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

Proceeding	92050920
Party	Plaintiff Intellect Technical Solutions, Inc.
Correspondence Address	WILLIAM G GILTINAN CARLTON FIELDS PA 4221 W BOY SCOUT BLVD , SUITE 1000 TAMPA, FL 33607-5780 UNITED STATES tgiltinan@carltonfields.com
Submission	Plaintiff's Notice of Reliance
Filer's Name	William Giltinan
Filer's e-mail	trademarks@carltonfields.com
Signature	/William Giltinan/
Date	01/27/2011
Attachments	NOR146.tif (43 pages)(1422778 bytes)

**In The United States Patent And Trademark Office
Before The Trademark Trial And Appeal Board**

In re: Registration No. 3,009,990
Trademark: ENTELLECT
Registered November 1, 2005

INTELLECT TECHNICAL SOLUTIONS, INC.

Petitioner,

v.

MILENA SONI,

Respondent.

Cancellation No.: 92050920

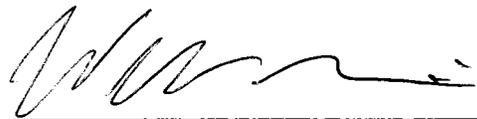
PETITIONER'S SIXTH NOTICE OF RELIANCE

Petitioner Intellect Technical Solutions, Inc. submits this Notice of Reliance in accord with 37 C.F.R. § 2.120, et seq. and 37 C.F.R. 37.122, et seq. The following is hereby designated and made part of the record of this proceeding:

1. Intellect's Exhibit 146. Petitioner's First Request for Production to Respondent and Respondent's initial and supplemental written submissions in response thereto, pursuant to 37 C.F.R. 2.120(j).

Respectfully submitted,

Date: January 27, 2011



William G. Giltinan
Carlton Fields, P.A.
P.O. Box 3239
Tampa, FL 33601-3239
(813) 223-7000
Attorney for Petitioner

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Petitioner's Sixth Notice of Reliance to Respondent's counsel at the following address:

Surjit P. Soni,
Ronald E. Perez, ron@sonilaw.com
The Soni Law Firm
35 N. Lake Ave. #720
Pasadena, CA 91101

via Federal Express, Overnight Delivery (Tracking No. 794362475167) and email on January 27, 2011.

Dated: January 27, 2011



William G. Giltinan

Intellect Technical Solutions v. Milena Soni
Cancellation No. 92050920
Intellect's Exhibit 146

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

In re: Registration No. 3,009,990
Trademark: ENTELLECT
Registered November 1, 2005

INTELLECT TECHNICAL SOLUTIONS, INC.

Petitioner,

v.

MILENA SONI,

Respondent.

Cancellation No.: 92050920

PETITIONER'S FIRST REQUEST FOR PRODUCTION TO RESPONDENT

Pursuant TTAB Rule 2.120, Petitioner, Intellect Technical Solutions, Inc. requests that Respondent, Milena Soni produce the documents and things described below at the offices of Carlton Fields, P.A, located at 4221 W. Boy Scout Blvd., Tampa, Florida 33607, or at such other place as may be agreed between the parties, and to serve a written response to the requests within thirty (30) days after service of this request. These requests are intended to be continuing in nature and effect and to require supplementary production with respect to any and all documents falling within the scope of each request that may come into the knowledge, custody, control, or possession of Respondent, subsequent to its responses hereto and before the final hearing in this matter.

Intellect Technical Solutions v. Milena Soni
Cancellation No. 92050920
Intellect's Exhibit 146

DEFINITIONS AND INSTRUCTIONS

A. The terms “Soni”, as used in this request for production, refers to (i) Respondent Milena Soni and all employees, agents, counsel, accountants, and other persons acting or purporting to act on behalf of Respondent Milena Soni in this proceeding (ii) any corporation or other business entity controlled by Milena Soni and all employees, agents, counsel, accountants, and other persons acting or purporting to act on behalf of such corporation or other business entity in this proceeding, and (iii) any corporation or other business entity through which Milena Soni offers services in connection with any trademark, service mark, or trade name identical or similar to the ENTELLECT mark and all employees, agents, counsel, accountants, and other persons acting or purporting to act on behalf of such corporation or other business entity in this proceeding.

B. The term “Intellect”, as used herein, shall refer to Petitioner Intellect Technical Solutions, Inc. and all employees, agents, counsel, accountants, and other persons acting or purporting to act on behalf of Intellect Technical Solutions, Inc. in this proceeding.

C. “USPTO” shall mean United States Patent and Trademark Office.

D. “TTAB” shall mean the Trademark Trial and Appeal Board.

E. “This Civil Action” shall mean Cancellation No.: 92050920 in the Trademark Trial and Appeal Board, styled *Intellect Technical Solutions, Inc. vs. Milena Soni*.

F. The word “person” means any natural person, partnership, association, proprietorship, joint venture, corporation, governmental agency, or other organization or legal or business activity.

G. The connectives “and” and “or” are to be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside of its scope.

H. The use of the singular form of any word includes the plural and vice versa.

I. The term “concerning” means relating to, referring to, describing, evidencing, or constituting.

As used in this request, the terms “trademark” and “mark” include a trademark or a service mark used in connection with services as well as on goods; unless a contrary meaning is clear from the context.

J. The term “ENTELLECT registration” shall refer to United States Trademark Registration 3,009,990.

K. The terms “Soni’s alleged mark” or “the ENTELLECT mark” shall mean the service mark identified in the ENTELLECT registration.

