

TTAB

Gregory C. Blissman
1764 Naser Road
North Versailles, PA 15137

December 24, 2014

Trademark Trial and Appeal Board
U.S. Patent and Trademark Office
PO Box 1451
Alexandria, VA 22313-1451

RE: Opposition No. 91216214

Dear Sir/Madam:

Enclosed please find the Amended Counterclaim, Applicant's First Request for the Production of Documents, and Applicant's First Set of Interrogatories that I wish to have filed regarding the above captioned matter.

I thank you for your attention to this matter.

Sincerely,

/s/ Gregory C. Blissman
Gregory C. Blissman

Enclosures


01-02-2015

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

In the Matter of Trademark Application Serial No. 86/137,851
Mark: SUPREME STYLE
Filed: December 8, 2013

CHAPTER 4 CORP. d/b/a SUPREME,

Opposer,

-against-

GREGORY C. BLISSMAN,

Applicant.

Opposition No. 91216214

APPLICANT'S FIRST REQUEST FOR THE
PRODUCTION OF DOCUMENTS TO OPPOSER

Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure ("FRCP") and 37 C.F.R. § 2.120, Applicant Gregory C. Blissman ("Applicant") hereby requests that Opposer Chapter 4 Corp. d/b/a Supreme ("Opposer"), by its attorneys Pryor Cashman LLP, produce the documents and things described below to 1764 Naser Road, North Versailles, Pennsylvania 15137, within thirty (30) days of the date of service hereof.

DEFINITIONS AND INSTRUCTIONS

- A. "Applicant" means Gregory C. Blissman.
- B. "Opposer" means Chapter 4 Corp. d/b/a Supreme, and where applicable, its partners, officers, directors, employees, parties, corporate parents, subsidiaries or affiliates.
- C. "Opposer's Marks" means the marks SUPREME, U.S. Reg. Nos. 4,157,110 and 4,240,456, the mark , U.S. Reg. Nos. 4,554,309 and 4,504,231, and U.S. Trademark

Application Serial Nos. 86/225,879, 86/225,786, 85/424,636 for the mark SUPREME; and U.S. Trademark Application Serial Nos. 86/225,910, 86/225,846, and 85/868,057 for the mark

Supreme

D. "Opposer's Goods" means the goods identified by the trademarks and trademark applications regarding "Opposer's Marks" referenced above in paragraph C of this document.

E. "Applicant's Mark" or the "Application" means the mark SUPREME STYLE, which is the subject of United States Trademark Application Serial No. 86/137,851.

F. "Applicant's Goods" means the goods identified in U.S. Serial No. 86/137,851, specifically, "handbags" in Class 18.

G. "Communication" means the transmittal of information in the form of facts, ideas, inquiries or otherwise.

H. "Documents" includes writings, drawings, graphs, charts, photographs, phonorecords and other electronic or computerized data compilations from which information can be obtained or translated, if necessary, by Opposer through detection devices into reasonably usable form. A draft or non-identical copy is a separate document within the meaning of this term. Unless otherwise specified, all requests for documents shall require the production of the original documents.

I. "Things" means all categories of tangible objects not included within the definition of "documents."

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

K. "Identify" means, when referring to documents, to give, to the extent known, the (i) type of document; (ii) general subject matter; (iii) date of document; and (iv) author(s), addressee(s) and recipient(s).

L. "Persons" means any natural person or any business, legal or governmental entity or association.

M. "Concerning" means in whole or in part constituting, containing, referring, embodying, reflecting, describing, analyzing, identifying, stating, dealing with, or in any way pertaining to.

N. The terms "all" and "each" shall be construed as all and each.

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

P. The use of the singular form of any word includes the plural and vice versa.

Q. Where a claim of privilege is asserted in objecting to these requests, Opposer shall identify the nature of the privilege (including work product) which is being claimed, and the following information shall be provided in the objection:

- i) the type of document, *e.g.*, letter or memorandum;
- ii) the general subject matter of the document;
- iii) the date of the document;
- iv) the author(s) of the document;
- v) the addressee(s) of the document;
- vi) the recipient(s) of the document; and
- vii) where not apparent, the relationship of the author(s), addressee(s) and recipient(s) to each other.

