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Filing date: **04/27/2016**

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

| | |
|------------------------|---|
| Proceeding | 91220573 |
| Party | Plaintiff Miss Universe L.P., LLLP |
| Correspondence Address | ANDREA L CALVARUSO KELLEY DRYE & WARREN 101 PARK AVENUE NEW YORK, NY 10178 UNITED STATES trademarks@kelleydrye.com |
| Submission | Reply in Support of Motion |
| Filer's Name | Kelli D. Ortega |
| Filer's e-mail | trademarks@kelleydrye.com |
| Signature | /Kelli D. Ortega/ |
| Date | 04/27/2016 |
| Attachments | Opposer Reply in Further Support of Its Motion to Compel.pdf(869004 bytes) |

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

MISS UNIVERSE L.P., LLLP,

Opposer,

v.

LINDA GRANDIA,

Applicant.

Opposition No.: 91220573

**OPPOSER’S REPLY IN FURTHER SUPPORT OF ITS
MOTION TO COMPEL APPLICANT’S RESPONSES
TO DOCUMENT REQUESTS AND INTERROGATORIES**

I. Introduction

Opposer, Miss Universe L.P., LLLP (“Opposer”) hereby submits this reply in further support of its motion, pursuant to TBMP § 523, for an order (1) compelling Applicant to provide documents and information and proper responses to discovery requests propounded by Opposer in the above captioned proceeding and (2) suspending the above referenced opposition proceeding with respect to all matters not germane to the motion, pursuant to 37 CFR § 2.120(e) (“Opposer’s Motion”). As established in Opposer’s moving papers, Applicant refuses to produce any meaningful discovery despite Opposer’s diligent attempts to resolve its discovery disputes with Applicant. Without an Order from the Board instructing Applicant to serve her revised responses and responsive documents by a date certain, it is impossible for Opposer to prepare its claims and depose Applicant’s witnesses and Applicant will continue to cause additional delays in the discovery process and force Opposer to incur unnecessary costs.

II. Applicant Is In Default of Her Discovery Obligations

Applicant's response in opposition to Opposer's Motion to compel does not address, let alone dispute, the deficiencies with her responses to Opposer's Discovery Requests¹ as detailed in pages 4-22 of Opposer's Motion. Therefore, the Board should grant Opposer's Motion in its entirety. Applicant's opposition to Opposer's Motion is based primarily upon her incorrect impression that Opposer's Motion is premature pursuant to TMBP § 405.04 and 406.060 and the Board's Order extending the discovery and trial deadlines by sixty days. Applicant is mistaken.

Opposer served Applicant with its Discovery Requests by first class mail on November 10, 2015. Applicant failed or refused to respond to Opposer's Discovery Requests by the required deadline of December 15, 2015. Via letter dated December 17, 2015, Opposer reminded Applicant of her discovery obligations and requested that Applicant provide responses to Opposer's Discovery Requests by December 21, 2015. See letter attached hereto as Exhibit A. Applicant served wholly inadequate written responses and objections to Opposer's Discovery Requests on December 20, 2015.

Since then, Applicant has been in default of her discovery obligations as she continually refuses to timely and adequately respond to Opposer's Discovery Requests. Opposer's counsel has made numerous attempts to explain to Applicant her discovery obligations and to resolve outstanding discovery disputes. As set forth fully in Opposer's Motion, and which is evident from a review of Applicant's own submissions in this proceeding, Applicant has failed to remedy the discovery deficiencies that Opposer has identified and has consistently refused to

¹ Defined terms used herein shall have the same meaning as those used in Opposer's Motion.

cooperate with Opposer. As a result of Applicant's conduct, Opposer will be prejudiced if Opposer's Motion is not granted in its entirety.

Applicant also incorrectly asserts that the "Board allowed 60 days' discovery time whereas [Opposer] imposed 15 days' deadline for [Applicant] to serve responses and objections." The Board's March 10, 2016 Order extending the discovery and trial deadlines by sixty days has no bearing on the time permitted for Applicant to respond to Opposer's Discovery Requests that were served in November 2015. In fact, since Applicant's failure to timely respond to Opposer's Discovery Requests on December 15, 2015, Opposer has courteously given Applicant over three additional months to respond to its Discovery Requests and remedy any deficiencies with her responses before filing its present motion to compel with the Board.

Opposer's counsel has continually attempted to resolve discovery disputes with Applicant, to no avail. For example, in response to email correspondence from Opposer's Counsel on January 29, 2016, Applicant refused to have any further discussions and stated that her refusal to consent to allow additional time to try to resolve the parties' discovery dispute was "final and irrevocable." See email from Applicant dated January 29, 2016, attached hereto as Exhibit B. Even after Opposer filed its Motion, on April 6, 2016 counsel attempted to schedule a telephone call with Applicant. Applicant flatly refused to have a telephone conference. See correspondence attached hereto as Exhibit C, at pages 1-2. Applicant's response to Opposer's Motion nevertheless represents that she has "taken advantage of [Applicant's] proposal to meet and confer." Opposer's Motion is therefore timely and appropriate pursuant to TBMP § 523 based on Applicant's own admission that Opposer has attempted to meet and confer on these issues yet the parties remain unable to resolve its discovery disputes.