L. The term “Petitioner’s mark” shall mean the service mark identified in the United States Trademark Application having serial number 77/363,060.

M. The terms “relating to,” “relates to,” or “related to” mean regarding, concerning, respecting, referring to, summarizing, digesting, embodying, reflecting, establishing, tending to establish, tending not to establish, evidencing, comprising, connecting with, commenting on, responding to, disagreeing with, showing, describing, analyzing, representing, constituting or including.

N. The words “document” and “documents” are used in their broadest sense consistent with TTAB Rule 2.120 and Federal Rule of Civil Procedure 34, and mean all writings (including all written, printed, typed, recorded, or graphic matter of every kind and description, both originals and copies, and all attachments and appendices thereto), drawings, graphs, charts, photographs, sound recordings, images, and other data or data compilations — stored in any medium from which information can be obtained either directly or, if necessary, after translation by the responding party into a reasonably usable form. Without limiting the foregoing, the terms “document” and “documents” shall mean and include all agreements, contracts, communications, correspondence, letters, telegrams, telexes, messages, memoranda, emails, notes, records, reports, books, summaries or other records of telephone conversations or interviews, summaries or other records of personal conversations, minutes, or summaries or other records of meetings and conferences, or summaries or other records of negotiations, other summaries, diaries, diary entries, calendars, appointment books, time records, instructions, work assignments, forecasts, statistical data, statistical statements, financial statements, worksheets, papers, drafts, charts, tables, accounts, analytical records, bills, statements, records of obligation or expenditure invoices, lists, recommendations, printouts, compilations, tabulations, analyses, studies, surveys, transcripts, affidavits, expense reports, microfilm, microfiche, articles, speeches, tape or disk recordings, sound or voice recordings, video recordings, film, tapes, photographs, programs, data compilations from which information can be obtained (including matter used in data processing), and other printed, written, handwritten, typewritten, recorded, stenographic, computer-generated, computer stored, or electronically stored matter, however, and by whomever, produced,

prepared, reproduced, disseminated, or made. The terms “document” and “documents” also include material stored on personal data appliances (e.g. cell phones) and on disks, or other forms of data storage used in connection with word processing machines or computers, including electronic mail, and all copies of documents by whatever means made. Where a document is identified or produced, identical copies thereof which do not contain any markings, additions, or deletions different from the produced copy or original need not be separately produced.

O. The term “communication” means any correspondence (including without limitation documents, letters, facsimiles, and emails) between any two or more persons, and any written or electronic records or summaries of discussions or exchanges between any two or more persons including, without limitation, telephone conversations, and face-to-face conversations, meetings and conferences.

P. When referring to documents, the term “identify” means to tabulate each document in the designated category, supplying separately as to each such document the following information:

1. the type of document (e.g., letter, notebook, etc.) and the number of pages of which it consists;
2. the date of the document, if any (and if no date appears thereon, the answer shall so state and shall give the date or approximate date that such document was prepared);
3. the date on which the document came into Soni’s possession or control, if different from the date appearing on the document itself;

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4. the name and title of the signer of the document and the name and title of the author, if different from that of the signer (and if it was not signed, the answer shall so state and shall give the name and title of the person who prepared it, if known, and if not known, the answer shall so state);
 5. the name and title of each recipient or addressee of such document (whether specifically named therein or not) who received copies of the document, either at the time of initial distribution or any subsequent time;
 6. a brief summary of the subject matter of the document; and
 7. the present whereabouts of the document and the name and address of the custodian thereof.

Q. If Respondent refuses to produce any document on the basis of privilege, Respondent shall identify each such document at or prior to the designated time for production and provide the following additional written information:

- (a) the number of pages thereof;
- (b) the identity of each person who has received or has been shown the original or a copy, and the relationship of that person to any party to this litigation;
- (c) whether the document concerns facts or opinions or both; and
- (d) the exact nature of the privilege claimed.

R. If any document that would have been responsive to the requests herein has been destroyed or is no longer in Respondent's possession, custody, or control, Respondent shall provide the following information:

- (a) the date of the document;
- (b) the names and job titles of the preparer(s), sender(s), and recipients(s) of the document;
- (c) the date of and the identity of the person responsible for its destruction, loss, transfer or other act or omission by which the document left Soni's possession, custody, or control;
- (d) the circumstances surrounding the loss of the document or the reason for its destruction; and
- (e) the name and address (if known) of any person Respondent reasonably believes may possess or control one or more copies of such document or a statement that, to the best of Respondent's belief after a reasonable investigation, there is no such person.

S. In responding to these requests, Respondent need not provide copies of (i) any document filed with the USPTO during the prosecution of the application for the ENTELLECT registration if such document is publicly available through the USPTO website as of the date of these requests, or (ii) any document filed with the USPTO during the prosecution of United States Trademark Applications having serial numbers 77/363,060 if such document is publicly available through the USPTO websites as of the date of these requests, or (iii) any document properly served by Respondent on Petitioner in this proceeding, or (iv) any document properly served by Petitioner on Respondent in this proceeding.