R. If Opposer objects to the scope or breadth of any of these requests for documents or things, Opposer should identify, to the extent possible, those documents or things that Opposer will produce notwithstanding its objection.

S. In the event that any of these requests calls for a document that has been lost or destroyed, or for information contained in such a document, such document is to be identified by stating the following:

- i) the type of document, *e.g.*, letter or memorandum;
- ii) the general subject matter of the document;
- iii) the date of the document;
- iv) the author(s) of the document;
- v) the addressee(s) of the document;
- vi) the recipient(s) of the document;
- vii) where not apparent, the relationship of the author(s), addressee(s) and recipient(s) to each other;
- viii) the custodian(s) of the document or person(s) otherwise responsible for the document's safekeeping, storage, or filing;
- ix) the date the document was lost or destroyed; and
- x) the circumstances surrounding the loss of the document and, if the document was destroyed, the reason for the circumstances surrounding its destruction

T. These requests are continuing in character so as to require Opposer to supplement its responses in accordance with FRCP 26(e) within a reasonable time if it obtains or becomes aware of any further information responsive to these requests for documents and things.

Applicant reserves the right to propound additional requests.

U. In responding to each request, Opposer is to review and search all relevant files of appropriate entities and persons.

V. As required by FRCP 34(a), Opposer must produce all documents requested for either as they are kept in the ordinary course of business or segregated according to each request.

REQUESTS FOR PRODUCTION

1. All documents and things identified, referred to, or used as a basis to respond in Opposer's responses to Applicant's First Set of Interrogatories.

2. All documents and things concerning Opposer's creation, consideration, selection, trademark clearance, adoption, acquisition and first use, if any, of Opposer's Marks in the United States, including, without limitation, any trademark search reports, opinions of counsel regarding proposed marks, any state or federal application to register a trademark or any trademark registration actually obtained, any responses thereto from the United States Patent and Trademark Office or other responsible authority or agency, and any written communications related thereto.

3. All documents and things concerning designations other than Opposer's Marks considered by Opposer in connection with Opposer's Goods.

4. All documents and things concerning any change or modification of Opposer's Marks since the conception of Opposer's Marks.

5. All documents and things concerning any complaints, petitions, oppositions, objections, cancellations, administrative proceedings, legal opinions, cease and desist letters or civil actions made by or against Opposer involving Opposer's application for and/or use of Opposer's Marks.

6. All documents and things concerning any communications between Opposer (including without limitation, through an attorney) and the Patent and Trademark Office, the Trademark Trial and Appeal Board concerning Opposer's Marks.

7. All documents and things concerning Opposer's Goods.

8. All documents and things concerning the corporate structure, organization and operation of Opposer's companies that are and/or will be offering goods or rendering services under Opposer's Marks, including, without limitation, any certificate and articles of incorporation, charter by-laws and amendments to the organizational instrument, all annual or other periodic reports issued by Opposer, organizational flow charts, and documents identifying all related or affiliated companies, corporate officers and members of the board of directors, executive committees or governance bodies.

9. All documents and things sufficient to identify goods currently offered for sale, sold, advertised or promoted by Opposer under Opposer's Marks in the United States, if any.

10. All documents and things sufficient to identify goods that will be offered for sale, sold, advertised or promoted by Opposer under Opposer's Marks in the United States, if any.

11. Specimens reflecting use in commerce of Opposer's Goods in the United States, if any.

12. All documents and things concerning the advertising or promotion of Opposer's Goods in the United States, including without limitation, advertisements, promotional materials sales materials, videotapes, DVDs, catalogues, brochures, and mailing and price lists, whether distributed publicly or not, to the extent they exist.

13. All documents and things concerning the proposed or planned advertising or promotion of Opposer's Goods in the United States, including without limitation, advertisements,

promotional materials, sales materials, videotapes, DVDs, catalogues, brochures, and mailing and price lists, whether distributed publicly or not, to the extent they exist.

