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

Proceeding	92053509
Party	Plaintiff Cleveland State University
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Cleveland State University,	)	Cancellation No. 92053509
Petitioner,	)	Reg. No. 3,735,435
v.	)	Trademark: UNIVERSITY OF CLEVELAND
CampusEAI Consortium,	)	
Registrant.	)	

**PETITIONER'S MOTION TO COMPEL DISCOVERY**

Petitioner, Cleveland State University ("Petitioner"), pursuant to Fed. R. Civ. 37 and 37 C.F.R. 2.120(e), moves the Trademark Trial and Appeal Board ("Board") for an order compelling Registrant, CampusEAI Consortium ("Registrant"), to answer interrogatories propounded by Petitioner and to produce documents and things requested. Petitioner also respectfully requests that the Board suspend the proceedings and reset the trial dates upon lifting the suspension in accordance with 37 C.F.R. §2.120(e)(2). The grounds for this motion are more particularly set forth below.

**I. Background**

The mark UNIVERSITY OF CLEVELAND, for which Registrant filed an application to register with the U.S. Patent and Trademark Office on October 16, 2005, was registered on the Supplemental Register on January 5, 2010. Petitioner filed a Petition to Cancel on January 13, 2011. An Answer was filed by Registrant on February 18, 2011.

On September 10, 2011, Petitioner sought discovery from Registrant and submitted to Registrant a First Set of Interrogatories and a First Request for Production of Documents and Things. Registrant's responses to the discovery requests were initially due on or by October 15, 2011. Discovery closed on September 20, 2011.

Pursuant to 37 C.F.R. §120(e), Petitioner's counsel, Colleen Flynn Goss, attaches a Declaration ("Goss Declaration") to this Motion to Compel Discovery. The Declaration details the good faith efforts taken by Registrant to resolve this issue.

## **II. Rule 2.120 Enclosures**

Pursuant to 37 C.F.R. 2.120, attached to the Goss Declaration as Exhibits A and B respectively are copies of Petitioner's First Set of Interrogatories to Registrant and Petitioner's First Request for Production of Documents to Registrant. No answers or proffers of production by Registrant are included because Registrant has not answered or objected to any interrogatories and has not produced any document or objected to such request for production.

## **III. Argument**

Each party and its attorney have a duty to make a good faith effort to satisfy the discovery request of its opponent. *Medtronic, Inc. v. Pacesetters Sys., Inc.*, 222 U.S.P.Q. 80, 83 (T.T.A.B. 1984). Where a party to an opposition fails to respond to an interrogatory or fails to produce and permit the inspection and copying of any document or thing, the other party may move the Board for an order to compel an appropriate response to the desired discovery. 37 C.F.R. 2.120(e). An order to compel may be granted where a party completely fails to respond to a request for discovery. See, e.g.,

*Medtronic*, 222 U.S.P.Q. at 83 (granting motion to compel where Registrant “failed to make any attempt” to respond to Petitioner’s interrogatories); *Johnston Pump/General Valve, Inc. v. Chromalloy Am Corp.*, 10 U.S.P.Q. 2d 1671, 1676 (T.T.A.B. 1989) (granting motion to compel where party failed to respond to deposition questions).

Petitioner is clearly entitled here to an order compelling Registrant to respond to Petitioner’s discovery requests. Registrant has completely failed to respond to any of Petitioner discovery inquiries. As of this date, Registrant has not responded to any of Petitioner’s interrogatories or produced any of the requested documents. It is further questionable whether any efforts are being undertaken to produce the requested information.

Additionally, Petitioner has complied with 37 C.F.R. 2.120(e) and made a good faith effort to resolve with Registrant the issues presented in this motion. Petitioner communicated with Registrant by conference or correspondence several times to resolve the issue. Petitioner requested compliance with discovery requests by email (Exhibits C, D and E) and telephone conference. Petitioner finally gave Registrant a deadline of close of business November 11, 2011 or Petitioner would be forced to file a Motion to Compel (Exhibit F). On November 14, 2011, Registrant requested that Petitioner wait until November 18, 2011 (Exhibit G) for a determination by Registrant whether it would respond to outstanding discovery requests or provide “a statement that [Registrant] is not going to oppose the cancellation any longer.” Petitioner cannot postpone filing this Motion to Compel because to do so would jeopardize its right to file a Motion for Summary Judgment and informed Registrant of this fact on November 15, 2011 (Exhibit H). Petitioner submits it acted in good faith to attempt to resolve this discovery dispute.

