

ESTTA Tracking number: **ESTTA295013**

Filing date: **07/13/2009**

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

Proceeding	92050200
Party	Defendant Vandous E. Stripling
Correspondence Address	Vandous E. Stripling 801 Sabona Drive Desoto, TX 75115 UNITED STATES game97@juno.com
Submission	Answer
Filer's Name	Vandous E Stripling
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Signature	/Vandous E Stripling/
Date	07/13/2009
Attachments	GAME USPTO.pdf (2 pages)(9714 bytes)

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

In the matter of trademark Registration No.: **2720097**
For the mark: **GAME**
Registered: **May 27, 2003**

MEMORANDUM FOR DISCOVERY CONFERENCE

In view of the upcoming Discovery Conference scheduled for July 3, 2009, the Petitioner would like to set forth facts regarding attempted settlement talks and attempted informal discovery.

In December 2008, the undersigned spoke by telephone with the Registrant and indicated that settlement was possible if the Registrant could provide certain information upon which a settlement might be structured. This information included:

i) specimens showing use of the mark on the goods listed in the registration (preferably digital photos of the goods bearing the mark);

Response: Pictures were provided to Petitioner showing mark used on clothing dating as far back as 1997

ii) a description of the Registrant's customers, e.g. retailers, wholesalers, individuals, corporations, other organizations that Registrant has sold to and the same for customers that Registrant intends to sell to;

Response: A description of customers was provided to Petitioner

iii) an identification of the states in which Registrant has sold his product and the states in which the Registrant intends to sell his product; and

Response: List of states in which Registrant has sold it product was provided to Petitioner. Registrant intends to sell in all 50 states and around the world in every country.

iv) approximate volume of sales over the last 5 years, listing sales per state.

Response: Sales volume over the last 5 years is less than a 100k per year.

Certificate of Service

A true copy of this Memorandum was served on the Registrant by e-mail addressed to tomgallagher@mac.com.

Respectfully submitted,
/tag/

By: _____
Vandous E Stripling
Registrant and Owner of Mark GAME
801 Sabona Dr
Desoto, TX 75115