

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451
General Contact Number: 571-272-8500

BUO

Mailed: September 24, 2014

Opposition No. 91217135

Eastman Kodak Co.

v.

Miller, Clint

Benjamin U. Okeke, Interlocutory Attorney:

Pursuant to Fed. R. Civ. P. 26(f) and Trademark Rules 2.120(a)(1) and (2), the parties held a timely discovery and settlement conference on Wednesday, September 17, 2014. *See* TBMP § 401.01 (2014). At opposer's request, a member of the Board participated in the conference. Participating were opposer's counsel, Gina McCreadie, applicant, Clint Miller, appearing *pro se*,¹ and Board interlocutory attorney, Benjamin U. Okeke.

The Board apprised the parties of general procedural rules and guidelines that govern *inter partes* proceedings, including the Board's liberal granting of motions to suspend for settlement efforts, the requirement that a party serve its initial disclosures pursuant to Fed. R. Civ. P. 26(a)(1)(A)(i) and (ii) prior to

¹ Mr. Miller indicated that counsel may be retained at a later date.

Applicant is again encouraged to seek counsel. If counsel is retained by applicant, an appearance should promptly be filed with the Board, indicating the new correspondence information for applicant's retained counsel.

serving discovery requests (*see* Trademark Rule 2.120(a)(3)). The Board advised applicant that parties are well-advised to retain an experienced trademark practitioner to represent them in Board proceedings. Applicant will be expected to comply with all applicable rules and procedures, including those relating to service of papers, as set forth in Trademark Rule 2.119, regardless of whether applicant retains counsel.

The parties indicated that there is no other pending litigation between them, or any third parties, concerning these marks in federal court or before the Board. The parties had not engaged in settlement talks prior to this call, but were directed to promptly schedule a call to discuss settlement possibilities and other issues.

Standard Protective Order

The Board reminded the parties of the automatic imposition of the Board's standard protective order in this case. Trademark Rule 2.116(g). The standard protective order is online at: <http://www.uspto.gov/trademarks/process/appeal/guidelines/stndagmnt.jsp>.

The Board informed the parties of the unique issue raised by confidential documents designated "for attorney's eyes only" in a proceeding involving a *pro se* defendant: if applicant represents himself, he may be precluded from receipt of discovery documents so designated. However, the parties are cautioned that designation of any confidential documents should be in good

faith, and only when necessary to protect matter that is in fact highly-confidential.

If the parties wish to add or modify any provisions of the standard protective order, they may negotiate an amended protective agreement, subject to Board approval.

Pleadings

The Board reviewed the pleadings with the parties:

A. Notice of Opposition

Eastman Kodak Company (“opposer”), opposes registration of the mark KODATOUCH, in Application Serial No. 86059001, filed by Clint Miller (“applicant”), for use in connection with “touch pads; touch panels; touch screens; touch sensors used for integration with touch enabled electronic devices and appliances; touch sensor modules used for integration with touch enabled electronic devices and appliances.”²

Opposer has asserted likelihood of confusion under Trademark Act Section 2(d), 15 U.S.C. 1052(d), dilution under Section 43(c), 15 U.S.C. 1125(c), and false suggestion of a connection under Section 2(a), 15 U.S.C. 1052(a), as its grounds for opposition.

- *Standing and Priority*

Opposer has sufficiently pleaded its standing to bring this action by pleading ownership of several registrations for the marks:

² Filed September 9, 2013, on an intent-to-use filing basis under Section 1(b) of the Trademark Act.