14. All documents and things reflecting Opposer's annual actual or intended advertising, promotion and publicity expenditures to date for Opposer's Goods.

15. All documents and things concerning the media in which Opposer advertises or promotes, or intends to advertise or promote, goods under Opposer's Marks in the United States, including without limitation, media schedules and budgets.

16. All documents concerning any assistance received by Opposer from any advertising, public relations, consulting or sales entity concerning Opposer's Goods.

17. All documents and things concerning Opposer's yearly expenditures to date and planned future expenditures relating to the sale of Opposer's Goods.

18. All documents and things concerning any business plans or projections, revenue projections, cost projections and/or product plans or proposals as they relate to Opposer's Goods and/or the use of Opposer's Marks.

19. All documents and things concerning Opposer's yearly U.S. revenue to date and projected future revenue for the sale of goods offered under Opposer's Marks.

20. All documents and things concerning the offering for sale of Opposer's Goods including, without limitation, contracts, invoices and agreements.

21. All documents and things concerning the date the goods identified by the trademarks and trademark applications referenced in paragraph C of this document were first sold in interstate commerce in the United States under Opposer's Marks, if any.

22. All documents and things concerning the channels of distribution through which Opposer offers, has offered, or will offer goods bearing Opposer's Marks in the United States.

23. All documents and things concerning the U.S. territories in which Opposer offers, has offered, or will offer goods bearing Opposer's Marks.

24. All documents and things concerning any assignment, license or other transfer to or from Opposer of any right, statutory or otherwise, in Opposer's Marks.

25. Documents and things sufficient to identify any customer, whether prospective or actual, to whom Opposer has or will market, advertise, promote, offer and/or sell goods bearing Opposer's Marks in the United States, including without limitation, mailing lists, customer profiles and demographics.

26. Documents and things sufficient to identify the target consumer groups to whom Opposer has or will market, advertise, promote, offer and/or sell goods bearing Opposer's Marks.

27. All documents and things concerning complaints Opposer has received from, including without limitation, consumers and retailers, concerning any goods or services bearing Opposer's Marks in the United States.

28. All documents and things concerning Applicant, Applicant's Mark, and Opposer's awareness of Applicant and Applicant's Mark, including, without limitation, trademark search reports.

29. All documents and things concerning communications between Opposer and any other person in which a person inquired about, commented upon or referred to Applicant or Applicant's goods and services bearing Applicant's Mark in any way.

30. All documents and things concerning any instances of actual confusion by a third party as to the source, sponsorship, authorization or approval of any goods and/or services bearing Applicant's Mark.

31. All documents and things concerning any instances of actual confusion by a third party as to the source, sponsorship, authorization or approval of any goods and/or services bearing Opposer's Marks.

32. All documents and things concerning informal or formal consumer surveys regarding brand recognition conducted by Opposer or on Opposer's behalf concerning Opposer's Marks, including without limitation, studies, search reports, surveys, and market research tests.

33. All documents and things concerning informal or formal market research conducted by Opposer or on Opposer's behalf concerning Opposer's Marks, including without limitation, studies, search reports, surveys, and market research tests.

34. All documents and things concerning informal or formal market research conducted by Opposer or on Opposer's behalf concerning Applicant's Mark or any other trademarks held by Applicant, including, without limitation, studies, search reports, surveys and market research tests.

35. All documents and things concerning Opposer's communications with Applicant and any actions taken by Opposer pursuant thereto, including, without limitation, telephone logs, correspondence, email communications, memoranda and business proposals.

36. Provide all documents referring or relating to plans for steps toward expansion by Opposer of the type of goods or services under which Opposer's Marks are used or relating to plans to alter the present channels of trade, or to offer such goods or services to Persons other than Opposer's present purchasers, if any.

37. Provide all documents referring to or relating to Opposer's first knowledge of Applicant's Mark.

38. Provide all documents referring to or relating to Opposer's first knowledge of Applicant's earlier applications, United States Trademark Application Serial Nos. 78/920,472 and 85/033,715.