REQUESTS FOR PRODUCTION

1. All documents and things that are identified in Respondent's responses to Petitioner's First Set of Interrogatories to Respondent being served concurrently herewith.
2. All documents and things tending to prove or disprove the date on which Soni first began using the ENTELLECT mark in connection with the services identified in the ENTELLECT registration for international classes 35 and 41.
3. All documents and things tending to prove or disprove the amounts spent by Soni for advertising and promoting the services identified in the ENTELLECT registration for international classes 35 and 41, in each year between 2002 and 2009.
4. All communications that reference the ENTELLECT registration, the application for the ENTELLECT registration, or Petitioner's mark.
5. All trademark search reports prepared by or for Soni with regard to (i) the ENTELLECT mark or any term or device similar to the ENTELLECT mark, or (ii) Petitioner's marks or any term or device similar to Petitioner's marks.
6. All surveys prepared by or for Soni with regard to the ENTELLECT mark, Petitioner's mark, or any term or similar to the ENTELLECT mark or Petitioner's mark.
7. All documents and things (including without limitation all brochures, advertisements, promotional literature, letterhead, websites, sales and marketing presentations, leaflets, signage, and labels) that were prepared or disseminated by, or on behalf of, Soni and that bear the ENTELLECT mark or any term or trade name or trademark or service mark similar to the ENTELLECT mark.

Registration No.: 3,009,990 Registered: November 1, 2005
Mark: ENTELLECT
Intellect Technical Solutions, Inc. v. Milena Soni

Cancellation Proceeding No. 92050920

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8. All documents and things that Respondent intends to use, or may use, in defense of her position in this cancellation proceeding.

9. All documents and things that tend to prove or disprove that the ENTELLECT mark and Petitioner's mark are confusingly similar.

10. All documents and things identifying persons from whom Soni intends to take, or may take, testimony in this proceeding.

11. Each communication sent or received by Soni, referencing, referring or relating to Petitioner's marks or this proceeding.

Respectfully submitted,

Date: _____

10/5/09



William G. Giltinan
Carlton Fields, P.A.
P.O. Box 3239
Tampa, FL 33601-3239
(813) 223-7000
Attorney for Petitioner

Registration No.: 3,009,990 Registered: November 1, 2005
Mark: ENTELLECT
Intellect Technical Solutions, Inc. v. Milena Soni

Cancellation Proceeding No. 92050920

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CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Petitioner's First Request for Production of Documents on respondent's counsel at the following addresses:

Surit Paul Singh Soni
Ronald E. Perez
WooSoon Choe
The Soni Law Firm
35 N. Lake Ave. #720
Pasadena, CA 91101

via First Class United States Mail, postage prepaid, and deposited with the United States Postal Service on October 5, 2009.

Dated: October 5, 2009



William G. Giltinan

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

INTELLECT TECHNICAL)
SOLUTIONS, INC.)
)
Petitioner,) CANCELLATION NO.: 92050920
v.)
)
MILENA SONI) Reg. No. 3,009,990
)
RESPONDENT.)
_____)

**RESPONDENT'S RESPONSE TO PETITIONER'S
FIRST SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS**

PROPOUNDING PARTY: RESPONDENT, MILENA SONI

RESPONDING PARTY: PETITIONER, INTELLECT TECHNICAL SOLUTIONS, INC.

SET NO.: ONE

TO PETITIONER and its Counsel of Record:

RESPONDENT, Milena Soni ("RESPONDENT"), pursuant to Rule 33 of the Federal Rules of Civil Procedure and TTAB Rule 405, hereby responds to the first set of requests for production of documents from Petitioner Intellect Technical Solutions, Inc. ("PETITIONER").

REC'D NOV 31 2009

PLEASE READ THE FOLLOWING RESPONSES AND OBJECTIONS CAREFULLY

GENERAL RESPONSE

RESPONDENT Milena Soni's responses to PETITIONER Intellect Technical Solutions, Inc.'s document production requests are made without waiving, or intending to waive, but on the contrary, expressly reserving: (a) the right to object, on the grounds of competency, privilege, relevancy or materiality, or any other proper grounds, to the use of the documents for any purpose in whole or in part, in any subsequent step or proceeding in this action or any other action; (b) the right to object to any and all grounds, at any time, to other document production requests or other discovery procedures involving or relating to the subject matter of these requests; and (c) the right at any time to revise, correct, add to, or clarify any of the responses provided herein.

Certain documents may or will be produced in a form that indicates that certain information has been redacted. Information may be or has been redacted on the grounds that the matter (a) is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, or (b) is protected from discovery by the attorney-client privilege, work product doctrine or some other applicable privilege.

RESPONDENT has not fully completed its investigation of matters at issue in this case, and has not completed preparation for trial. The responses herein reflect only the present state

of RESPONDENT's discovery regarding the documents that PETITIONER has requested and represent RESPONDENT's reasonable efforts to provide the information requested. Except as otherwise stated below, an objection to a specific demand does not imply that documents responsive to the specific demand exist. RESPONDENT expressly reserves the right to rely on, at any time, including trial, subsequently discovered information or information omitted from these responses as a result of mistake, error, oversight, or inadvertence.

Production of any document is not intended as, and shall not be deemed to be, a waiver of any objection set forth herein. On the contrary, RESPONDENT expressly reserves the right to raise any applicable objection at any time. Moreover, the inadvertent production of documents protected from discovery by the attorney-client privilege, work product doctrine or some other applicable privilege shall not constitute a waiver of such privileges with respect to those or any other documents. In the event that inadvertent production occurs, PETITIONER shall promptly return all inadvertently produced documents to RESPONDENT upon request, and shall make no use of the contents thereof nor premise any further discovery on information learned therefrom.

GENERAL OBJECTIONS

The following general objections are incorporated into each of the responses below. Notwithstanding the specific responses to any of the demands, RESPONDENT does not waive any of the objections made herein. Any reference to one or more of these General Objections is not a waiver of any other General Objection not referred to by name in any specific response.