Petitioner may be forced to seek further sanctions should Registrant fail to comply with an order to respond and continue to be non-responsive to Petitioner's discovery requests. This may include asking the Board to enter judgment in favor of Petitioner. See *MHW Ltd. V. Simex, Aussenhandelsgesellschaft Savelsberg KG*, 59 U.S.P.Q. 2d 1477, 1478 (T.T.A.B. 2000) (noting that "the law is clear" that the Board may order sanctions, including an entry of judgment, if a party fails to comply with a discovery order).

Despite Petitioner's good faith efforts to resolve the discovery issues by both communicating with Registrant and accommodating Registrant by patiently awaiting responses to discovery, Registrant failed to respond to any of Petitioner's discovery inquiries. Petitioner submits that Registrant does not appear to be making any effort to respond to Petitioner's discovery requests. Petitioner's counsel requested a telephone conference to "finalize this matter" one day before the due date for Motions to Compel and/or for Summary Judgment and then requested that Petitioner give Registrant until Friday, November 18, 2011, the actual due date for Motions to Compel and/or for Summary Judgment (Exhibit G). Petitioner cannot and should not be forced to wait until the last possible day to file its Motion to Compel which would then require that Petitioner also file a Motion for Summary Judgment without the benefit of discovery. Consequently Petitioner respectfully submits that it is entitled to an order compelling Registrant to respond to Petitioner's discovery requests by some date certain set by this Board without the privilege of interposing any objections.<sup>1</sup>

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<sup>1</sup> A "party which fails to respond to a request for discovery during the time allowed therefor, and which is unable to show that its failure was the result of excusable neglect, may be found, upon motion to compel filed by the propounding party, to have forfeited its right to object to the discovery request on its merits." TBMP § 403.03 and §527.03. See also *Envirotech Corp. v. Compagnie Des Lampes*, 219 USPQ 448 (TTAB 1979) ("a party who fails to respond to a request for discovery during the time allowed therefore is

#### IV. Conclusion

Registrant has completely failed to respond to Petitioner's discovery requests. Further, Petitioner has acted in good faith in an attempt to resolve the discovery dispute. Petitioner respectfully requests that the Board grant Petitioner's Motion to Compel Discovery and (1) issue an order compelling Registrant to respond to such requests without the privilege of interposing objections (2) compel Registrant to deliver document production to Petitioner, (3) advise Registrant that the failure to timely serve responses and documents in accordance with the Board's order subjects Registrant to Judgment by default, (4) suspend these proceedings; and (5) reset the trial dates upon lifting the suspension.

Respectfully submitted,

Fay Sharpe LLP

November 15, 2011

/s/Colleen Flynn Goss  
Colleen Flynn Goss, Esq.  
Fay Sharpe LLP  
The Halle Building, 5<sup>th</sup> Floor  
1228 Euclid Avenue  
Cleveland, OH 44115  
(216) 363-9000

Attorneys for Petitioner

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deemed to have forfeited his right to object to the request on its merits unless he can show that failure to timely respond was the result of excusable neglect"); *MacMillan Bloedel Ltd. v. Arrow-M Corp.*, 203 USPQ 952 (TTAB 1979) (same); and *Crane Co. v. Shimano Industrial Co.*, 184 USPQ 691 (TTAB 1975) (same).

**CERTIFICATE OF SERVICE**

I hereby certify that on November 15, 2011, the foregoing PETITIONER'S MOTION TO COMPEL DISCOVERY was served via email, with consent, on Michael C. DeJohn, counsel for Registrant at Michael\_dejohn@campuseai.org.

Michael C. DeJohn, Esq.  
1111 Superior Avenue, Suite 310  
Cleveland, Ohio 44114

/s/ Colleen Flynn Goss  
Colleen Flynn Goss, Esq.  
Attorney for Petitioner

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

_____	)	
Cleveland State University,	)	Cancellation No. 92053509
	)	Reg. No. 3,735,435
Petitioner,	)	Trademark: UNIVERSITY OF CLEVELAND
v.	)	
	)	
CampusEAI Consortium,	)	
	)	
Registrant.	)	
_____	)	

**DECLARATION OF COLLEEN FLYNN GOSS, ESQ.**

**I, Colleen Flynn Goss, Esq.,** declare and state as follows:

1. I am an attorney and member of the firm of Fay Sharpe LLP, attorneys for Petitioner, Cleveland State University, and, as such, I am fully familiar with the facts and circumstances of this matter.
2. I make this declaration in support of Petitioner's Motion to Compel.
3. Attached to this declaration as Exhibit A and B, respectively, are true and accurate copies of Petitioner's First Set of Interrogatories which were served upon Registrant on or about September 10, 2011 and Petitioner's First Set of Requests for Production of Documents and Things which were served upon Registrant on or about September 10, 2011. Registrant has not responded to the propounded discovery requests.
4. Attached to this declaration as Exhibit C is a true and accurate copy of an email that I sent to Mr. Michael DeJohn on October 18, 2011 inquiring when Registrant would respond to Petitioner's discovery requests.