KODAK (in standard characters)³

Kodak ⁴

Kodak ⁵

Kodafix ⁶

³ Registration Nos. 0195218 (for “photographic prints and enlargements,” issued February 17, 1925); 0387692 (for “monthly magazines, periodicals containing news of photographic goods and products, monthly house organ, data books for photographic goods and materials, and photographic reference handbook,” issued May 27, 1941); 0692796 (for “sensitized photographic materials, and photographic apparatus and equipment,” issued February 9, 1960); 0763542 (for “printed photofinishing and order envelopes, greeting cards,” issued January 21, 1964); 1320758 (for “frames for photographic transparencies or photographic prints, file cabinets, file drawers, decorative mirrors, merchandising displays, shelves and equipment support bases,” issued February 19, 1985); 2709564 (for “photographic chemicals, unexposed sensitized photographic film, unexposed cinematographic film, photosensitive paper,” issued April 22, 2003); 3031743 (for “ink, namely, inkjet printer ink and inks used in the graphic arts industry and image/document reproduction and printing industry namely, dry inks, copying inks, printing inks, coatings, pigments and dispersion for the use in the graphic arts industry; pigmented inks; dye-based inks; cure inks; ultra-violet fluorescing inks; infrared inks; lightfast dye inks; filled inkjet cartridges,” issued December 20, 2005); 4041704 (for “computer printers; ink jet printers; photo printers,” issued October 18, 2011); and 4547735 (for “entertainment services, namely providing theatre and concert hall facilities for others,” issued June 10, 2014).

⁴ Registration No. 0396694 (for “carrying cases, and hand straps and neck straps for carrying photographic apparatus,” issued July 28, 1942).

⁵ Registration Nos. 0399092 (for “photographic films and photographic papers, in rolls, coils, sheets or packs, and with or without latent or developed images; photographic cameras; photographic lenses and attachments or adapters therefor; film holders or containers—namely, spools, film reels, magazines, cartridges, and film packs; photographic printers, and parts thereof and/or accessories therefor,” issued December 15, 1942); 0406762 (for “albums, folders for photographs and the like,” issued April 25, 1944); and 0396975 (for “photographic chemicals—namely, selenium toner,” issued August 11, 1942).

⁶ Registration No. 0559958 (for “photographic fixing solution,” issued June 10, 1952).



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KODACOLOR VR (in standard characters)⁸



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Kodak



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⁷ Registration No. 0928096 (for “chemical products for use in industry, science, photography,” issued February 1, 1972).

⁸ Registration No. 1297307 (for “sensitized photographic film,” issued September 25, 1984).

⁹ Registration No. 1314561 (for “photographs and books pertaining to photography,” issued January 15, 1985).

¹⁰ Registration No. 1865215 (for “eyeglass lenses,” issued November 29, 1994).

¹¹ Registration Nos. 2033737 (for “chemical products for use in the manufacture of photographic chemicals, photographic and cinematographic film, unexposed film and sensitized film,” issued January 28, 1997); and 2040245 (for “apparatus and instruments for developing, processing and printing photographic, lithographic and graphic arts film; photographic cameras, projectors, enlargers, lenses, screens and filters; electronic flash and



for use with services that are alleged to overlap with the goods identified in the subject application (“the KODAK marks”).

Through this allegation, opposer has adequately pleaded a real interest in the outcome of this proceeding and has therefore pleaded its standing to bring this opposition. *See, e.g., Cunningham v. Laser Golf Corp.*, 222 F.3d 943, 55 USPQ2d 1842 (Fed. Cir. 2000); *Lipton Indus., Inc. v. Ralston Purina Co.*, 670 F.2d 1024, 213 USPQ 185 (CCPA 1982); *Giersch v. Scripps Networks Inc.*, 90 USPQ2d 1020, 1022 (TTAB 2009).

Priority remains an issue in this proceeding, to the extent that opposer must provide evidence of the *current* status and title of the pleaded registrations. *Hewlett-Packard Co. v. Olympus Corp.*, 931 F.2d 1551, 18 USPQ2d 1710, 1713 (Fed. Cir. 1991) (photocopy of registration without status and title information insufficient). The issue date of a registration certificate filed with a complaint must be reasonably contemporaneous with the filing

lighting apparatus for use in photography; computer hardware and software for entering, scanning, storing, retrieving, displaying, manipulating, transmitting, and printing images and data; photocopying apparatus and machines; and blank magnetic and optical data carriers in the form of blank discs, blank video tapes and blank video cassettes,” issued February 25, 1997).

¹² Registration No. 3735119 (for “organizing and arranging sporting competitions to be held at various locations in which participants qualify for monetary prizes,” issued January 5, 2010).

date of the complaint in order to evidence status and title. *See Hard Rock Café Int'l (USA) Inc. v. Elsea*, 56 USPQ2d 1504, 1511 (TTAB 2000) (status and title copies prepared three years prior to opposition not reasonably contemporaneous).