Finally, Applicant suggests that she requires additional time to respond to Opposer's Discovery Requests in order to confer with a new attorney. While Applicant made reference to the retention of an attorney in an email to Opposer's counsel dated March 29, 2016, no attorney has appeared on her behalf in this proceeding, nor has she represented that any attorney has been retained. See Exhibit B, at page 10. Therefore, Applicant's request to delay proceedings on this basis is not warranted.

III. Applicant Has No Basis to Refuse to Produce Responsive Documents As a Result of Opposer's Motion to Join IMG Universe, LLC as a Named Opposer in This Opposition Proceeding

Applicant argues in her response that Opposer delayed in moving to join IMG Universe, LLC in order to "mislead[] [Applicant] in to thinking she is providing information to Miss Universe the pageant company but the truth is that her private information is being served directly to a TV production company to be examined by the TV producers of ING who can replicate her concepts [sic]." The entity IMG Universe, LLC is merely the successor-in-interest to Miss Universe L.P., LLLP. The addition of IMG Universe, LLC as a named Opposer in this opposition proceeding is pro forma and does not substantively change the claims, defenses or evidence at issue in this proceeding. Applicant's assertion that Opposer is "abusing the trademark rules to engage in fishing expeditions and company espionage" is completely unfounded.

Applicant's request for a protective order in her response to Opposer's Motion and repeated objections in response to many of Opposer's Discovery Requests is unnecessary and redundant given the Board's automatic imposition of a standard protective order. TBMP § 412. Applicant may designate her documents produced in response to Opposer's Discovery Requests as "Trade Secret/Commercially Sensitive" in order to shield her proprietary information from

access by parties other than Opposer's counsel without requesting an order from the Board. TMBP § 412; 37 CFR § 2.116(g). Designating information as "Trade Secret/Commercially Sensitive" does not, however, permit Applicant to withhold documents or information on that basis.²

III. Applicant Has Failed to Show Good Cause Exists for an Extension of Time

Applicant requests an Order from the Board extending the discovery and trial deadlines in order to seek representation in this opposition proceeding and conduct additional discovery with respect to IMG Universe, LLC. In response to Applicant's email dated March 29, 2016 seeking an extension of time, Opposer denied Applicant's request and instead offered to meet and confer with Applicant via telephone in order to discuss the joining of IMG Universe, LLC as a party in this opposition proceeding and to resolve any outstanding discovery issues related to Opposer's Motion to Join Party. Via email dated April 12, 2016, Applicant rejected Opposer's offer for a telephone conference and instead filed a response to Opposer's Motion, improperly seeking an extension of time. See Exhibit C, at pages 1-2.

Applicant has failed to show good cause exists for an extension of the discovery and trial deadlines because sufficient time remains within the discovery period to resolve Applicant's outstanding issues with the addition of IMG Universe, LLC as a party. As explained above, the addition of IMG Universe, LLC does not substantively change the claims and defenses at issue in this proceeding. The assignment of trademark registrations and related business and goodwill from Miss Universe L.P., LLLP to IMG Universe, LLC has the practical effect of changing the

² Moreover, Applicant's premise that the addition of IMG Universe, LLC as a party to this matter is material because WME/IMG is a producer of television shows is flawed. The original opposer, Miss Universe L.P., LLLP and its previous owners, NBC Universal and Trump Pageants, L.P., were also in the business of producing television shows.

name of the trademark registrant only. As such, IMG Universe, LLC does not possess any additional or different information than that in the possession of its predecessor-in-interest, Miss Universe, L.P., LLLP. Therefore, the assignment of trademark registrations does not necessitate additional or different discovery requests.

Opposer filed a copy of the relevant trademark assignment with the USPTO on October 28, 2015, which is public record, and has also attached a copy of the assignment to its Motion to Join, which was served upon Applicant. The sale of Miss Universe L.P., LLLP was also publicly reported. For example, a press release reporting the acquisition of The Miss Universe Organization by WME | IMG attached hereto as Exhibit D.³