5. In response to the email of October 18, 2011, counsel for Registrant requested a telephone conference (Exhibit D). On October 24, 2011, both counsels conferred by telephone. During the telephone conference counsel for Registrant stated that there were too many discovery requests to answer and requested that Petitioner take assignment of Registrant's mark. I indicated that the discovery requests were well within the number permitted by the Federal Rules of Civil Procedure and that Petitioner was unlikely to accept transfer of Registrant's mark in light of the fact that the mark was not currently used by Registrant and even if the mark was being used, Petitioner was not interested in acquiring the business associated with the mark. Nonetheless, I agreed to pass the request along to Petitioner. At no time did I agree to an extension of time to respond to outstanding discovery requests.

6. On November 4, 2011, I served Registrant with Pretrial Disclosures by email (Exhibit E), once again inquired as to when discovery responses would be forthcoming and gave Registrant a deadline of November 11, 2011 to respond. Registrant's counsel failed to indicate whether responses were being prepared and/or whether Petitioner would receive responses in the near future.

7. On November 11, 2011, I informed Registrant's counsel by email (Exhibit F) that if responses were not forthcoming by the close of business November 11 2011, that Petitioner would file a Motion to Compel. On November 14, 2011, Registrant's counsel responded by two separate emails (Exhibit G) indicating that he had been busy and wished to "finalize" the matter on November 17, 2011 and then requesting until Friday November 18, 2011 to determine Registrant's course of action. Friday, November 18, 2011 is the due date for filing Motions to Compel and/or for Summary Judgment. I responded on November 14, and 15 2011 (Exhibit H) that Petitioner could

not postpone filing the Motion to Compel without jeopardizing its rights and that I would proceed to file the Motion to Compel.

8. Petitioner has made a good faith effort to resolve the issues presented in this Motion and has been unable to reach agreement in a timely manner that will not prejudice Petitioner's case.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Cleveland, Ohio on November 15, 2011.

/s/ Colleen Flynn Goss  
Colleen Flynn Goss

EXHIBIT A

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

In the Matter of Registration No. 3,735,435  
For the Mark: UNIVERSITY OF CLEVELAND  
Registered: January 5, 2010

Petitioner's Reference No.: CLEV700117US01

Cleveland State University,	)	
	)	
Petitioner,	)	
v.	)	Cancellation No. 92053509
	)	
CampusEAI Consortium,	)	
	)	
Registrant.	)	
	)	

**PETITIONER'S FIRST SET OF INTERROGATORIES TO REGISTRANT**

Petitioner, Cleveland State University (hereinafter "Petitioner" or "Cleveland State University"), hereby requests that Registrant, CampusEAI Consortium (hereinafter "Registrant" or "CampusEAI"), pursuant to Rule 33 of the Federal Rules of Civil Procedure ("FRCP") and 37 C.F.R. 2.120 answer under oath the following Interrogatories within thirty (30) days after service of these Interrogatories. These Interrogatories are deemed to be continuing so as to require a prompt supplemental answer should Registrant obtain further information pertaining thereto between the time answers are served and the time of trial. The Definitions begin on page 2, the Instructions begin on page 8, and the Interrogatories begin on page 11.

## DEFINITIONS

The following definitions are applicable to the terms employed in these interrogatories.

1. The term "Registrant" or "CampusEAI" or "you" as used in these definitions, interrogatories and any request for the production of documents and tangible things shall include the Registrant, CampusEAI, as well as its subsidiaries, affiliates, divisions, corporate predecessors, and any other legal entities that are wholly or partly owned or controlled, or are controlled by Registrant, either directly or indirectly, and all present and future directors, owners, officers, employees, counsel (including, but not limited to all house and outside counsel), agents, consultants, experts, representatives and all other persons acting, or purporting to act on behalf of Registrant, its subsidiaries, affiliates, divisions, predecessors and any other legal entities that are wholly or partly owned or controlled by Registrant.

2. The term "Registrant's Mark" means UNIVERSITY OF CLEVELAND, (Reg. No. 3,735,435) and/or the word mark UNIVERSITY OF CLEVELAND, either alone or in conjunction with other letters, words, numbers or symbols.

