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Filing date: **04/08/2016**

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

Proceeding	91223882
Party	Defendant Samsung Electronics Co., Ltd.
Correspondence Address	CHRISTOPHER B LAY IPHORGAN LTD 195 N ARLINGTON HEIGHTS ROAD SUITE 125 BUFFALO GROVE, IL 60089-1768 UNITED STATES mail@iphorgan.net, dlano@iphorgan.net, clay@iphorgan.net
Submission	Other Motions/Papers
Filer's Name	Christopher B. Lay
Filer's e-mail	clay@iphorgan.net, mail@iphorgan.net
Signature	/Christopher B. Lay/
Date	04/08/2016
Attachments	Documents in Support of Applicant's Oral Motion to Compel.pdf(340138 bytes)

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

EXPRESS COMMUNICATIONS, LLC,)	
)	
Opposer,)	
)	
v.	)	Opposition No. 91223882 (parent)
	)	Opposition No. 91223940
SAMSUNG ELECTRONICS CO., LTD.)	
)	
)	
Applicant.)	

**DOCUMENTS IN SUPPORT OF
APPLICANT'S ORAL MOTION TO COMPEL DISCOVERY**

Pursuant to Applicant's oral Motion to Compel, dated April 8, 2016, at 10:00 a.m. EDT, and pursuant to 37 CFR § 2.120(e), Applicant hereby encloses the documents on which it relies in supporting its Motion, namely, the two Notices of Deposition served by Applicant on Opposer, along with a copy of the Board's Order of March 21, 2016, which is Docket entry #7 in Opposition No. 91223882 (parent) Opposition No. 91223940.

DATED this Eighth day of April, 2016.

Respectfully submitted,

/Christopher B. Lay/ _____
Christopher B. Lay
IpHorgan Ltd
195 Arlington Heights Rd.
Suite 125
Buffalo Grove, IL 60089
Telephone (847) 808-5500
Fax (847) 808-7238

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
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EXPRESS COMMUNICATIONS, LLC,)	
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Opposer,)	
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)	Opposition No. 91223940
SAMSUNG ELECTRONICS CO., LTD.)	
)	
)	
Applicant.)	

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing DOCUMENTS IN SUPPORT OF APPLICANT’S ORAL MOTION TO COMPEL DISCOVERY has been served on the Opponent’s Attorney of Record, Matthew M. Googe, by e-mail on April 8, 2016.

/Christopher B. Lay/
Christopher B. Lay

April 8, 2016
Date

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

EXPRESS COMMUNICATIONS, LLC,)	
)	
Opposer,)	
)	
v.	)	Opposition No. 91223882
	)	Application Serial. No. 86391852
SAMSUNG ELECTRONICS CO., LTD.	)	Mark: EXPRESS ME
	)	Filing Date: September 11, 2014
)	
Applicant.)	

NOTICE OF DEPOSITION

Pursuant to 37 C.F.R. § 2.116, 37 C.F. R. § 2.120, and Rule 30 of the Federal Rules of Civil Procedure, Applicant SAMSUNG ELECTRONICS CO., LTD. (“Applicant”) will take the deposition of Mr. Jeffrey M. Volk. The deposition will take place at 9:00 a.m. on January 12, 2016, at P.O. Box 2212 Lompoc, CA 93438, or at a mutually agreeable time and location, and shall continue from day to day until completed, and shall be before a Notary Public or other officer authorized by law to administer oaths and will be recorded by stenographic means.

Date: December 23, 2015

Respectfully Submitted,

Christopher B. Lay

/Christopher B. Lay/
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akalsi@iphorgan.net
Attorneys for Applicant,
Samsung Electronics Co., Ltd.

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

EXPRESS COMMUNICATIONS, LLC,)	
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Opposer,)	
)	
v.)	Opposition No. 91223882 (parent)
)	Opposition No. 91223940
)	Application Serial Nos: 86391852;
	)	85799934
SAMSUNG ELECTRONICS CO., LTD.	)	Marks: EXPRESS ME; SAMSUNG
	)	XPRESS
	)	Filing Dates: September 11, 2014;
	)	December 11, 2012
)	
Applicant.)	

NOTICE OF DEPOSITION

Pursuant to 37 C.F.R. § 2.116, 37 C.F. R. § 2.120, and Rule 30 of the Federal Rules of Civil Procedure, Applicant Samsung Electronics Co., Ltd. will take the deposition of Mr. Jeffrey M. Volk. The deposition will take place at 9:00 a.m. on February 15, 2016, at the Embassy Suites Hotel, 1117 North H Street, Lompoc, CA 93436, or at a mutually agreeable time and location, and shall continue from day to day until completed, and shall be before a Notary Public or other officer authorized by law to administer oaths and will be recorded by stenographic means.

Date: February 1, 2016

Respectfully Submitted,

/Christopher B. Lay/

Christopher B. Lay

Angela Kalsi

IpHorgan Ltd.

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Attorneys for Applicant,

Samsung Electronics Co., Ltd.

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EXPRESS COMMUNICATIONS, LLC,)	
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SAMSUNG ELECTRONICS CO., LTD.)	Marks: EXPRESS ME; SAMSUNG
)	XPRESS
)	Filing Dates: September 11, 2014;
)	December 11, 2012
)	
Applicant.)	

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing NOTICE OF DEPOSITION has been served this 1st day of February 1, 2016, on Opposer's Attorney of Record, Matthew M. Googe, via email, to the following:

Matthew M. Googe
Robinson IP Law, PLLC
9724 Kingston Pike, Suite 1403
Knoxville, TN 37922
mgooge@robinsoniplaw.com

/Angela Kalsi/
Angela Kalsi,
Attorney for Applicant,
Samsung Electronics Co., Ltd.

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

CME

Mailed: March 21, 2016

Opposition No. 91223882 (parent)

Opposition No. 91223940

Express Communications, LLC

v.

Samsung Electronics Co., Ltd.

Christen M. English, Interlocutory Attorney:

Pursuant to Applicant's request, the Board convened a telephone conference on March 15, 2016 to address Applicant's difficulties in scheduling the deposition of Opposer's proprietor, Jeffrey Volk. Matthew Googe participated on behalf of Opposer, Christopher Lay and Angela Kalsi participated on behalf of Applicant and the assigned interlocutory attorney participated on behalf of the Board.

During the teleconference, the parties agreed that Mr. Volk's deposition will take place on April 18, 2016 in Knoxville, Tennessee at 9:00 a.m. The parties will work together to schedule the exact location for the deposition.

Dates remain as set in the Board's order of January 7, 2016.