39. All documents and things concerning Opposer's manufacture, distribution, sale and intended expansion of all of Opposer's products in Class 18.

40. All documents and things concerning the Hermès Birkin Bag shown in a picture that was uploaded to Opposer's Instagram page (instagram.com/supremenewyork) on June 19, 2014. The caption for the picture said "Custom Hermès Birkin Bag. 2011."

41. Provide all documents referring to or relating to any patents or exclusive licenses to patents that Opposer may possess.

42. All documents and things concerning general description(s) of any trade secret(s) that Opposer may have and what general advantage the trade secret(s) gives.

Dated: North Versailles, PA
December 22, 2014

Respectfully submitted:

/s/ Gregory C. Blissman
Gregory C. Blissman
1764 Naser Road
North Versailles, PA 15137
Phone: 412-824-5161
APPLICANT

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Applicant's First Request for the Production of Documents to Opposer was served on Applicant by First Class Mail on December 24, 2014 as follows:

Dyan Finguerra-DuCharrne
Ryan S. Klarberg
Pryor Cashman LLP
7 Times Square
New York, NY 10036

/s/ Gregory C. Blissman
Gregory C. Blissman

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

In the Matter of Trademark Application Serial No. 86/137,851
Mark: SUPREME STYLE
Filed: December 8, 2013

CHAPTER 4 CORP. d/b/a SUPREME,

Opposer,

-against-

GREGORY C. BLISSMAN,

Applicant.

Opposition No. 91216214

APPLICANT'S FIRST SET OF INTERROGATORIES

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure ("FRCP") and 37 C.F.R. § 2.120, Applicant Gregory C. Blissman ("Applicant") hereby requests that Opposer Chapter 4 Corp. d/b/a Supreme ("Opposer"), by its attorneys Pryor Cashman LLP, answer the following interrogatories fully and separately, in writing and under oath, and deliver to 1764 Naser Road, North Versailles, Pennsylvania 15137, within thirty (30) days of the date of service hereof.

DEFINITIONS AND INSTRUCTIONS

- A. "Applicant" means Gregory C. Blissman.
- B. "Opposer" means Chapter 4 Corp. d/b/a Supreme, and where applicable, its partners, officers, directors, employees, parties, corporate parents, subsidiaries or affiliates.
- C. "Opposer's Marks" means the marks SUPREME, U.S. Reg. Nos. 4,157,110 and

4,240,456, the mark **Supreme**, U.S. Reg. Nos. 4,554,309 and 4,504,231, and U.S. Trademark Application Serial Nos. 86/225,879, 86/225,786, 85/424,636 for the mark SUPREME, and U.S. Trademark Application Serial Nos. 86/225,910, 86/225,846, and 85/868,057 for the mark **Supreme**.

D. "Opposer's Goods" means the goods identified by the trademarks and trademark applications regarding "Opposer's Marks" referenced above in paragraph C of this document.

E. "Applicant's Mark" or the "Application" means the mark SUPREME STYLE, which is the subject of United States Trademark Application Serial No. 86/137,851.

F. "Applicant's Goods" means the goods identified in U.S. Serial No. 86/137,851, specifically, "handbags" in Class 18.

G. "Communication" means the transmittal of information in the form of facts, ideas, inquiries or otherwise.

H. "Documents" includes writings, drawings, graphs, charts, photographs, phonorecords and other electronic or computerized data compilations from which information can be obtained or translated, if necessary, by Opposer through detection devices into reasonably usable form. A draft or non-identical copy is a separate document within the meaning of this term. Unless otherwise specified, all requests for documents shall require the production of the original documents.

I. "Things" means all categories of tangible objects not included within the definition of "documents."

J. "Identify" means, when referring to a person, to give, to the extent known, the person's full name, present or last known address and when referring to a natural person, additionally, the present or last known place of employment. Once a person has been identified in

accordance with this subparagraph, only the name of that person need be listed in response to subsequent discovery requesting the identification of that person.

K. "Identify" means, when referring to documents, to give, to the extent known, the (i) type of document; (ii) general subject matter; (iii) date of document; and (iv) author(s), addressee(s) and recipient(s).