Applicant further argues that she is entitled to an extension of time in order to seek and consult an attorney. As explained in Opposer's Motion, Applicant has been in default of her discovery obligations since December 15, 2015 and was notified of said default by Opposer's counsel multiple times, including on December 17, 2015, January 12, 2016 and March 15, 2016. Applicant has therefore had approximately three months during which she may have sought and consulted an attorney to assist with her responses to Opposer's Discovery Requests. However, no new attorney has appeared in this proceeding and Applicant has not disclosed the existence of any such attorney. In fact, since this proceeding was filed in February 2015, Applicant has been represented by two different attorneys, both of whom have since moved to withdraw as attorneys of record. Applicant should not be permitted to continually delay this proceeding, particularly because her refusal to cooperate in the discovery process has already caused significant delay

³ While Opposer denies it had any obligation to disclose the sale of Miss Universe L.P., LLLP to Applicant, particularly as Applicant had served no discovery requests upon Opposer until after the Motion to Join was filed, the acquisition was publically documented. Therefore, Applicant's allegations that Opposer was deliberately and improperly withholding such information is baseless.

and resources. Applicant has neglected to take advantage of the multiple opportunities given to her by Opposer's counsel to revise her responses, including the most recent 15-day period prior to the filing of Opposer's Motion. Applicant has failed to show good cause exists for an extension of the discovery and trial deadlines given her extensive delay.

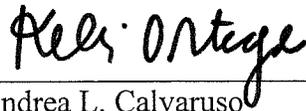
IV. Conclusion

For all of the foregoing reasons, together with those stated in Opposer's Motion, pursuant to TBMP § 523, Opposer requests that the Trademark Trial and Appeal Board enter an order (1) compelling Applicant to provide documents and information and proper responses to discovery requests propounded by Opposer in the above captioned proceeding and (2) suspending the above referenced opposition proceeding with respect to all matters not germane to the motion, pursuant to 37 CFR § 2.120(e).

Dated: New York, New York
April 27, 2016

Respectfully submitted,

KELLEY DRYE & WARREN LLP

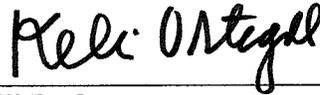


Andrea L. Calvaruso
Amy Gaven
Kelli D. Ortega
Attorneys for Opposer
101 Park Avenue
New York, NY 10178
(212) 808-7800

CERTIFICATE OF SERVICE

I hereby certify that I caused a copy of the foregoing Reply in Further Support of Motion to Compel to be served on Applicant, this 27th day of April 2016, via email and first class mail, postage prepaid and to:

Linda Grandia
G & G Exchange
Keplerstreet 13
Amersfoort, 3817TA
Netherlands
info@missmultiverse.com



Kelli D. Ortega

EXHIBIT A

KELLEY DRYE & WARREN LLP

A LIMITED LIABILITY PARTNERSHIP

**101 PARK AVENUE
NEW YORK, NEW YORK 10178**

(212) 808-7800

FACSIMILE

(212) 808-7897

www.kelleydrye.com

KELLI ORTEGA

DIRECT LINE: (212) 808-7755

EMAIL: kortega@kelleydrye.com

WASHINGTON, DC

CHICAGO, IL

STAMFORD, CT

PARSIPPANY, NJ

BRUSSELS, BELGIUM

AFFILIATE OFFICES

MUMBAI, INDIA

December 17, 2015

VIA FEDEX AND E-MAIL (INFO@MISSMULTIVERSE.COM)

Linda Grandia
G & G Exchange
Keplerstreet 13
Amersfoort, 3817TA
Netherlands

Re: Miss Universe L.P., LLLP v. Grandia

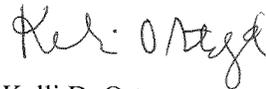
Dear Ms. Grandia:

Your responses to Opposer's First Set of Requests for Production of Documents, First Set of Interrogatories and First Set of Requests for Admission, served by Opposer on November 10, 2015 were due on December 15, 2015. We have not received any documents or responses to date. Accordingly, you are in default of your discovery obligations.

Given that discovery is set to close on January 31, 2016, we must receive your discovery responses and documents no later than December 21, 2015. As your failure to timely serve responses to our client's discovery requests has caused an unnecessary delay in this proceeding, we request that you consent to a sixty day of extension of the discovery period in this matter. Should you fail to respond the demands set forth herein by December 21, 2015, we will be forced to make a motion to compel your responses to our client's discovery demands.

We hope this matter can be resolved amicably and we look forward to receiving your timely response.

Very truly yours,



Kelli D. Ortega

cc: IMG Universe, LLC
Andrea L. Calvaruso, Esq.

EXHIBIT B

Ortega, Kelli

From: Miss Multiverse International <info@missmultiverse.com>
Sent: Friday, January 29, 2016 1:41 PM
To: Ortega, Kelli
Cc: info@missmultiverse.com
Subject: Re: Miss Universe L.P., LLLP v. Grandia



Dear Mrs. Kelli Ortega,

We hereby respond as follow: We do not agree or consent to an extension. Our decision is final and irrevocable. We do not entertain your claims of our discovery answers as an excuse.

