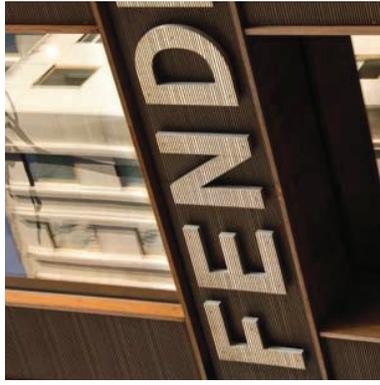
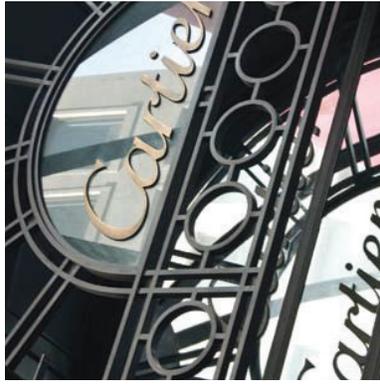
SERVICES

- 1 Chase
- 2 Wachovia
- 3 Jean Claude Biguine
- 4 Redken Fifth Avenue
- 5 Cornelia Day Resort
- 6 Elizabeth Arden Red Door Spa

OFFICES

- 1 Bank of Americas Headquarters
- 2 Conde Nast World Headquarters
- 3 Paramount Building
- 4 Viacom Building & MTV
- 5 Wall Street Journal
- 6 Bertelsmann World Headquarters
- 7 Morgan Stanley Headquarters
- 8 Simon & Schuster
- 9 McGraw Hill Building
- 10 Time Life Building
- 11 UBS Paine Webber
- 12 Credit Lyonnais

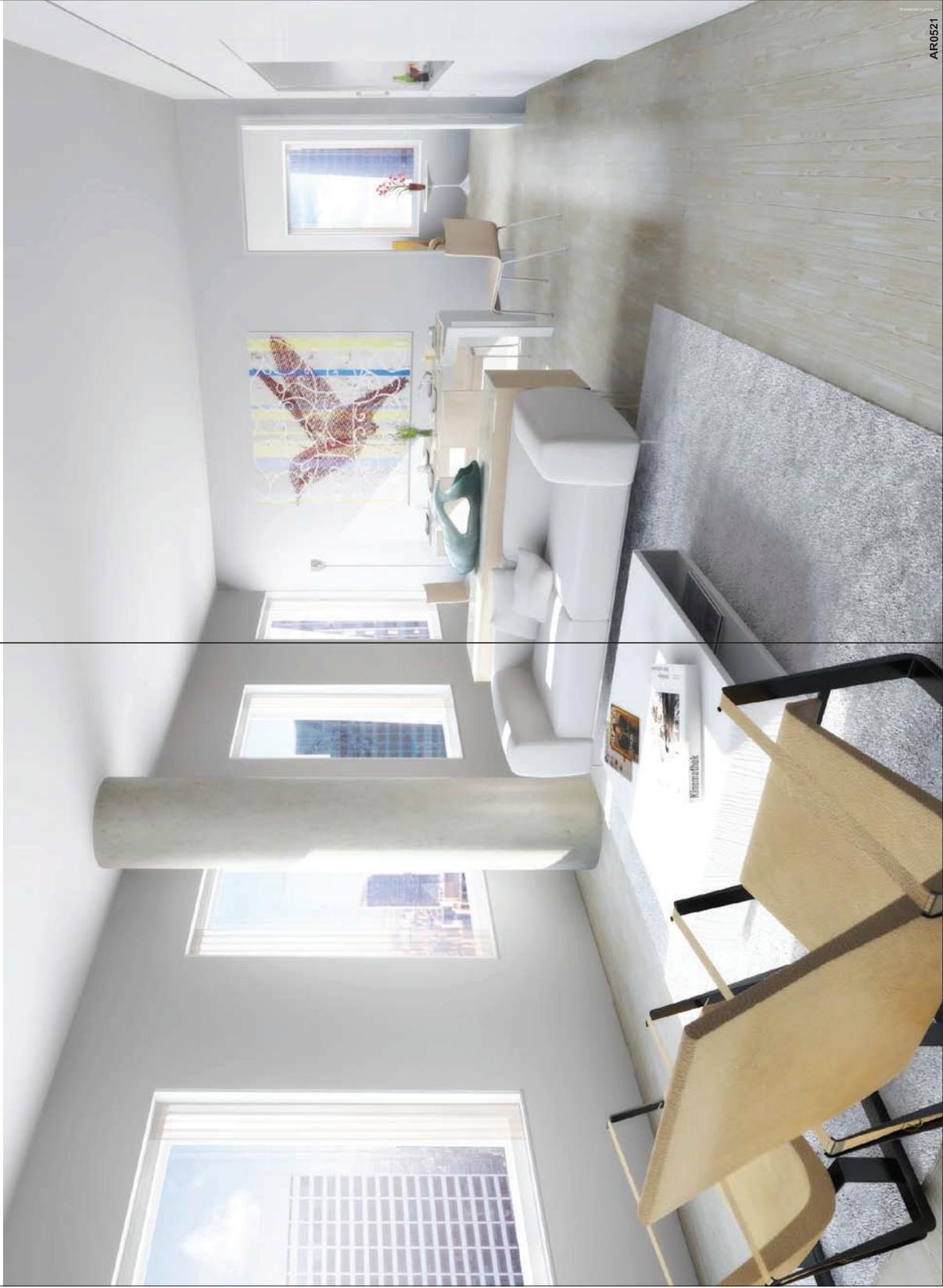




living

A REVOLUTIONARY HOME IN THE MODERN STYLE

With soaring views of the Manhattan cityscape, the homes at Cassa capture the essence of urban living. Open living areas, the highest quality materials and finishes, and the newest technologies result in a highly adaptable and functional space that will fit perfectly with your modern lifestyle.