L. "Persons" means any natural person or any business, legal or governmental entity or association.

M. "Concerning" means in whole or in part constituting, containing, referring, embodying, reflecting, describing, analyzing, identifying, stating, dealing with, or in any way pertaining to.

N. The terms "all" and "each" shall be construed as all and each.

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

P. The use of the singular form of any word includes the plural and vice versa.

Q. Where a claim of privilege is asserted in objecting to these requests, Opposer shall identify the nature of the privilege (including work product) which is being claimed, and the following information shall be provided in the objection:

- i) the type of document, *e.g.*, letter or memorandum;
- ii) the general subject matter of the document;
- iii) the date of the document;
- iv) the author(s) of the document;
- v) the addressee(s) of the document;

- vi) the recipient(s) of the document; and
- vii) where not apparent, the relationship of the author(s), addressee(s) and recipient(s) to each other.

R. In the event that any of these requests calls for a document that has been lost or destroyed, or for information contained in such a document, such document is to be identified by stating the following:

- i) the type of document, *e.g.*, letter or memorandum;
- ii) the general subject matter of the document;
- iii) the date of the document;
- iv) the author(s) of the document;
- v) the addressee(s) of the document;
- vi) the recipient(s) of the document;
- vii) where not apparent, the relationship of the author(s), addressee(s) and recipient(s) to each other;
- viii) the custodian(s) of the document or person(s) otherwise responsible for the document's safekeeping, storage, or filing;
- ix) the date the document was lost or destroyed; and
- x) the circumstances surrounding the loss of the document and, if the document was destroyed, the reason for the circumstances surrounding its destruction.

S. These Interrogatories are continuing in character so as to require Opposer to supplement its responses in accordance with FRCP 26(e) within a reasonable time if it obtains or

becomes aware of any further information responsive to these requests for documents and things. Applicant reserves the right to propound additional interrogatories.

T. In responding to each Interrogatory, Opposer is to review and search all relevant files of appropriate entities and persons.

INTERROGATORIES

1. Identify all persons who provided information or documents for responses to these Interrogatories and Applicant's First Request for the Production of Documents.

2. List the names and titles of the corporate officers of Chapter 4 Corp. d/b/a SUPREME.

3. Describe with particularity the nature of Opposer's business which intends to manufacture, market and produce Class 18 products bearing the Opposer's Marks.

4. Identify any complaints, petitions, oppositions, objections, cancellations, administrative proceedings, legal opinions, cease and desist letters or civil actions made by or against Opposer involving Opposer's application for and/or intended use of Opposer's Marks.

5. Describe the circumstances surrounding Opposer's selection, adoption, clearance, intent to use, and use of Opposer's Marks in the United States.

6. Identify the Person or Persons who were responsible for Opposer's creation, consideration, selection, or adoption of Opposer's Marks.

7. Identify each good that is currently being marketed or sold or intended to be marketed and sold under Opposer's Marks in the United States, whether by Opposer or by a third party. For Class 18 goods, identify (i) the product description for each product; (ii) the date that each product became or will become available for sale; (iii) the

number of units of each product that have been sold to date; and (iv) the price for each product.

8. Why is Opposer offering goods for sale in Class 18 when an ongoing legal dispute is still pending?

9. Identify the date that each of Opposer's Goods were offered for sale in U.S. commerce, if any.

10. Identify all Persons allegedly authorized or allowed by Opposer to use Opposer's Marks or any variation thereof in U.S. commerce.

11. Identify all persons who were responsible for, participated in, or have information concerning informal or formal U.S. market research conducted by Opposer or on Opposer's behalf concerning Opposer's Marks.

12. (a) Identify all persons who were responsible for, participated in, or have information concerning informal or formal U.S. consumer surveys conducted by Opposer or on Opposer's behalf concerning Opposer's Marks.

(b) Identify the information contained in any informal or formal consumer surveys conducted by Opposer or on Opposer's behalf concerning Opposer's Marks. Identify any results show how well-known Opposer's Mark is in the skateboarding community and the general public. Include also the date(s) of when the survey(s) was conducted.