- 1) More time will not change the fact that Multiverse has a complete different meaning than opposers mark. Public and expert opinion or the court will certainly not entertain that universe and multiverse have the same meaning.
- 2) More time will not change the fact that many pageants are registered in the USPTO with the words miss – verse – and universe (and many more world wide). Your client holds no grounds to claim seniority or dilusion
- 3) More time will not change the fact that 4 traceable years of information found within the entire world wide web serves as clear evidence to demonstrate that consumers are not confused in no way, shape or form.
- 4) More time will not change the fact that only applicants opposed by your client that abandoned their application prematurely have lost their rights to register; but applicants that have brought your clients opposition to court have **easily won the case** and successfully registered their rightful brand.
- 5) More time will not change the fact that anyone with a basic knowledge of business can clearly see that opposition is based on eliminating fair competition not confusion.
- 6) Defendant has answered to opposers discovery request in good faith, efforts and to the best of their abilities.
- 7) Opposer has responded to our discovery request in the same manner and tonality as we have responded to their questions. We see no difference. Claiming that we are not complying and that you are is an unfounded excuse.
- 8) Opposer waits until last day, disregarding that we are in a different time zone and during our non business hours sends last minute requests as pressure tactics and treats.
- 9) Prolonging proceedings and elevating expenditures are known legal practices used to exhaust the other partys resources.
- 10) More time represents more unnecessary high expenses for the defendant; **therefore, we hereby firmly resolve to remain with the set close date of March 1, 2016 and let the**

unbiased legal system put closure to the foregoing unfounded opposition as soon as possible.

We are however open to a good faith agreement where your client drops the foregoing opposition discretely behind the curtain and mutually announcing this as a friendly settlement in order to avoid the self inflicted imminent public embarrassment for the opposer reputation, whom are already profiled as unethical trademark bullies and their attorneys professional credibility since they will be certainly loosing a case where the defendant with no legal expertise whatsoever did not even require an attorney.

Please consider this as our last attempt to provide opposing party a viable exit strategy in good faith without opposing party self inflicted lost of face in their field of business practice.

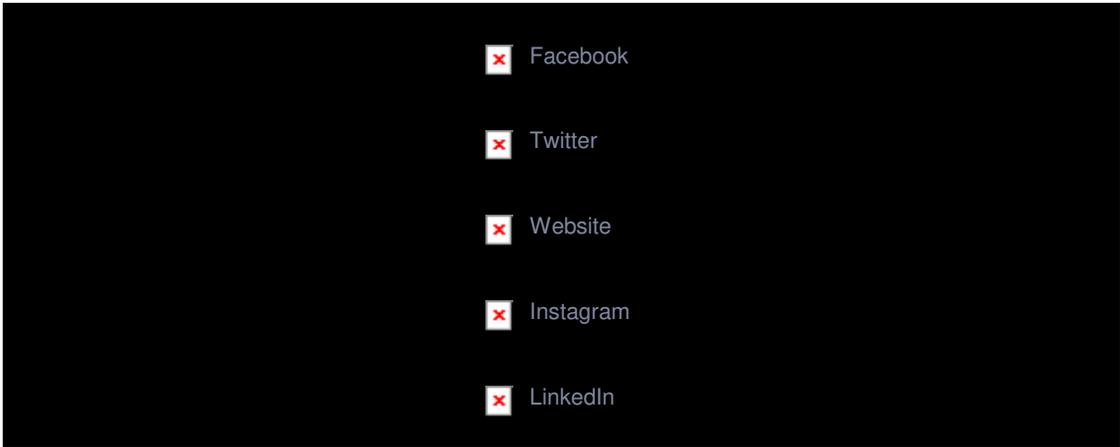
Please confirm that you have received this message before closing of business day, Friday, January 29, 2016.

Best Regards,

Linda Grandia

Multiverse Ventures BV

Phone: + 31- 33 4625501 Mobile: +31 - 6 38056135
Skype: MissMultiverseTV
Keplerstraat 13, 3817TA Amersfoort, Netherlands
KvK registration: 62253972



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From: "Ortega, Kelli" <KOrtega@KelleyDrye.com>

Date: Friday, January 29, 2016 at 15:35

To: Linda <info@missmultiverse.com>

Subject: Miss Universe L.P., LLLP v. Grandia

Dear Ms. Grandia:

As you know, discovery is set to close in this opposition on March 1, 2016. Please confirm if you will consent to a 60-day extension of the discovery period to allow both parties to conduct further discovery by responding to this message by **close of business today, Friday, January 29, 2016**. If you agree, we will file the motion on consent.

We look forward to hearing from you.

