

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

NINTENDO OF AMERICA INC.,

Opposer,

v

MARIO JONES,

Applicant.

Opposition No.91221324

Serial No.: 86/283,191

Mark: SUPAH MARRIO

Filed: May 17, 2014

Published: December 2, 2014

Classes:41

**APPLICANT'S RULE 26(A)(1) INITIAL DISCLOSURES**

Applicant, Mario Jones ("Applicant") hereby submits his initial disclosures as required by Rule 26(a)(1) of the Federal Rules of Civil Procedure.

A.In accordance with Rule 26(a)(1)(A)(i), following is a list of persons who are likely to have discoverable non-privileged information that Applicant may use to support its claims, unless solely for impeachment.

(1)Applicant and employees (contact through counsel): Use and ownership of the Applicant's mark; design, inspiration and creation for Applicant's mark; Applicant's business operations and activities; Applicant's goods and services; Applicant's trademark application; facts and defenses alleged in the Notice of Opposition and Answer thereto.

(2)Patchwerk Recording Studios, 1094 Hemphill Avenue, Atlanta, GA 30318: Use and ownership of the Applicant's mark.

(3)Curtis Daniel III (404) 874-9880, c/o Patchwerk Recording Studios, 1094 Hemphill Avenue, Atlanta, GA 30318: Use and ownership of the Applicant's mark.



10-19-2015

(4)TraXXtar Records, 5339 I-55 North, Ste 26, Jackson, MS 39206: Use and ownership of the Applicant's mark.

(5)Engineer DATBOIDRUMMA, c/o TraXXtar Records, 5339 I-55 North, Ste 26, Jackson, MS 39206: use and ownership of the Applicant's mark.

(6)Representatives from Opposer and its affiliates, licensees, and related entities:Use and ownership of the Opposer's marks, Opposer's business operations and activities, Opposer's products and services, Opposer's trademark applications and registrations, Opposer's assertion of fame, facts alleged in the Notice of Opposition and Answer thereto.

Applicant reserves the right to amend this list upon identification of other individuals through discovery or through development of the issues.

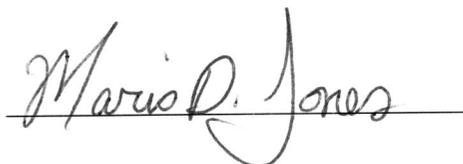
B.In accordance with Rule 26(a)(1)(A)(ii), a copy of or description by category of all documents and things now in the Applicant's possession, custody or control that it may use to support its claims or defenses, unless solely for impeachment:

- 1.Documents associated with Applicant's federal trademark application.
- 2.Documents reflecting Applicant's creation and first use of its mark.
- 3.Documents regarding the asserted fame of Opposer's marks. These are in the Opposer's custody.

A representative sample of these documents is attached hereto as Applicant's INITIAL DISCLOSURES, all of which should be treated as CONFIDENTIAL.

Applicant reserves the right to amend this list upon identification of other documents and things through discovery or through development of the issues.

Dated this 13<sup>th</sup> day of October, 2015.

A handwritten signature in cursive script that reads "Mario D. Jones". The signature is written in black ink and is positioned above a horizontal line.

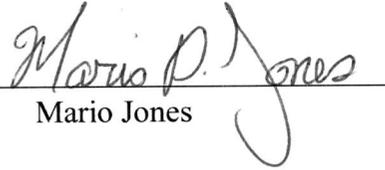
MARIO JONES

**CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of Applicant's Rule 26(A)(1) Initial Disclosures has been served on the following by delivering said copy on October 13, 2015 via First Class Mail, to counsel for Opposer at the following address:

Katherine Keating  
Bryan Cave LLP, 560 Mission Street, 25<sup>th</sup> Floor  
San Francisco, CA 94105.

By:

  
\_\_\_\_\_  
Mario Jones



# BEAT 2 SLEEP PRODUCTIONZ

LOCATION:

5339 I-55 North, ste 26  
Jackson, MS 39206

DATE: 05/27/15

## BEAT 2 SLEEP PRODUCTIONZ:

SERVICE	Name of Composition	PRICE
Exclusive Track Lease	PLAY WIT IT	\$300
Track Lease		
Track Lease		
Track Lease		
<b>TOTAL:</b>		<b>\$300</b>
<b>PAID AS OF DATE:</b>		<b>\$300</b>
<b>BALANCE:</b>		<b>\$0</b>

**OVERALL TOTAL: \$300.00**

TraXtar Engineer Signature: DATBOIDRUMMA

Artist / Company Name: SUPA MARIO

Representative Signature: \_\_\_\_\_

INVOICE DATE  
5/6/2014

INVOICE NO.  
8508  
Bill To

Supah Mario  
Mario Jones  
355 Crseendo Way  
Silver Spring, MD, 20901

ARTIST	
GENRE	
UPC	

  
**PATCHWERK**  
 RECORDING STUDIOS  
 1094 Hemphill Avenue  
 Atlanta, GA 30318

5/6/14  
 06/13/2014

Track Title	ISRC Code	Date	Start	End	QTY	Description	Rate	Amount
		6/11/2014	1pm	4:30pm	1	Mastering 1st Version of a song	195.00	195.00
					1	Additional Version / Mastering the Clean Main Mix	35.00	35.00
					2	Enhanced error correction CD	15.00	30.00
						Online processing fee	-8.45	-8.45

WRITER	Pusha Man
PRODUCER	Suppah Marrio
RECORDED	Prep
MIXED	Prep
ASSISTED	
MASTERED	Kenny Mixx

We DO NOT accept Bank Transfers or E-Checks.  
 Please choose the Credit Card option only.  
 The payment system does not work in Explorer.  
 Please use Chrome, Safari or other browser.

Total	\$251.55
Payments/Credits	-\$251.55
Balance Due	\$0.00