(c) Identify the methodology that was used in each survey.

13. Identify all persons who were responsible for, participated in, or have information concerning informal or formal U.S. market research conducted by Opposer or on Opposer's behalf concerning Applicant's Mark.

14. Identify all designations other than Opposer's Marks considered by Opposer for use in connection with Opposer's Goods.

15. Identify the Person or Persons who have been responsible for the marketing and/or promotion of goods under Opposer's Marks and indicate the time period(s) during which each person was so responsible.

16. Identify all advertising agencies, public relations agencies, and market research agencies, other than Opposer, who participated with, or cooperated with, in advertising, marketing, or promoting the goods associated with Opposer's Marks, and indicate the time period(s) during which such activities were conducted.

17. Identify Opposer's yearly U.S. expenditures to date and planned future expenditures for the advertising and promotion of goods offered under Opposer's Marks.

18. (a) Identify Opposer's yearly U.S. revenue to date and projected future revenue for the sale of goods offered under Opposer's Marks.

(b) The information given above should be further subdivided by identifying Opposer's yearly percentage of US revenue to date based on the percentage of sales of:

(i) skateboards or skateboard-related hardware. (This excludes clothing.);

(ii) t-shirts;

(iii) the sale of shirts other than t-shirts;

(iv) hats;

(v) items less than \$50;

(vi) items less than \$100; and

(vii) items sold to female customers.

(c) Identify any other relevant information concerning part (a) of this question.

19. Identify all U.S. territories in which Opposer offers, has offered, or will offer goods under Opposer's Marks.

20. Identify all channels of distribution in the United States through which Opposer offers, has offered, or will offer for sale goods under Opposer's Marks.

21. Identify the media in which Opposer has advertised or promoted, advertises or promotes, or intends to advertise or promote goods under Opposer's Marks in the United States, including without limitation, media schedules and budgets.

22. Describe with particularity any business plans or projections, revenue projections, cost projections and/or product plans or proposals as they relate to Opposer's Goods and/or the intended use of Opposer's Marks.

23. Identify all Persons that assisted, or consulted with, Opposer in advertising, promoting and/or offering goods under Opposer's Marks in the United States.

24. Identify all customers, whether prospective or actual, to whom Opposer has or will market, advertise, promote and/or provide goods under Opposer's Marks in the United States, including without limitation, mailing lists, customer profiles, and demographics. This answer should include but not be limited by the following categories:

- (a) the male and female distribution of Opposer's customers;
- (b) the various ethnicities of Opposer's customers;
- (c) the age range;
- (d) the income range; and
- (e) the geographic distribution.

25. Identify all agreements between Opposer and any other person concerning Opposer's Marks.

26. Identify all assignments, licenses or other transfers to or from Opposer of any right in Opposer's Marks.

27. Identify when Opposer first became aware of Applicant's Mark and describe the circumstances.

28. Identify when Opposer first became aware of Applicant's earlier Applications, United States Trademark Application Serial Nos. 78/920,472 and 85/033,715. Describe the circumstances in each case.

29. Opposer has claimed to have "worked with groundbreaking designers, artists, photographers and musicians" in paragraph 2 of the Notice of Opposition. Identify the following information:

- (a) List specifically who these designers, artists, photographers and musicians are;
- (b) Describe specifically in each case what the collaboration was. (Be sure to distinguish between products that called for an original design component from Opposer and those that were merely other companies' products with Opposer's Marks on them.);
- (c) Identify how each Person or Persons were compensated;
- (d) Identify how much revenue and publicity the collaboration generated in each case.

30. Opposer has claimed to have been “featured in several prominent magazines” in paragraph 4 of the Notice of Opposition to support its alleged popularity. Identify the citations for these articles.

31. Opposer has claimed use in commerce since 1994 in paragraph 6 of the Notice of Opposition. However, Opposer’s earliest registered Marks were not initially filed until 2011. Describe with particularity the reasons and circumstances that accounted for this delay. (The marks in question are SUPREME, U.S. Reg. Nos. 4,157,110 and 4,240,456, and the mark , U.S. Reg. Nos. 4,554,309 and 4,504,231.)