Thank you,
Kelli Ortega

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EXHIBIT C

Ortega, Kelli

From: Miss Multiverse International <info@missmultiverse.com>
Sent: Tuesday, April 12, 2016 5:18 PM
To: Ortega, Kelli
Subject: Re: Miss Universe L.P., LLLP v. Grandia



Dear Mrs. Kelli Ortega,

We prefer to follow the procedures in a written format via official discovery questions, production of documents and things. Telephone conversations as you have proposed are not admissible, and words can be misrepresented.

Best Regards,

Linda Grandia

Multiverse Ventures BV

Phone: + 31- 33 4625501 Mobile: +31 - 6 38056135
Skype: MissMultiverseTV
Keppelerstraat 13, 3817TA Amersfoort, Netherlands
KvK registration: 62253972



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From: "Ortega, Kelli" <KOrtega@KelleyDrye.com>

Date: Wednesday, April 6, 2016 at 14:45

To: Linda <info@missmultiverse.com>

Cc: Linda Grandia <lindagausachs@gmail.com>, "Calvaruso, Andrea" <ACalvaruso@KelleyDrye.com>, "Gaven, Amy" <AGaven@KelleyDrye.com>

Subject: RE: Miss Universe L.P., LLLP v. Grandia

Dear Ms. Grandia:

We will gladly meet and confer with you regarding the joining of IMG Universe, LLC as a party to this opposition. Are you available early next week, preferably Monday, April 11 or Tuesday, April 12, for a call to discuss?

Please be advised that the discovery period is currently set to close on May 29, 2016. Given the amount of time left in the discovery period and the fact that the addition of IMG Universe, LLC does not alter the claims, defenses or evidence at issue in this proceeding, we are unable to consent to a sixty-day extension.

Please advise if and when you are available for a call.

Thank you,
Kelli Ortega

Kelli Ortega

Kelley Drye & Warren LLP

(212) 808-7755 | kortega@kelleydrye.com

From: Miss Multiverse International [<mailto:info@missmultiverse.com>]

Sent: Wednesday, April 06, 2016 8:32 AM

To: Ortega, Kelli <KOrtega@KelleyDrye.com>

Cc: Linda Grandia <lindagausachs@gmail.com>

Subject: Re: Miss Universe L.P., LLLP v. Grandia



Dear Mrs. Kelly Ortega,

We have already clearly explained, further details you will surely receive with our discovery questions, our request for an extension of time is precisely to be able to amicably **"meet and confer"** with regards to IMG Universe, LLC and our legal rights to discovery questions and the implications this has in connection with the foregoing matter to that we highly believe are of relevance to our case.

The only relevant answer we need from you, is if you agree or not with the extension of time, in order for us to know what form to submit before the board.

Please let us know before noon 12:00 your time in the USA, since we would like to file before the board in compliance with the deadline to take action provided by the USTPO rules and regulations.

Best Regards,

Linda Grandia

Multiverse Ventures BV

Phone: + 31- 33 4625501 Mobile: +31 - 6 38056135
Skype: MissMultiverseTV
Keppelerstraat 13, 3817TA Amersfoort, Netherlands
KvK registration: 62253972



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communication in error, please notify the Dutch & Dominican Chamber of Commerce by reply transmission and delete the message without copying or disclosing it.

From: "Ortega, Kelli" <KOrtega@KelleyDrye.com>
Date: Wednesday, April 6, 2016 at 01:08
To: Linda <info@missmultiverse.com>
Cc: Linda Grandia <lindagausachs@gmail.com>, "Calvaruso, Andrea" <ACalvaruso@KelleyDrye.com>, "Gaven, Amy" <AGaven@KelleyDrye.com>
Subject: RE: Miss Universe L.P., LLLP v. Grandia

Dear Ms. Grandia:

Please be advised that the entity IMG Universe, LLC is merely the successor-in-interest to Miss Universe L.P., LLLP. The transfer of ownership of the trademark registrations from Miss Universe L.P., LLLP to IMG Universe, LLC does not have any effect on the claims, defenses or evidence at issue in this proceeding. As such, there is no basis or need for an extension of time to conduct additional discovery. The discovery requests served on Opposer are being responded to by IMG Universe, LLC.

Pursuant to TMBP 512, when a mark that is pleaded in a Board proceeding is assigned after the proceeding has commenced, the assignee may be joined as a party to the opposition to facilitate the taking of discovery and introduction of evidence. Please be advised that under this Rule, if "the Board does not order that the assignee be joined or substituted in the proceeding, the proceeding may be continued in the name of the assignor." In this instance, the assignment of marks to IMG Universe, LLC changed only the name of the owner of the trademark registrations, and therefore joining IMG Universe, LLC in this proceeding is essentially a formality.

Please explain specifically why you believe the joining of IMG Universe, LLC as a party to this opposition necessitates additional time and/or discovery.