1. RESPONDENT objects to Petitioner's document production requests as burdensome and oppressive insofar as they seek information not relevant to the subject matter of this action and not reasonably calculated to lead to the discovery of admissible evidence.

2. RESPONDENT will make reasonable effort to respond to each request to the extent that no objection is made, as RESPONDENT understands and interprets the request. If Petitioner subsequently asserts any interpretation of any request for documents that differs from that of RESPONDENT, RESPONDENT reserves the right to supplement its objections and responses.

3. RESPONDENT objects to the entire set of document requests to the extent that it seeks documents that are equally available to both parties.

4. RESPONDENT objects to Petitioner's document production insofar as it seeks documents that contain the work product, mental impressions, conclusions, opinions or legal theories developed by RESPONDENT'S attorneys in connection with, or in anticipation of, this or other litigation or business transactions.

5. RESPONDENT objects to PETITIONER'S document production requests insofar as they seek documents that are protected by the attorney-client privilege or any other applicable privilege.

6. RESPONDENT objects to Petitioner's document production requests insofar as they seek documents that are not relevant to specific claims in RESPONDENT'S defenses or affirmative defenses. Accordingly, the requested documents are outside the scope of discovery set forth in Federal Rule of Civil Procedure 26 (Fed. R. Civ. P.).

7. RESPONDENT objects to PETITIONER'S document production requests insofar as they seek documents not in RESPONDENT'S possession, custody, or control.

8. RESPONDENT objects to PETITIONER'S document production requests insofar as they seek documents which, by reason of public filing or otherwise, are already in Petitioner's possession or are readily accessible to PETITIONER.

9. RESPONDENT objects to PETITIONER'S document production requests insofar as they seek information protected by the rights of privacy of RESPONDENT and its employees, customers, owners, or representatives under the United States Constitution or other applicable law.

10. RESPONDENT objects to PETITIONER'S failure to specify a reasonable place and manner for the document production to take place under Rule 34, which states that "[t]he request shall specify a reasonable time, place, and manner of making the inspection and performing the related acts." RESPONDENT will produce the documents responsive to Petitioner's requests in a way mutually convenient to the parties.

RESPONSES TO REQUESTS FOR PRODUCTION OF DOCUMENTS

REQUEST FOR PRODUCTION NO. 1:

All documents and things that are identified in Respondent's responses to Petitioner's First set of Interrogatories to Respondent being served concurrently herewith.

RESPONSE TO REQUEST FOR PRODUCTION NO. 1:

RESPONDENT incorporates the GENERAL OBJECTIONS set forth above.

RESPONDENT objects to this request in that it does not set forth a reasonably particularized category of documents as required by Fed. R. Civ. P. 34.

RESPONDENT objects to this request as vague, ambiguous, over broad, unduly burdensome, oppressive, and compound in requiring RESPONDENT to recall any documents containing the specified information for many distinct interrogatories.

RESPONDENT objects to this request to the extent it seeks trade secret or confidential business information.

RESPONDENT objects to this request to the extent it seeks information protected by the attorney-client and/or work product privilege.

RESPONDENT objects to this request to the extent it seeks documents not relevant to this proceeding or reasonably calculated to lead to the discovery of admissible evidence.

Subject to the foregoing objections, RESPONDENT will provide any responsive documents in her possession pursuant to the TTAB's rules for production.

REQUEST FOR PRODUCTION NO. 2:

All documents and things tending to prove or disprove the date on which Soni first began using the ENTELLECT mark in connection with the services identified in the ENTELLECT registration for international classes 35 and 41.

RESPONSE TO REQUEST FOR PRODUCTION NO. 2:

RESPONDENT incorporates the GENERAL OBJECTIONS set forth above.

RESPONDENT objects to this request to the extent it seeks documents containing trade secret or confidential business information.

RESPONDENT objects to this request to the extent it seeks information protected by the attorney-client and/or work product privilege.

Subject to the foregoing objections, RESPONDENT will provide any responsive documents in her possession pursuant to the TTAB's rules for production.

REQUEST FOR PRODUCTION NO. 3:

All documents and things tending to prove or disprove the amounts spent by Soni for advertising and promoting the services identified in the ENTELLECT registration for international classes 35 and 41, in each year between 2002 and 2009.

RESPONSE TO REQUEST FOR PRODUCTION NO. 3:

RESPONDENT incorporates the GENERAL OBJECTIONS set forth above.

RESPONDENT objects to this request as seeking documents that contain confidential business transactions and financial information that is protected by both the California

Constitution, Article 1, Section 1, and the rights of privacy of RESPONDENT under the United States Constitution or other applicable law.

Subject to the foregoing objections, RESPONDENT will provide any responsive documents in her possession pursuant to the TTAB's rules for production.

REQUEST FOR PRODUCTION NO. 4:

All communications that reference the ENTELLECT registration, the application for the ENTELLECT registration, or Petitioner's mark.

RESPONSE TO REQUEST FOR PRODUCTION NO. 4:

RESPONDENT incorporates the GENERAL OBJECTIONS set forth above.

RESPONDENT objects to this request to the extent it seeks documents containing trade secret or confidential business information.

RESPONDENT objects to this request to the extent it seeks information protected by the attorney-client and/or work product privilege.

RESPONDENT objects to this request to the extent it seeks documents not relevant to this proceeding or reasonably calculated to lead to the discovery of admissible evidence.

RESPONDENT objects to this request in that the responsive documents in RESPONDENT's possession, custody or control are publicly available documents in the files of the U.S. Patent and Trademark Office or the documents in this proceeding which are as equally available to PETITIONER as they are to RESPONDENT.