In order for opposer to rely on its pleaded registrations, opposer must establish current status and title, which can be done by amending its notice of opposition and attaching thereto a current printout of information from the electronic database records of the Office such as (a) a printout from TSDR (Trademark Status and Document Retrieval), or (b) a printout from TESS (Trademark Electronic Search System), along with a copy of any records from the Assignment database showing an assignment, if any, to the current owner of the registration. *See Trademark Rule 2.122(d); Research In Motion Ltd. v. NBOR Corp.*, 92 USPQ2d 1926, 1928 (TTAB 2009). *See also* TBMP § 704.03(b)(1)(A) and authorities cited therein. Alternatively, opposer may establish the status and title of its pleaded registrations through testimony.

Notwithstanding the submission of these printouts, whether or not opposer can establish prior use of its claimed common-law rights in the KODAK marks used in connection with “clothing, including t-shirts, collared shirts and hats” remains an issue to be determined on the merits based on the evidence of record. Notice of Opposition, ¶ 5.

- *Likelihood of Confusion*

Paragraphs 6-7, 22-23, and 25 of the notice of opposition allege sufficient facts that if proven would entitle opposer to the relief that it seeks under Trademark Act Section 2(d), 15 U.S.C. 1052(d). That is, opposer has alleged the similarity of the applied-for mark with its previously used and registered pleaded marks and the relatedness of the goods and services covered by those marks.

Inasmuch as opposer has alleged that registration of applicant's mark is likely to cause confusion, it appears that opposer's claim of likelihood of confusion is sufficiently pleaded.¹³

- *Dilution*

Opposer's allegations also sufficiently plead a claim of dilution. Paragraphs 3 and 9-13 allege sufficient facts to support a claim of dilution under Section 43(c) of the Trademark Act.¹⁴

¹³ To state a claim of likelihood of confusion under Trademark Act Section 2(d), opposer must merely allege facts from which it may be inferred that applicant's applied-for mark so resembles opposer's previously used or registered marks that it is likely that a potential consumer would be confused or mistaken or deceived as to the source of the services of the applicant and opposer. *See* 15 U.S.C. § 1052(d); *In re E.I. du Pont de Nemours & Co.*, 476 F.2d 1357, 177 USPQ 563 (CCPA 1973); *see also* TMEP § 1207.01.

¹⁴ A claim of dilution under Section 43(c) of the Trademark Act requires allegations that: (1) opposer's distinctive mark would be blurred or tarnished by use of applicant's similar mark; (2) opposer's mark is famous; and (3) opposer's mark became famous prior to the earliest date of use (or constructive use) that can be claimed by applicant. *See* 15 U.S.C. 1125(c); *Trek Bicycle Corp. v. StyleTrek Ltd.*, 64 USPQ2d 1540 (TTAB 2001).

- *False Suggestion of a Connection*

The claim of false suggestion of a connection under Section 2(a) of the Trademark Act is not supported by the facts presented in the body of the notice of opposition.¹⁵ Accordingly, the claim of false suggestion of a connection is **STRICKEN** from the notice of opposition.

However, opposer is allowed **FIFTEEN DAYS** from the mailing date of this order to file an amended notice of opposition, repleading this claim, if possible, justified and appropriate. *See* Fed. R. Civ. P. 15(a); TBMP § 507. If opposer fails to appropriately amend its notice of opposition within the allowed time period, the claim of false suggestion of connection will be given no further consideration. If opposer does file an amended pleading pursuant to this order, applicant is allowed the same **THIRTY DAYS** discussed below from the service of opposer's amended pleading, if any, in which to file an amended answer.

B. Answer

The Board noted that the “answer” to the notice of opposition was simply a denial in gross of the notice of opposition, but was not sufficient and not in proper form. Applicant's answer fails to provide fair notice of his claimed defenses. *See* TBMP § 506.01 (purpose of pleadings is to provide fair notice of

¹⁵ To state a claim of false suggestion of a connection under Trademark Act Section 2(a), opposer must allege facts from which it may be inferred (1) that applicant's mark points uniquely to opposer as an entity -- i.e., that applicant's mark is opposer's identity or “persona;” (2) that purchasers would assume that goods sold under applicant's mark are connected with opposer; and (3) either (a) that opposer was the prior user of applicant's mark, or the equivalent thereof, as a designation of its identity or “persona”, or (b) that there was an association of the mark with opposer prior in time to applicant's use. *See Miller Brewing Co. v. Anheuser-Busch Inc.*, 27 USPQ2d 1711, 1712-13 (TTAB 1993).