Thank you,
Kelli Ortega

Kelli Ortega

Kelley Drye & Warren LLP
(212) 808-7755 | kortega@kelleydrye.com

From: Miss Multiverse International [<mailto:info@missmultiverse.com>]
Sent: Tuesday, April 05, 2016 12:41 PM
To: Ortega, Kelli <KOrtega@KelleyDrye.com>
Cc: Linda Grandia <lindagausachs@gmail.com>
Subject: Re: Miss Universe L.P., LLLP v. Grandia



Dear Mrs. Kelly Ortega,

On the 21st of March 2016 MISS MULTIVERSE (“Defendant”) was served with a copy of Miss Universe L.P., LLLP. (“Plaintiffs”) Motion to Join Parties, pursuant to § TBMP 512 requesting that IMG Universe, LLC be joined as named Opposer in the foregoing proceeding.

Defendant hereby responds and does not dispute Plaintiffs Motion to Join Parties under Rule §TBMP 512 but does oppose party’s duty to cooperate and that includes disclosure of discoverable information that is relevant to the foregoing proceedings and the subject matter under rule §TBMP 408. Opposing party has withheld information since September 2015, meaning such information could have been provided during the disclosure period and during early stages of discovery pursuant to §TBMP 403.05. The untimely disclosure results in substantial alterations that puts Defendant on a disadvantage to the extend that Defendant has not included discovery questions related to IMG Universe, LLC and is unable to properly prepare Defendants case before the board.

CONCLUSION

For the foregoing reasons, the Defendant respectfully requests an additional sixty-day extension of time pursuant to §TBMP 509.01(a) To Allow Time for "Follow-up" Discovery and to Facilitate Introduction of Produced Documents pursuant to §TBMP 403(a)

We kindly ask you to to agree or decline our request before the close of business hours today April 5, 2016, so we can request an extension of time, with mutual agreement or with no consent In due time under rule 37 CFR 2.119(c) If we do not receive your response we will assume that you are not in agreement and therefore submit our paper to the board.

Best Regards,

Linda Grandia

Multiverse Ventures BV

Phone: + 31- 33 4625501 Mobile: +31 - 6 38056135
Skype: MissMultiverseTV
Kepplerstraat 13, 3817TA Amersfoort, Netherlands
KvK registration: 62253972



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From: "Ortega, Kelli" <KOrtega@KelleyDrye.com>

Date: Monday, April 4, 2016 at 22:54

To: Linda <info@missmultiverse.com>

Cc: "Gaven, Amy" <AGaven@KelleyDrye.com>, "Calvaruso, Andrea" <ACalvaruso@KelleyDrye.com>

Subject: RE: Miss Universe L.P., LLLP v. Grandia

Dear Ms. Grandia:

With respect to your question regarding what constitutes a "meet and confer," we direct you to TBMP 408.01(c), which states that parties must attempt to resolve discovery disputes by conference or correspondence. Our previous letters, dated March 15, 2016, January 12, 2016 and December 17, 2015, constitute our attempts to settle the outstanding disputes regarding your incomplete discovery responses.

In response to your assertion that you will provide the information requested in our client's discovery requests under "the proper confidentiality protection," we direct you to TBMP 412, which provides information regarding the Board's standard protective order which applies to this proceeding.

With respect to your inquiry regarding why IMG Universe, LLC ("IMG") was not disclosed during the disclosure period, please note that IMG was assigned title and interest to the MISS UNIVERSE mark in September 2015, long after this proceeding was commenced, and after Initial Disclosures were submitted.

Pursuant to TBMP 405.04(a), 406.04(a) and 407.03(a), responses and objections to Interrogatories, Requests for Production and Requests for Admission, respectively, must be served within 35 days after the date of service if service of the requests is made by first-class mail. Opposer will respond to your discovery requests within the time period required by the TTAB and Federal Rules. In response to your assertion that you have been given less time to respond to our client's Discovery Requests, please be advised that pursuant to the TBMP Rules, you were given 35 days to respond to the Requests when they were initially served on November 10, 2015. You failed or refused to respond to the Requests within the time period permitted by the Rules and therefore you are in default of your discovery obligations.

Thank you.

Best,
Kelli Ortega

Kelli Ortega

Kelley Drye & Warren LLP
(212) 808-7755 | kortega@kelleydrye.com

From: Miss Multiverse International [<mailto:info@missmultiverse.com>]

Sent: Wednesday, March 30, 2016 11:38 AM

To: Ortega, Kelli <KOrtega@KelleyDrye.com>

Cc: Linda Grandia <lindagausachs@gmail.com>

Subject: Re: Miss Universe L.P., LLLP v. Grandia



Dear Mrs. Kelly Ortega,

Please be so kind to further elaborate what it is you mean by:

(attempts to meet and confer with you to discuss your discovery responses)

We have not received any such request to meet and confer from you unless meet and confer has a different meaning from your point of view. Furthermore your repeated mentions of "Refusal" are unnecessary as you clearly know we are not in refusal but protecting our privacy and careful with your dual meaning and pitfall questions designed to harm our case. We have clearly mentioned that we are happy to provide any information to the board under the proper confidentiality protection.