RESPONDENT objects to this request insofar as it seeks documents in this proceeding which PETITIONER already has in its possession or are available from the USPTO.

RESPONDENT further objects to this request as being compound.

Subject to the foregoing objections, RESPONDENT will provide any responsive documents in her possession pursuant to the TTAB's rules for production.

REQUEST FOR PRODUCTION NO. 5:

All trademark search reports prepared by or for Soni with regard to (i) the ENTELLECT mark or any term or device similar to the ENTELLECT mark, or (ii) Petitioner's marks or any term or device similar to Petitioner's marks.

RESPONSE TO REQUEST FOR PRODUCTION NO. 5:

RESPONDENT incorporates the General Objections set forth above.

RESPONDENT objects to this request to the extent it seeks documents containing trade secret or confidential business information.

RESPONDENT objects to this request to the extent it seeks information protected by the attorney-client and/or work product privilege.

Respondent further objects to this interrogatory as being compound.

Subject to the foregoing objections, RESPONDENT will provide any responsive documents in her possession pursuant to the TTAB's rules for production.

REQUEST FOR PRODUCTION NO. 6:

All surveys prepared by or for Soni with regard to the ENTELLECT mark, Petitioner's mark, or any term or similar to the ENTELLECT mark or Petitioner's mark.

RESPONSE TO REQUEST FOR PRODUCTION NO. 6:

RESPONDENT incorporates the GENERAL OBJECTIONS set forth above.

RESPONDENT objects to this request to the extent it seeks documents containing trade secret or confidential business information.

RESPONDENT objects to this request to the extent it seeks information protected by the attorney-client and/or work product privilege.

RESPONDENT further objects to this interrogatory as being compound.

Subject to the foregoing objections, RESPONDENT will provide any responsive documents in her possession pursuant to the TTAB's rules for production.

REQUEST FOR PRODUCTION NO. 7:

All documents and things (including without limitation all brochures, advertisements, promotional literature, letterhead, websites, sales and marketing presentations, leaflets, signage, and labels) that were prepared or disseminated by, or on behalf of, Soni and that that(sic) bear the ENTELLECT mark or any term or trade name or trademark or service mark similar to the ENTELLECT mark.

RESPONSE TO REQUEST FOR PRODUCTION NO. 7:

RESPONDENT incorporates the GENERAL OBJECTIONS set forth above.

RESPONDENT objects to this request as seeking confidential business information.

RESPONDENT objects to this request as oppressive, burdensome and over broad to the extent it seeks 'all' responsive documents instead of merely representative documents sufficient to show the information specified.

RESPONDENT objects to this request to the extent it seeks documents not relevant to this proceeding or reasonably calculated to lead to the discovery of admissible evidence.

RESPONDENT further objects to this interrogatory as being compound.

Subject to and without waiving the foregoing objections, RESPONDENT will provide any responsive documents in her possession pursuant to the TTAB's rules for production.

REQUEST FOR PRODUCTION NO. 8:

All documents and things that Respondent intends to use, or may use, in defense of her position in this cancellation proceeding.

RESPONSE TO REQUEST FOR PRODUCTION NO. 8:

RESPONDENT incorporates the GENERAL OBJECTIONS set forth above.

RESPONDENT objects to this request as being premature.

RESPONDENT objects to this request as over broad, unduly burdensome and oppressive because it requests 'all' documents supporting RESPONDENT'S positions for this cancellation

proceeding. The courts generally question the over breadth and burdensomeness of discovery requests relating to specific contentions or positions. This request relates to every position of RESPONDENT. This request thus goes far beyond the bounds of reasonableness both as to burdensomeness and particularity, in direct violation of Fed. R. Civ. P. 34(b).

RESPONDENT objects to this request as seeking trade secrets and confidential business information.

RESPONDENT objects to this request to the extent it seeks information protected by the attorney-client and/or work product privilege.

Subject to and without waiving the foregoing objections, RESPONDENT will provide any responsive documents in her possession pursuant to the TTAB's rules for production.

REQUEST FOR PRODUCTION NO. 9:

All documents and things that tend to prove or disprove that the ENTELLECT mark and Petitioner's mark are confusingly similar.

RESPONSE TO REQUEST FOR PRODUCTION NO. 9:

RESPONDENT incorporates the GENERAL OBJECTIONS set forth above.

RESPONDENT objects to this request to the extent it seeks information protected by the attorney-client and/or work product privilege.

RESPONDENT objects to this request to the extent it seeks documents not relevant to this proceeding or reasonably calculated to lead to the discovery of admissible evidence.

Subject to the foregoing objections, RESPONDENT will provide any responsive documents in her possession pursuant to the TTAB's rules for production.

REQUEST FOR PRODUCTION NO. 10:

All documents and things identifying persons from whom Soni intends to take, or may take, testimony in this proceeding.

RESPONSE TO REQUEST FOR PRODUCTION NO. 10:

RESPONDENT incorporates the GENERAL OBJECTIONS set forth above.

RESPONDENT objects to this request as being premature.

RESPONDENT objects to this request as oppressive, burdensome and over broad to the extent it seeks 'all' responsive documents instead of merely representative documents sufficient to show the information specified.

RESPONDENT objects to this request to the extent it seeks information protected by the attorney-client and/or work product privilege.

Subject to and without waiving the foregoing objections, RESPONDENT will provide any responsive documents in her possession pursuant to the TTAB's rules for production.

REQUEST FOR PRODUCTION NO. 11:

Each communication sent or received by Soni, referencing, referring or relating to Petitioner's marks or this proceeding.