32. Opposer trademark applications regarding women’s clothing, U.S. Trademark Applications Serial Nos. 85/868,057 and 85/424,636, still have the 1B Intent to Use status.

- (a) Describe with particularity the reasons and circumstances that have accounted for this delay.
- (b) Describe with particularity how Opposer can justify claiming its alleged “dominance of the fashion industry” (paragraph 9 of the Notice of Opposition) when its products for women’s clothing are presumably still under development.

33. On Opposer’s Instagram page ([instagram.com/supremenewyork](https://www.instagram.com/supremenewyork)), a photograph was uploaded on June 19, 2014 of an Hermès bag with one of Opposer’s Marks on it. The caption for the picture said “Custom Hermès Birkin Bag. 2011.”

- (a) Was this bag produced and sold to the public?
- (b) If so, how many bags were sold and at what price?
- (c) Is this bag still produced? If not, why not?

(d) Did Opposer attempt to market or sell any other women's handbags? If not, why not?

34. Identify if Opposer has ever received any "editor's choice," "best in class" or fashion design awards for any of its products? Specify which (i) product(s) received the award(s); (ii) the Person or Persons who granted the award(s); and (iii) the date the award(s) was given.

35. Identify if Opposer has any patents or exclusive licenses to any patents. List the name and patent number of each patent involved.

36. Identify (i) if Opposer has any trade secret(s) that makes its brand unique and (ii) state what general advantage the trade secret(s) gives without revealing any confidential information.

Dated: North Versailles, PA
December 22, 2014

Respectfully submitted:

/s/ Gregory C. Blissman
Gregory C. Blissman
1764 Naser Road
North Versailles, PA 15137
Phone: 412-824-5161
APPLICANT

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Applicant's First Set of Interrogatories was served on Applicant by First Class Mail on December 24, 2014 as follows:

Dyan Finguerra-DuCharme
Ryan S. Klarberg
Pryor Cashman LLP
7 Times Square
New York, NY 10036

/s/ Gregory C. Blissman
Gregory C. Blissman

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

In the Matter of Trademark Application Serial No. 86/137,851
Mark: SUPREME STYLE
Filed: December 8, 2013

CHAPTER 4 CORP. d/b/a SUPREME,

Opposer,

-against-

GREGORY C. BLISSMAN,

Applicant.

Opposition No. 91216214

AMENDED COUNTERCLAIM

This amended Counterclaim relates back to the Answer to Notice of Opposition and Counterclaim that was served to Opposer on June 16, 2014. Opposer had notice of this Counterclaim and responded to it on July 2, 2014. Opposer also subsequently requested information concerning the Counterclaim both in paragraph 28 of Opposer's First Set of Interrogatories and in paragraph 37 of Opposer's First Request for the Production of Documents to Applicant. Both of these documents were dated August 12, 2014. The Applicant responded to these documents a month later on September 12, 2014. Furthermore, the discovery period is still open until January 10, 2015. Therefore, Opposer has suffered no harm.

The amended paragraph 26 of the Counterclaim will read as follows:

26. The Applicant believes the two marks in question are dissimilar. However, if the Board rules otherwise, in the alternative, the Applicant claims priority in Class 18 since his Application pre-dates the Opposer's Applications for this Class of

goods. Opposer's Applications for Class 18 are U.S. Trademark Application Serial Nos. 86/225,879 and 86/225,786, for the mark SUPREME, and U.S. Trademark Application Serial Nos. 86/225,910 and 86/225,846 and for the mark



WHEREFORE, the Applicant respectfully requests that the Board grant his application and deny Opposer's Applications for Class 18 mentioned above.

Respectfully Submitted:

/s/ Gregory C. Blissman
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Amended Counterclaim was served on Applicant by First Class Mail on December 24, 2014 as follows:

Dyan Finguerra-DuCharne
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/s/ Gregory C. Blissman
Gregory C. Blissman