Furthermore, your answer to our recent email with regards to dates for you to respond to our request of admissions, mentions that you have 30 days to comply, why then do you believe that we should have less time than you and what gives you the authority to place the deadlines. Kindly site the USTPO rule or law that grants Opposing party these additional and unilateral rights.

We are on the same and equal situation, we have also not received proper answers to our request for admissions and discovery questions, your answers are altogether no different

than our answers. Not to mention that you did not include IMG during disclosure period, leaving us uninformed. We have clockwise asked you to revise the questions and your answer to this request has been that you have 30 days by law to comply. Not having proper answers to our requests for admissions puts us on a disadvantage, we seek to be on the same page with equal rights and access to information and the board has allowed sufficient time to achieve this.

Opposing party was the one who moved the board requesting additional time and this time was granted by the board, we do not understand why now the hurry and rush that Opposers hereby seek to impose. We are following the boards written recommendations to seek legal advice, we are currently researching and seeking legal advice from third parties that have to first read and catch up with the foregoing case in order to properly advise; therefore, we have no possibility to respond prior to the 15th of May. This clearly does not represent refusal from our part; if you cannot agree to this, then please feel free to disturb the board with unnecessary motions to compel disregarding the boards advised whom ordered both parties to amicably work out the discovery process and allowed until the 29th of May for the parties to satisfy the discovery needs of its adversary.

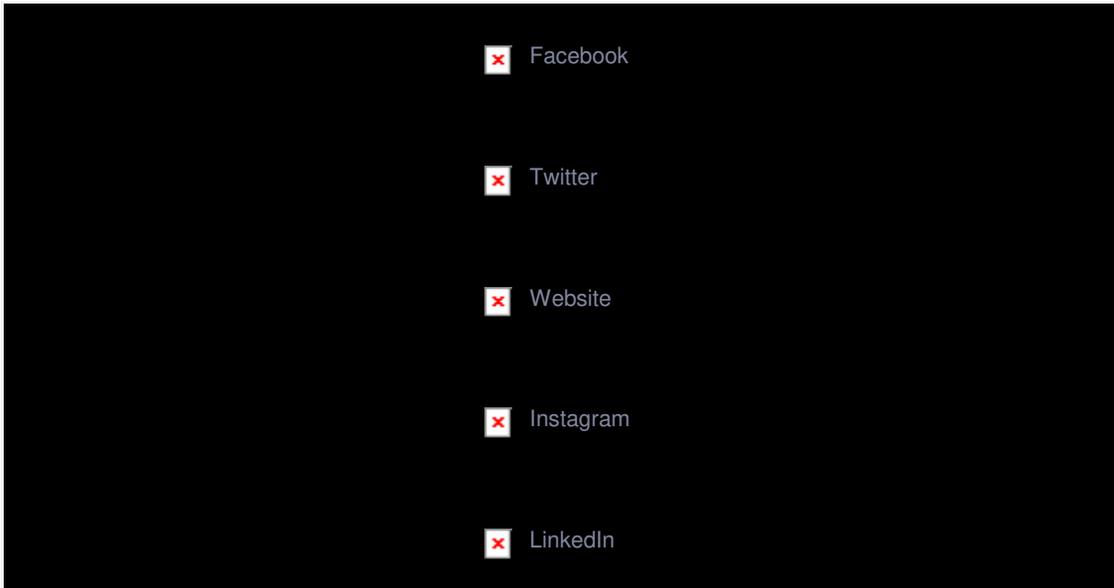
We hereby accept the extension of time until Monday April 4th, 2016 and further request that before 12:00pm April 3rd, 2016 we are provided with your decision with regards to the 15th of May or your decision to compel discovery.

Best Regards,

Linda Grandia

Multiverse Ventures BV

Phone: + 31- 33 4625501 Mobile: +31 - 6 38056135
Skype: MissMultiverseTV
Keplerstraat 13, 3817TA Amersfoort, Netherlands
KvK registration: 62253972



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From: "Ortega, Kelli" <KOrtega@KelleyDrye.com>
Date: Wednesday, March 30, 2016 at 15:40
To: Linda <info@missmultiverse.com>
Cc: Linda Grandia <lindagausachs@gmail.com>
Subject: RE: Miss Universe L.P., LLLP v. Grandia

Dear Ms. Grandia:

We are unable to agree to an extension of time until May 15, 2016 to respond to our client's discovery requests. We will, however, agree to extend your time to respond until **Monday, April 4, 2016**. We have previously made several attempts to meet and confer with you to discuss your discovery responses and obligations. Please be advised that given your previous refusals to meet and confer, if your responses are not proper and complete on April 4th, we are prepared to move to compel proper discovery responses.