RESPONSE TO REQUEST FOR PRODUCTION NO. 11:

RESPONDENT incorporates the GENERAL OBJECTIONS set forth above.

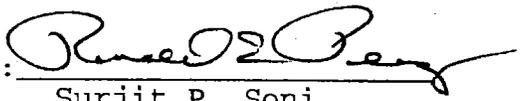
RESPONDENT objects to this request as being duplicate to the REQUEST FOR PRODUCTION NO. 4.

RESPONDENT objects to this request to the extent it seeks information protected by the attorney-client and/or work product privilege.

RESPONDENT objects to this request to the extent that it seeks documents that are equally available to both parties or already in PETITIONER'S possession.

Subject to the foregoing objections, RESPONDENT will provide any responsive documents in her possession pursuant to the TTAB's rules for production.

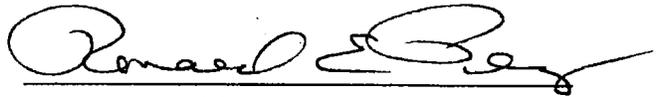
Dated: November 9, 2009

By: 
Surjit P. Soni
Ronald E. Perez
Woo Soon Choe
Attorneys for RESPONDENT,
Milena Soni

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of the foregoing document entitled RESPONDENT'S RESPONSE TO PETITIONER'S FIRST SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS was served upon Petitioner via First-Class Mail on this 9th day of November, 2009, as follows:

William Giltinan
Carlton Fields, P.A.
PO Box 3239
Tampa FL 33601-3239

A handwritten signature in black ink, appearing to read "Ronald E. Perez", written over a horizontal line.

Ronald E Perez

PLEASE READ THE FOLLOWING RESPONSES AND OBJECTIONS CAREFULLY

GENERAL RESPONSE

RESPONDENT Milena Soni's responses to PETITIONER Intellect Technical Solutions, Inc.'s document production requests are made without waiving, or intending to waive, but on the contrary, expressly reserving: (a) the right to object, on the grounds of competency, privilege, relevancy or materiality, or any other proper grounds, to the use of the documents for any purpose in whole or in part, in any subsequent step or proceeding in this action or any other action; (b) the right to object to any and all grounds, at any time, to other document production requests or other discovery procedures involving or relating to the subject matter of these requests; and (c) the right at any time to revise, correct, add to, or clarify any of the responses provided herein.

Certain documents may or will be produced in a form that indicates that certain information has been redacted. Information may be or has been redacted on the grounds that the matter (a) is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence, or (b) is protected from discovery by the attorney-client privilege, work product doctrine or some other applicable privilege.

RESPONDENT has not fully completed its investigation of matters at issue in this case, and has not completed preparation for trial. The responses herein reflect only the present state

of RESPONDENT's discovery regarding the documents that PETITIONER has requested and represent RESPONDENT's reasonable efforts to provide the information requested. Except as otherwise stated below, an objection to a specific demand does not imply that documents responsive to the specific demand exist. RESPONDENT expressly reserves the right to rely on, at any time, including trial, subsequently discovered information or information omitted from these responses as a result of mistake, error, oversight, or inadvertence.

Production of any document is not intended as, and shall not be deemed to be, a waiver of any objection set forth herein. On the contrary, RESPONDENT expressly reserves the right to raise any applicable objection at any time. Moreover, the inadvertent production of documents protected from discovery by the attorney-client privilege, work product doctrine or some other applicable privilege shall not constitute a waiver of such privileges with respect to those or any other documents. In the event that inadvertent production occurs, PETITIONER shall promptly return all inadvertently produced documents to RESPONDENT upon request, and shall make no use of the contents thereof nor premise any further discovery on information learned therefrom.

GENERAL OBJECTIONS

The following general objections are incorporated into each of the responses below. Notwithstanding the specific responses to any of the demands, RESPONDENT does not waive any of the objections made herein. Any reference to one or more of these General Objections is not a waiver of any other General Objection not referred to by name in any specific response.

1. RESPONDENT objects to PETITIONER's document production requests as burdensome and oppressive insofar as they seek information not relevant to the subject matter of this action and not reasonably calculated to lead to the discovery of admissible evidence.

2. RESPONDENT will make reasonable effort to respond to each request to the extent that no objection is made, as RESPONDENT understands and interprets the request. If PETITIONER subsequently asserts any interpretation of any request for documents that differs from that of RESPONDENT, RESPONDENT reserves the right to supplement its objections and responses.

3. RESPONDENT objects to the entire set of document requests to the extent that it seeks documents that are equally available to both parties.

4. RESPONDENT objects to PETITIONER's document production requests insofar as they seek documents that contain the work product, mental impressions, conclusions, opinions or legal theories developed by RESPONDENT'S attorneys in connection with, or in anticipation of, this or other litigation or business transactions.

5. RESPONDENT objects to PETITIONER'S document production requests insofar as they seek documents that are protected by the attorney-client privilege or any other applicable privilege.

6. RESPONDENT objects to PETITIONER'S document production requests insofar as they seek documents that are not relevant to specific claims in RESPONDENT'S defenses or affirmative defenses. Accordingly, the requested documents are outside the scope of discovery set forth in Federal Rule of Civil Procedure 26 (Fed. R. Civ. P.).

7. RESPONDENT objects to PETITIONER'S document production requests insofar as they seek documents not in RESPONDENT'S possession, custody, or control.

8. RESPONDENT objects to PETITIONER'S document production requests insofar as they seek documents which, by reason of public filing or otherwise, are already in PETITIONER'S possession or are readily accessible to PETITIONER.

