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Filing date: **10/04/2016**

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

Proceeding	91229467
Party	Plaintiff HRHH IP, LLC
Correspondence Address	JILL M PIETRINI SHEPPARD MULLIN RICHTER & HAMPTON LLP 1901 AVENUE OF THE STARS, SUITE 1600 LOS ANGELES, CA 90067-6017 UNITED STATES jpietrini@smrh.com, baigboboh@smrh.com, ppost@smrh.com, shwang@smrh.com, mdanner@smrh.com, rwalsh@smrh.com
Submission	Opposition/Response to Motion
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Signature	/Benjamin O. Aigboboh/
Date	10/04/2016
Attachments	Aigboboh Declaration - Opposition to Motion for Judgment on the Pleadings.pdf(1752680 bytes )

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

<p><i>In re Matter of Application No. 85/715,985 for the mark: <b>VINYL FOR A CAUSE &amp; Design</b> in Class 41</i></p> <p>HRHH IP, LLC,                                  Petitioner,                                  vs.  Vice Versa Records, LLC,                                  Registrant.</p>	<p>Opposition No. 91-229467</p> <p><b>DECLARATION OF BENJAMIN O. AIGBOBOH IN SUPPORT OF OPPOSER HRHH IP, LLC’S OPPOSITION TO APPLICANT VICE VERSA RECORD LLC’S MOTION FOR JUDGMENT ON THE PLEADINGS</b></p>
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I, Benjamin O. Aigboboh, declare as follows:

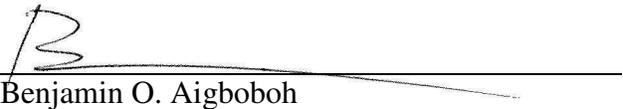
1. I am an associate at the law firm of Sheppard Mullin Richter & Hampton LLP (“SMRH”), counsel of record for Opposer HRHH IP, LLC (“Opposer”). I submit this declaration in support of Opposer’s opposition to Applicant Vice Versa Records, LLC’s (“Applicant”) motion for judgment on the pleadings.

2. On September 14, 2016, Applicant’s counsel, Matthew Grothouse, emailed the following documents to me and SMRH partner Jill M. Pietrini: (a) Applicant’s Motion for Judgment on the Pleadings (the “Motion”); (b) Memorandum of Law in Support of Applicant’s Motion (the “Memorandum”); (c) Exhibit A to the Memorandum; (b) Exhibit B to the Memorandum; and (c) Exhibit C to the Memorandum. The proofs of service attached to the Motion and Memorandum emailed to me and Ms. Pietrini on September 14, 2016 indicated that they were served “on Counsel for Opposer via electronic mail,” and are identical to the proofs of service attached to the Motion and Memorandum filed with the Board on September 14, 2016.

(Dkt. 5 at pp. 3 and 18.) The documents Applicant's counsel emailed to me and Ms. Pietrini on September 14, 2016 have not otherwise been served on SMRH including, but not limited to, via personal service or mail service. Opposer and Applicant have not agreed to service by email.

3. Attached hereto as **Exhibit A** are true and correct copies of printouts of the webpages available at the domains <<http://www.vinylforacause.com/shop>>, <<http://www.vinylforacause.com/shop/releases>>, <<http://www.vinylforacause.com/shop/vfac-release-002>>, and <<http://www.vinylforacause.com/shop/vfac-release-003>>, which I retrieved and printed from website available at each domain.

I hereby declare under the penalty of perjury that the foregoing statements are true and correct. Executed October 4, 2016, at Los Angeles, California.

  
Benjamin O. Aigboboh

**CERTIFICATE OF ELECTRONIC FILING**

I hereby certify that this correspondence is being transmitted electronically to Commissioner of Trademarks, Attn: Trademark Trial and Appeal Board through ESTTA pursuant to 37 C.F.R. §2.195(a), on this 4<sup>th</sup> day of October, 2016.

/LaTrina Martin/  
\_\_\_\_\_  
LaTrina Martin

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing correspondence is being deposited as first class mail, postage prepaid, in an envelope addressed to:

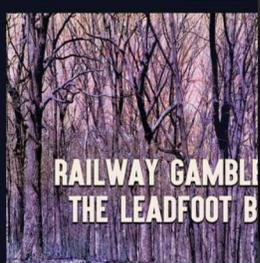
Matthew R. Grothouse  
Saper Law Offices, LLC  
505 N. LaSalle, Suite 350  
Chicago, Illinois 60654  
(312) 527-4100

on this 4th day of October, 2016.

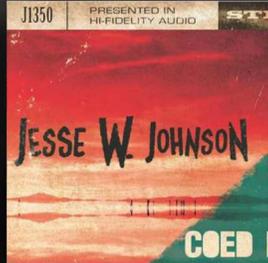
/LaTrina Martin/  
\_\_\_\_\_  
LaTrina Martin

SMRH:479378778.1

# **EXHIBIT A**



VFAC RELEASE 001



VFAC RELEASE 002



VFAC RELEASE 003



T-Shirt

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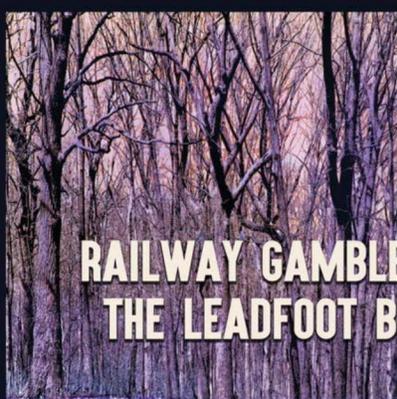
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# VFAC RELEASE 001

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Featuring Railway Gamblers / The Leadfoot Band. Numbered out of /500 and autographed by both bands! The Railway Gamblers will be covering Jailhouse by The Leadfoot Band. The Leadfoot Band will be covering Backroad by the Railway Gamblers. The custom artwork will be done by Matt Gizyn

Quantity:

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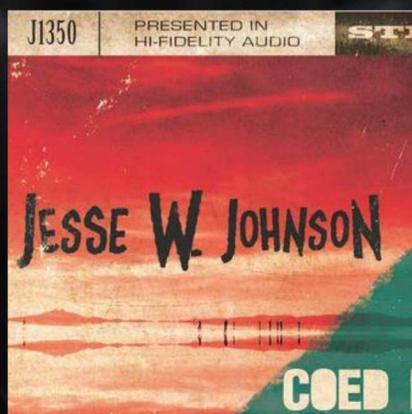
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# VFAC RELEASE 002

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Featuring Jesse W. Johnson / The Coed Pageant. Numbered out of /500 and autographed by both bands! Jesse W. Johnson will be covering I will Wait & Over It by The Coed Pageant. The Coed Pageant will be covering Cannon Rows & Down For The Bounty by Jesse W. Johnson. The custom artwork will be done by Matt McGuire

Quantity:

1 

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# VFAC RELEASE 003

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Featuring The Heard / IndigoSun.  
Numbered out of /500 and autographed  
by both bands! The Heard will be covering  
Rainbow Flight by IndigoSun. IndigoSun  
will be covering Pinch & Roll by The  
Heard. The custom artwork will be done  
by Tyler Gasek

Quantity:

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