Thank you.

Best,
Kelli Ortega

Kelli Ortega

Kelley Drye & Warren LLP
(212) 808-7755 | kortega@kelleydrye.com

From: Miss Multiverse International [<mailto:info@missmultiverse.com>]
Sent: Tuesday, March 29, 2016 3:29 PM
To: Ortega, Kelli <KOrtega@KelleyDrye.com>
Cc: info@missmultiverse.com; Linda Grandia <lindagausachs@gmail.com>
Subject: FW: Miss Universe L.P., LLLP v. Grandis



Dear Mrs. Kelly Ortega,

The board reseted the discovery date to May 29, 2016 allowing sufficient time for each party to satisfy the discovery needs of its adversary.

Opposers discovery request are numerous and Defendant also require legal advise; therefore, we are able to respond by 5/15/2016 well within the discovery time granted by the board.

We hereby inform you with sufficient time; in the case where, Opposing party finds that our time requirement does not meet their discovery process deadlines, we can mutually agree on requesting from the board an additional extension of time.

We hereby ask you to respond with your answer to this agreement before 12:00pm NY time, Wednesday 30th, March 2016.

Best Regards,

Linda Grandia

Multiverse Ventures BV

Phone: + 31- 33 4625501 Mobile: +31 - 6 38056135
Skype: MissMultiverseTV
Kepplerstraat 13, 3817TA Amersfoort, Netherlands
KvK registration: 62253972



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From: "Ortega, Kelli" <KOrtega@KelleyDrye.com>

Date: Tuesday, March 15, 2016 at 22:32

To: Linda <info@missmultiverse.com>

Subject: Miss Universe L.P., LLLP v. Grandis

Dear Ms. Grandia:

Please find attached a letter regarding your discovery obligations with respect to Opposition No. 91220573. We are sending the original to you via FedEx.

Sincerely,
Kelli Ortega

KELLEY
DRYE

Kelli Ortega

Kelley Drye & Warren LLP
101 Park Avenue, 27th Floor
New York, NY 10178
(212) 808-7755 | kortega@kelleydrye.com
[Website](#)

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EXHIBIT D



WME | IMG ACQUIRES THE MISS UNIVERSE ORGANIZATION FROM DONALD J. TRUMP

BEVERLY HILLS, CA (September 14, 2015) – WME | IMG today announced the acquisition of The Miss Universe Organization, which includes MISS UNIVERSE®, MISS USA®, and MISS TEEN USA®, from Donald J. Trump. Mr. Trump had acquired NBCUniversal’s interest in The Miss Universe Organization as part of the settlement of his litigation against NBCUniversal.

The Miss Universe Organization is an international organization that advances and supports opportunities for women. MISS UNIVERSE® is distributed in more than 190 countries worldwide and seen by more than half a billion people annually.

The MISS UNIVERSE®, MISS USA®, and MISS TEEN USA® pageants provide a global platform for more than 10,000 women annually through dedicated partnerships with charities, sponsors, brands, franchisees and television networks around the world. Additionally, the organization raises millions of dollars for charities annually, including nearly \$4 million in 2014 alone.

“Having worked closely with The Miss Universe Organization in the past, we understand the incredible potential of the events and the star-quality of the participants,” said Mark Shapiro, Chief Content Officer, WME | IMG. “The global reach of The Miss Universe Organization and the content opportunities presented by the pageants make this a strong, strategic addition to our portfolio.”

“I have truly enjoyed owning the MISS UNIVERSE®, MISS USA®, and MISS TEEN USA® pageants,” said Mr. Trump. “When I purchased the pageants many years ago, they were in serious trouble. It has been a great honor making them so successful and I have really enjoyed watching the pageants grow throughout the USA and worldwide. The pageants are now in the hands of a great company that will shepherd them to even greater levels of success.”

This acquisition expands WME | IMG’s portfolio of global events and media properties across entertainment and fashion, including more than 20 fashion weeks per year in cities including New York, Berlin, and Sydney; original lifestyle productions including this year’s “Macy’s Presents Fashion’s Front Row” taking place at Madison Square Garden; and global lifestyle festivals including Taste Festivals and Lollapalooza.

IMG has served as executive producers of both MISS UNIVERSE® and MISS USA® pageants in the past.

The Raine Group and Paul, Weiss, Rifkind, Wharton & Garrison LLP served as WME | IMG’s financial and legal advisors, respectively.

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About WME | IMG

WME | IMG is the global leader in entertainment, sports, events, media and fashion. Operating in more than 25 countries, the company specializes in talent representation and management; brand strategy, activation and licensing; media production and distribution; and event management.