the claims and defenses asserted). Applicant was reminded that an answer should merely state whether the claims of the complaint are admitted or denied, or that applicant is without sufficient information to admit or deny the allegations in the notice of opposition. *See* 37 CFR § 2.106(b)(1) and 37 CFR § 2.114(b)(1); Fed. R. Civ. P. 8(b); *Hewlett-Packard Co. v. Olympus Corp.*, 931 F.2d 1551, 18 USPQ2d 1710, 1713 (Fed. Cir. 1991).

An answer should bear at its top the heading “IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD,” followed by the name of the proceeding (e.g., “*Eastman Kodak Co. v. Clint Miller*”), the proceeding number (e.g., “Opposition No. 91217135”), and a title describing the nature of the paper (e.g., “ANSWER,” “ANSWER AND COUNTERCLAIM,” etc.). *See* TBMP § 311.01(a).

As stated, the answer must contain admissions or denials of the allegations in the complaint and may include any defenses to those allegations. Applicant should not argue the merits of the allegations found in the complaint but rather should simply state, as to each of those allegations, that the allegation is either admitted or denied. *See* Trademark Rule 2.106(b)(1); Fed. R. Civ. P. 8(b); *Turner Entm’t Co. v. Ken Nelson*, 38 USPQ2d 1942 (TTAB 1996) (applicant's answers were argumentative and nonresponsive and Board was ultimately forced to interpret the answer). If applicant does not have sufficient information to admit or deny an allegation,

applicant may so state, and this statement will have the effect of a denial as to that allegation.

The complaint in this proceeding consists of 26 numbered paragraphs setting forth the basis of opposer's claims of damage; applicant's admissions or denials should also be made in 26 numbered paragraphs corresponding to the numbered paragraphs in the complaint. *See* TBMP § 311.02(a).

Applicant may also assert any affirmative defenses he believes are appropriate. Affirmative defenses may include unclean hands, laches, estoppel, acquiescence, fraud, mistake, prior registration (*Morehouse*) defense, prior judgment, or any other matter constituting an avoidance, amplification or affirmative defense. *See* Trademark Rule 2.106(b)(1); *Order of Sons of Italy in Am. v. Profumi Fratelli Nostra AG*, 36 USPQ2d 1221, 1222 (TTAB 1995).

For reference, an appropriate answer would appear as follows:

Paragraph 1. Denied.

Paragraph 2. Admitted.

Paragraph 3. Admitted as to <insert part of allegation admitted>, but denied as to the remainder.

...

Further, if applicant is without sufficient knowledge or information on which to form a belief as to the truth of any one of the allegations, he should so state and this will have the effect of a denial, e.g.:

Paragraph 4. Applicant is without sufficient knowledge to form a belief as to the truth or falsity of the

allegations of paragraph 4, and therefore denies the same.

For additional information regarding the substance of an answer applicant is referred to the Trademark Trial and Appeal Board Manual of Procedure (“TBMP”) § 311.01 *et seq.*

Finally, the answer, as all other papers filed during this proceeding, must be signed by applicant and served on opposer. *See* Trademark Rule 2.119(a)-(b). The answer must include proof that service has been made, i.e. a certificate of service, consisting of a statement signed by the filing party, or by its attorney or other authorized representative, clearly stating the date and manner in which service was made. Applicant should review the *pro se* information below, which includes a sample certificate of service. The certificate of service should be attached to the filing to which it pertains, rather than being separately filed. Failure to include this proof of service with any papers filed may result in the Board not considering those papers. *See* Trademark Rule 2.119(a).

Accordingly, applicant is allowed **THIRTY DAYS** from the filing date of any amended notice of opposition, in any event not to exceed **FORTY-FIVE DAYS** from the mailing date of this order, to file an amended answer to the notice of opposition that conforms to Fed. R. Civ. P. 8(b) and 10(a) and (b). Failure to file and serve an acceptable answer before the expiration of this period may result in the entry of default judgment against applicant.