9. RESPONDENT objects to PETITIONER'S document production requests insofar as they seek information protected by the rights of privacy of RESPONDENT and its employees, customers, owners, or representatives under the United States Constitution or other applicable law.

10. RESPONDENT objects to PETITIONER'S failure to specify a reasonable place and manner for the document production to take place under Rule 34, which states that "[t]he request shall specify a reasonable time, place, and manner of making the inspection and performing the related acts." RESPONDENT will produce the documents responsive to PETITIONER'S requests in a way mutually convenient to the parties.

SUPPLEMENTARY RESPONSES TO REQUESTS FOR PRODUCTION OF DOCUMENTS

REQUEST FOR PRODUCTION NO. 1:

All documents and things that are identified in Respondent's responses to Petitioner's First set of Interrogatories to Respondent being served concurrently herewith.

RESPONSE TO REQUEST FOR PRODUCTION NO. 1:

RESPONDENT incorporates the GENERAL OBJECTIONS set forth above.

RESPONDENT objects to this request in that it does not set forth a reasonably particularized category of documents as required by Fed. R. Civ. P. 34.

RESPONDENT objects to this request as vague, ambiguous, over broad, unduly burdensome, oppressive, and compound in requiring RESPONDENT to recall any documents containing the specified information for many distinct interrogatories.

RESPONDENT objects to this request to the extent it seeks information protected by the attorney-client and/or work product privilege.

RESPONDENT objects to this request to the extent it seeks documents not relevant to this proceeding or reasonably calculated to lead to the discovery of admissible evidence.

Subject to the foregoing objections, RESPONDENT will supplement any responsive documents in her possession pursuant to the TTAB's Order of October 1, 2010.

REQUEST FOR PRODUCTION NO. 2:

All documents and things tending to prove or disprove the date on which Soni first began using the ENTELLECT mark in connection with the services identified in the ENTELLECT registration for international classes 35 and 41.

RESPONSE TO REQUEST FOR PRODUCTION NO. 2:

RESPONDENT incorporates the GENERAL OBJECTIONS set forth above.

RESPONDENT objects to this request to the extent it seeks information protected by the attorney-client and/or work product privilege.

Subject to the foregoing objections, RESPONDENT will supplement any responsive documents in her possession pursuant to the TTAB's Order of October 1, 2010.

REQUEST FOR PRODUCTION NO. 3:

All documents and things tending to prove or disprove the amounts spent by Soni for advertising and promoting the services identified in the ENTELLECT registration for international classes 35 and 41, in each year between 2002 and 2009.

RESPONSE TO REQUEST FOR PRODUCTION NO. 3:

RESPONDENT incorporates the GENERAL OBJECTIONS set forth above.

RESPONDENT objects to this request as seeking documents that contain confidential business transactions and financial information that is protected by both the California Constitution, Article 1, Section 1, and the rights of privacy of RESPONDENT under the United States Constitution or other applicable law.

Subject to the foregoing objections, RESPONDENT will supplement any responsive documents in her possession pursuant to the TTAB's Order of October 1, 2010.

REQUEST FOR PRODUCTION NO. 4:

All communications that reference the ENTELLECT registration, the application for the ENTELLECT registration, or Petitioner's mark.

RESPONSE TO REQUEST FOR PRODUCTION NO. 4:

RESPONDENT incorporates the GENERAL OBJECTIONS set forth above.

RESPONDENT objects to this request to the extent it seeks information protected by the attorney-client and/or work product privilege.

RESPONDENT objects to this request to the extent it seeks documents not relevant to this proceeding or reasonably calculated to lead to the discovery of admissible evidence.

RESPONDENT objects to this request in that the responsive documents in RESPONDENT's possession, custody or control are publicly available documents in the files of the U.S. Patent and Trademark Office or the documents in this proceeding which are as equally available to PETITIONER as they are to RESPONDENT.

RESPONDENT objects to this request insofar as it seeks documents in this proceeding which PETITIONER already has in its possession or are available from the USPTO.

RESPONDENT further objects to this request as being compound.

Subject to the foregoing objections, RESPONDENT will supplement any responsive documents in her possession pursuant to the TTAB's Order of October 1, 2010.

REQUEST FOR PRODUCTION NO. 5:

All trademark search reports prepared by or for Soni with regard to (i) the ENTELLECT mark or any term or device similar to the ENTELLECT mark, or (ii) Petitioner's marks or any term or device similar to Petitioner's marks.

RESPONSE TO REQUEST FOR PRODUCTION NO. 5:

RESPONDENT incorporates the General Objections set forth above.

RESPONDENT objects to this request to the extent it seeks information protected by the attorney-client and/or work product privilege.

Respondent further objects to this interrogatory as being compound.

Subject to the foregoing objections, RESPONDENT will supplement any responsive documents in her possession pursuant to the TTAB's Order of October 1, 2010.

REQUEST FOR PRODUCTION NO. 6:

All surveys prepared by or for Soni with regard to the ENTELLECT mark, Petitioner's mark, or any term or similar to the ENTELLECT mark or Petitioner's mark.

RESPONSE TO REQUEST FOR PRODUCTION NO. 6:

RESPONDENT incorporates the GENERAL OBJECTIONS set forth above.

RESPONDENT objects to this request to the extent it seeks information protected by the attorney-client and/or work product privilege.

RESPONDENT further objects to this interrogatory as being compound.

Subject to the foregoing objections, RESPONDENT will supplement any responsive documents in her possession pursuant to the TTAB's Order of October 1, 2010.