kitchen



AN ENJOYABLE AND INTEGRATED EXPERIENCE

The kitchens at Cassa will change the way you think about dining with family and entertaining guests. Elegantly designed to complement your contemporary lifestyle, the kitchens feature white lacquer cabinetry, rich Pietra Bedonia stone countertops and the highest quality coordinated appliances from Miele, Liebherr and Wolf.

bath



COMFORT, QUALITY AND CONVENIENCE

The luxurious baths feature exquisite glacier glass walls, limestone floors, Linea Travertine marble vanities and the finest fittings and trim. Rejuvenate in the spacious glass-enclosed showers. Need towel service? Just call.

ASSA PROPERTIES

Founded by Solly and Isaac Assa, Assa Properties has been developing and investing in major residential, retail and commercial properties since 2000. The firm has acquired over three million square feet of premier assets located throughout the United States and Mexico. Starting in 2002, Assa Properties began acquiring assets within the New York City area, namely 743 Fifth Avenue, 2 Herald Square and 6 Times Square — originally the Knickerbocker Hotel built by John Jacob Astor — with an eye towards building luxury retail and hotel experiences in some of New York City's most distinctive neighborhoods. They have since evolved their original vision with two new developments, Cassa and Galerie, which will serve as full-service, luxury hotels as well as offer premium hotel services to its condominium residents.

TEN ARQUITECTOS/ENRIQUE NORTEN

TEN Arquitectos, which Enrique Norten founded in 1986, maintains offices in New York and Mexico City. The firm has worked on a diverse array of award-winning and acclaimed architectural projects of diverse types and scales including furniture design, single-family apartments and houses, residential, commercial and cultural buildings, parks, and urban design and redevelopment projects.

Current projects include the Guggenheim Museum Guadalajara (Guadalajara, Jalisco, Mexico); Brisas W (Acapulco, Guerrero, Mexico); Orange County Great Park (Orange County, CA); and a new vision for Rutgers University's College Avenue Campus (New Brunswick, NJ). Amongst TEN Arquitectos' most recognized projects are 1 York, Tribeca Residential Building (New York, NY); the National School of Theater at the National Center of the Arts; Mexico City; Televisa Mixed Use Building; Mexico City (1st Prize "Mies Van Der Rohe Pavilion" of Latin American Architecture, Barcelona, Spain, 1998); Orange County Great Park (2009 AIA Regional & Urban Design Award); and Hotel HABITA, Mexico City ("Latin American Building of the Year" World Architecture Awards / RIBA, London 2002; Business Week / Architectural Record Awards and AIA NY Chapter Award 2003).

CETRA/RUDDY

Founding principals John Cetra and Nancy J. Ruddy have been providing quality projects in architecture, planning, interior design and product design for more than 20 years. Leading a team of over 75 highly accomplished professionals, the firm develops highly crafted, technically excellent projects that have won CetraRuddy its award-winning reputation. CetraRuddy's sophisticated problem-solving capabilities are integral to the design of diverse project types that include hospitality, residential, cultural/educational, investment commercial, commercial interiors and wildlife habitats.

Recent hotel and hotel/residences include the Aloft Starwood Hotel in New York, Ark55 Hotel in midtown Manhattan, One Charlotte in Charlotte, NC, and Choice Marina Resort in Cochin, India. Other prestigious projects include One Madison Park, the Barbizon, the Stanhope, Orion, 141 Fifth Avenue, Tiger Mountain and the Butterfly House at the Bronx Zoo, and various projects for prestigious universities such as Columbia University, New York University and Cornell-Weill Medical Center.

THE MARKETING DIRECTORS, INC.

The Marketing Directors, Inc. has been the leading marketer and exclusive sales agent for residential property since 1980, having sold in excess of \$14 billion of real estate. The sales and marketing efforts of The Marketing Directors have been nationally recognized by industry associations and have won over 20 Silver and Gold IRM awards for excellence including Best Marketed Project of the Year.

**Marketing and Exclusive Sales Agent
The Marketing Directors, Inc.**

Cassa Sales Showroom
1140 Avenue of the Americas, Floor 2
New York, New York 10036
212.398.4545 Tel
212.398.4541 Fax
info@cassanyc.com
www.cassanyc.com

Cassa is an Assa Properties residential development.

Sponsor: Waterscape LLC, 15 West 34 Street, F17 New York,
NY 10001. The complete offering terms are in an Offering
plan available from the Sponsor. File No. CD0801Z1.

Artist renderings reflect the planned scale and design
intent of the building and are subject to sponsor's right
to make changes to material specifications and design.
We reserve the right to make changes in accordance
with the applicable offering plan. Views shown are
approximate and will vary depending on unit and floor.

We are pledged to the letter and spirit of US policy
for the achievement of equal housing opportunity
throughout the nation. We encourage and support an
affirmative advertising and marketing program in which
there are no barriers to obtaining housing because
of race, color, religion, sex, handicap, familial status
or national origin.