Stipulations/Filings

The parties agreed to service of submissions by email. The following email addresses are of record:¹⁶

Submissions may be served on opposer at the following email addresses:

gmccreadie@nixonpeabody.com,
kwalsh@nixonpeabody.com, and
nytm@nixonpeabody.com.

Submissions may be served on applicant at the following email address:

csmiller_02@yahoo.com.

The parties are urged to file all submissions through the Board's Electronic System for Trademark Trials and Appeals (ESTTA), available online at: <http://estta.uspto.gov>.

Throughout this proceeding, the parties should review the Trademark Rules of Practice and the Trademark Board Manual of Procedure ("TBMP"), online at: <http://www.uspto.gov/trademarks/process/appeal/index.jsp>.

The Board expects all parties appearing before it to comply with the Trademark Rules of Practice and where applicable, the Federal Rules of Civil Procedure, online at: <http://www.law.cornell.edu/rules/frcp/>.

Accelerated Case Resolution (ACR)

In light of the striking of the false suggestion of a connection claim, the remaining issues in this proceeding are relatively straightforward, thus the

¹⁶ The Board's records have been updated to reflect the email address of Gina McCreadie, counsel for opposer.

Board believes this matter is well-suited for resolution by accelerated case resolution (ACR). The parties indicated some interest in pursuing ACR. The Board encourages the parties to discuss a modified proceeding and schedule that may be more time and cost efficient for the parties. In modifying the proceeding the parties may seek to: 1) stipulate to facts, e.g. the relatedness of the goods and services; 2) limit the number of interrogatories, document requests, and depositions allowed during the proceeding; 3) stipulate that discovery depositions may be taken by telephone or video conference; 4) stipulate that the parties may submit declarations or affidavits in lieu of oral testimony at trial; or 5) stipulate that the parties forego trial and oral hearing and submit summary judgment briefs accompanied by any evidence, which may be submitted in the form of declarations or affidavits and stipulate that the Board may resolve any genuine disputes of material fact and issue a final ruling based on the parties' ACR submissions.

The parties are directed to review the Board's website regarding ACR at:

http://www.uspto.gov/trademarks/process/appeal/TTAB_ACR_Options.jsp; and

http://www.uspto.gov/trademarks/process/appeal/Accelerated_Case_Resolution_ACR_notice_from_TTAB_webpage_12_22_11.pdf.

If the parties agree to pursue ACR after exchange of disclosures or discovery (or wish to further discuss their options), they should notify the interlocutory attorney, preferably within **SIXTY DAYS** from the opening of the discovery period.

Contested Motions

The parties are reminded that uncooperative behavior during the discovery process will not be well-taken. *See HighBeam Mktg. LLC v. Highbeam Research LLC*, 85 USPQ2d 1902 (TTAB 2008); *Sunrider Corp. v. Raats*, 83 USPQ2d 1648, 1654 (TTAB 2007) (parties have a duty to cooperate in resolving discovery issues). The Board requires the parties to make a good-faith effort to resolve all discovery issues prior to filing a motion to compel seeking relief from the Board. *See* TBMP Section 408.01(c).

Similarly, the parties should confer before filing any motion to extend or suspend these proceedings. If either party files an unconsented motion to extend or suspend in this case, the moving party must contact the Board interlocutory attorney assigned to the case by telephone upon filing so that such motion can be resolved promptly by telephone conference.

Schedule

The parties are reminded that the next significant due date is November 15, 2014, when the parties' initial disclosures are due. *See* Fed. R. Civ. P. 26(a)(1)(A)(i) and (ii) regarding required initial disclosures. Neither the service of discovery requests nor the filing of a motion for summary judgment (except on the basis of *res judicata* or lack of Board jurisdiction) should occur until the parties have exchanged their initial disclosures as required by Fed. R. Civ. P. 26(f). *See* Trademark Rules 2.120(a)(3) and 2.127(e)(1).

The Board again thanks the parties for their participation in the conference. As a final matter, the Board reminds the parties of their duty to conduct themselves with decorum and courtesy and encourages open communication between the parties during this proceeding. Trademark Rule 2.192; *MySpace Inc. v. Mitchell*, 91 USPQ2d 1060, 1062 n.4 (TTAB 2009).