REQUEST FOR PRODUCTION NO. 7:

All documents and things (including without limitation all brochures, advertisements, promotional literature, letterhead, websites, sales and marketing presentations, leaflets, signage, and labels) that were prepared or disseminated by, or on behalf of, Soni and that that(sic) bear the ENTELLECT mark or any term or trade name or trademark or service mark similar to the ENTELLECT mark.

RESPONSE TO REQUEST FOR PRODUCTION NO. 7:

RESPONDENT incorporates the GENERAL OBJECTIONS set forth above.

RESPONDENT objects to this request as oppressive, burdensome and over broad to the extent it seeks 'all' responsive documents instead of merely representative documents sufficient to show the information specified.

RESPONDENT objects to this request to the extent it seeks documents not relevant to this proceeding or reasonably calculated to lead to the discovery of admissible evidence.

RESPONDENT further objects to this interrogatory as being compound.

Subject to and without waiving the foregoing objections, RESPONDENT responds as follows:

RESPONDENT has previously produced responsive documents including letterheads, business cards, website design, promotional materials and additional documents bearing Respondent's production numbers SONI-137 through SONI-142 describing the services offered in connection with the ENTELLECT mark.

RESPONDENT will supplement any responsive documents pursuant to the TTAB's Order of October 1, 2010.

REQUEST FOR PRODUCTION NO. 8:

All documents and things that Respondent intends to use, or may use, in defense of her position in this cancellation proceeding.

RESPONSE TO REQUEST FOR PRODUCTION NO. 8:

RESPONDENT incorporates the GENERAL OBJECTIONS set forth above.

RESPONDENT objects to this request as being premature.

RESPONDENT objects to this request as over broad, unduly burdensome and oppressive because it requests 'all' documents supporting RESPONDENT'S positions for this cancellation proceeding. The courts generally question the over breadth and burdensomeness of discovery requests relating to specific contentions or positions. This request relates to every position of RESPONDENT. This request thus goes far beyond the bounds of reasonableness both as to burdensomeness and particularity, in direct violation of Fed. R. Civ. P. 34(b).

RESPONDENT objects to this request to the extent it seeks information protected by the attorney-client and/or work product privilege.

Subject to and without waiving the foregoing objections, RESPONDENT will supplement any responsive documents in her possession pursuant to the TTAB's Order of October 1, 2010.

REQUEST FOR PRODUCTION NO. 9:

All documents and things that tend to prove or disprove that the ENTELLECT mark and Petitioner's mark are confusingly similar.

RESPONSE TO REQUEST FOR PRODUCTION NO. 9:

RESPONDENT incorporates the GENERAL OBJECTIONS set forth above.

RESPONDENT objects to this request to the extent it seeks information protected by the attorney-client and/or work product privilege.

RESPONDENT objects to this request to the extent it seeks documents not relevant to this proceeding or reasonably calculated to lead to the discovery of admissible evidence.

Subject to the foregoing objections, RESPONDENT will supplement any responsive documents in her possession pursuant to the TTAB's Order of October 1, 2010.

REQUEST FOR PRODUCTION NO. 10:

All documents and things identifying persons from whom Soni intends to take, or may take, testimony in this proceeding.

RESPONSE TO REQUEST FOR PRODUCTION NO. 10:

RESPONDENT incorporates the GENERAL OBJECTIONS set forth above.

RESPONDENT objects to this request as being premature.

RESPONDENT objects to this request as oppressive, burdensome and over broad to the extent it seeks 'all' responsive documents instead of merely representative documents sufficient to show the information specified.

RESPONDENT objects to this request to the extent it seeks information protected by the attorney-client and/or work product privilege.

Subject to and without waiving the foregoing objections, RESPONDENT will supplement any responsive documents in her possession pursuant to the TTAB's Order of October 1, 2010.

REQUEST FOR PRODUCTION NO. 11:

Each communication sent or received by Soni, referencing, referring or relating to Petitioner's marks or this proceeding.

RESPONSE TO REQUEST FOR PRODUCTION NO. 11:

RESPONDENT incorporates the GENERAL OBJECTIONS set forth above.

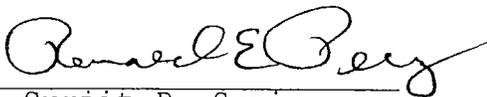
RESPONDENT objects to this request as being duplicate to the REQUEST FOR PRODUCTION NO. 4.

RESPONDENT objects to this request to the extent it seeks information protected by the attorney-client and/or work product privilege.

RESPONDENT objects to this request to the extent that it seeks documents that are equally available to both parties or already in PETITIONER'S possession.

Subject to the foregoing objections, RESPONDENT will supplement any responsive documents in her possession pursuant to the TTAB's Order of October 1, 2010.

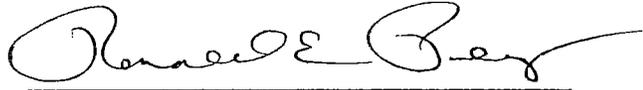
Dated: November 1, 2010

By: 
Surjit P. Soni
Ronald E. Perez
Woo Soon Choe
Attorneys for RESPONDENT,
Milena Soni

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of the foregoing document entitled **RESPONDENT'S SUPPLEMENTAL RESPONSE TO PETITIONER'S FIRST SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS** was served upon Petitioner via USPS Priority Mail on this first day of November, 2010, as follows:

William Giltinan
Carlton Fields, P.A.
PO Box 3239
Tampa FL 33601-3239



Ronald E Perez