Disclosure, discovery, and trial dates are reset as follows:

Initial Disclosures Due	11/15/2014
Expert Disclosures Due	3/15/2015
Discovery Closes	4/14/2015
Plaintiff's Pretrial Disclosures	5/29/2015
Plaintiff's 30-day Trial Period Ends	7/13/2015
Defendant's Pretrial Disclosures	7/28/2015
Defendant's 30-day Trial Period Ends	9/11/2015
Plaintiff's Rebuttal Disclosures	9/26/2015
Plaintiff's 15-day Rebuttal Period Ends	10/26/2015

In each instance, a copy of the transcript of testimony together with copies of documentary exhibits, must be served on the adverse party within thirty days after completion of the taking of testimony. Trademark Rule 2.125.

Briefs shall be filed in accordance with Trademark Rule 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.

Pro Se Information

A. Representation

The Board notes that applicant currently represent himself *pro se*, i.e. without assistance from a licensed attorney. It should be noted that, while Patent and Trademark Rule 11.14 permits any party to represent itself, it is

advisable for a person who is not acquainted with the technicalities of the procedural and substantive law involved in an opposition proceeding to secure the services of an attorney who is familiar with such matters. The Patent and Trademark Office cannot aid in the selection of an attorney. In addition, as the impartial decision maker, the Board may not provide legal advice, though it may provide general procedural information.

B. Nature of Board Proceedings

An opposition proceeding before the Board is similar in many ways to a civil action in a Federal district court. There are pleadings (notice of opposition, answers, and, sometimes, a counterclaim), a wide range of possible motions; discovery (a party's use of discovery depositions, interrogatories, requests for production of documents and things, and requests for admission to ascertain the facts underlying its adversary's case), a trial, and briefs, followed by a decision on the case. Unlike the case in a civil proceeding, the Board does not preside at the taking of testimony. Rather, all testimony is taken by deposition during the assigned testimony, or trial, periods, and the written transcripts, together with any exhibits, are then filed with the Board. No paper, document, or exhibit will be considered as evidence in the case unless it has been introduced in evidence in accordance with the applicable rules.

C. Electronic Resources

All parties may refer to the Trademark Trial and Appeal Board Manual of Procedure (“TBMP”), the Trademark Act, and the Trademark Rules of Practice, all available on the USPTO website, www.uspto.gov. The TTAB homepage provides electronic access to the Board’s standard protective order, and answers to frequently asked questions. Other useful resources include the ESTTA filing system¹⁷ for Board filings and TTABVUE for status and prosecution history.

Compliance with the Trademark Rules of Practice, and where applicable the Federal Rules of Civil Procedure, is expected of all parties before the Board, whether or not they are represented by counsel.

D. Service of Papers

Trademark Rule 2.119(a) and (b) require that every paper filed in the Patent and Trademark Office in a proceeding before the Board must be served upon the attorney for the other party, or the other party itself, if unrepresented, and proof of such service must be made before the paper will be considered by the Board. Consequently, copies of all papers which

¹⁷ Use of electronic filing with ESTTA—as the parties have done so far—is strongly encouraged. This electronic file system operates in real time and provides filers with confirmation that the filing has been received. When papers are filed through ESTTA the papers must still be served on the other party to the proceeding.

If the parties have questions about or need assistance with ESTTA, they may call the Board at (571) 272-8500 or (800) 786-9199 (toll free) from 8:30 a.m. until 5:00 p.m. (EST).

While electronic filing is preferred, papers may also be filed by mail. The parties should refer to TBMP §§ 107-111 for information on filing by mail. If ESTTA filing is not possible for any reason, the filer should submit its papers by mail, with a certificate of mailing. See TBMP § 110 *et. seq.*

applicant may file in this proceeding must be accompanied by a signed statement indicating the date and manner in which such service was made. The statement, whether attached to or appearing on the paper when filed, will be accepted as *prima facie* proof of service.

The following is an example of an acceptable Certificate of Service:

Certificate of Service

The undersigned certifies that a copy of the attached <describe filing> was served, by email (or first class mail), upon opposer at the following address:

gmccreadie@nixonpeabody.com,
kwalsh@nixonpeabody.com, and nytm@nixonpeabody.com

Gina McCreadie
Nixon Peabody LLP
1300 Clinton Square
Rochester, NY 14604,

on <insert date>.

/Clint Miller/