3. As used in these definitions, Interrogatories and any Request for Production of Documents and tangible things or any Request for Admissions, the term "document" or "documents" has the meaning prescribed in Rule 34 of the Federal Rules of Civil Procedure and includes, but is not limited to, all types of recorded information in the possession of or under the control of Registrant, or known to Registrant, whether printed, recorded, stored, reproduced by any process, written or produced by hand, and whether or not claimed to be privileged, the subject of work product immunity, or exempt

from production for any reason, and includes in addition to the originals or original copy, copies of whatever kind which contain any alteration, marking, or omission, or that are in any other way not identical with the original or with the original copy, more specifically including, but not limited to, papers, notes, accounts, books, advertisements, logs, catalogs, manuals, publications, correspondence, cablegrams, mail grams, telegrams, memoranda, electronic mail, voice mail, letters, documents, communications, including interoffice and intra-office communications, reports, studies, analysis, pamphlets, calculations, projections shop notebooks, charts, plans and specifications, sketches, surveys, drawings, working papers, agreements, maintenance records for testing or analysis equipment, invention disclosure records, photographs, floppy disc recorded information, tape recorded information, volatile or non-volatile random access or read only memory, hard disc information, CD ROM information, office notes, pleadings, briefs, microfiche, business records, minutes of Board of Directors and committee meetings, account records, ledger records, notebooks, laboratory notes, vouchers, bank checks, cashiers' checks, receipt of cashiers' checks, purchase orders, invoices, bills of lading, canceled checks, check stubs, bills, receipts, invoices, desk calendars, time sheets, appointment books, telephone bills, diaries, diary entries and notes, minutes, transcriptions or sound recordings of any type of personal or telephone conversations or of negotiations, meetings or conferences or events similar to the foregoing, telecopy transmission letters, blue sheets, flow sheets, circulars, periodicals, graphical or tabular data developed during testing or analysis, and all other papers, writings, recordings, or physical things containing information. As used herein "document" includes all electronically stored information ("ESI").

4. The term "person" includes, but is not limited to natural persons, organizations, firms, corporations, partnerships, sole proprietorships and any other legal entities, and the acts of a person include, but are not limited to those acts of directors, owners, officers, counsel (including, but not limited to, house and outside counsel), agents, consultants, experts, members, employees, representatives and all others acting or purporting to act on the person's behalf.

5. As used in these definitions, Interrogatories, and any Request for Production of Documents and tangible things or Request for Admissions, the term "things" has the meaning prescribed in Rule 34 of the Federal Rules of Civil Procedure and includes every kind of physical specimen or tangible item, other than a document.

6. The term "identify" means:

(a) When used with respect to a "document" or "documents" or tangible thing to state:

- (1) the type of document or tangible thing ("e.g., letter, memorandum, recorded diskette, etc.);
- (2) the name and date of the document (and if not dated, the approximate date);
- (3) the date the document was prepared (and if not known, the approximate date);
- (4) the date the document was sent;
- (5) the number of pages comprising the document;
- (6) the subject matter of the document;

- (7) the full name, address, and title (if any) of the person preparing or offering the document, together with his present or last known position and business affiliation;
- (8) the full name, address, and title (if any) of the person to whom the document was addressed, the full names and addresses of all the persons to whom copies of the document would have been sent and the firm(s) or other business entities with which all such persons were connected at the date of the document;
- (9) all other information, the nature and substance of which is necessary to enable the document to be identified.

With further respect to the identity of documents, state whether Registrant is in possession of the original, master or a copy of the document and if not in possession of the original, master and all copies, furnish the name and last known address of the custodian of the original, master or copy or if the document or thing is no longer within your possession, custody or control, state what disposition was made of it; state the date of such disposition; identify every person who participated in or approved the disposition; and identify the person or persons having knowledge of its contents. In lieu of identifying documents in the foregoing manner, you may identify them by document number and produce such documents for inspection pursuant to Rule 33(c) of the Federal Rules of Civil Procedure.

- (b) When used with respect to an individual or natural person to state:

- (1) his or her name;
  - (2) any other names used by him or her presently or in the past;
  - (3) his or her present or last known business address, resident address, and telephone number(s); and
  - (4) the corporation, partnership, association, foundation, trust, organization, or other entity, and the functional division thereof, with which he or she is now associated, and his or her title, status, position, rank or classification within such entity; and the job title and description of job responsibility of such person together with a statement as to any relationships, past or present, of such person and the exclusive dates thereof.
- (c) When used with respect to a person other than a natural person, including, but not limited to, any corporation, partnership, foundation, trust, organization, association or other entity or functional division thereof, to state:
- (1) its full name;
  - (2) the address of its principal office or place of business;
  - (3) all names under which it is doing business or has done business;
  - (4) the nature of the venture (e.g., sole proprietorship, partnership, etc.); and

(5) the identities of its officers, directors, partners or administrators.

(d) When used with respect to a fact to:

(1) describe the fact;

(2) state when it became known to you;

(3) identify the source from which you learned it;

(4) identify the documents that record, show or refer to the fact;  
and

(5) state why you believe the fact is true.

7. The term "located" as used herein in connection with a "document" or "documents" means a demand to state the present location and/or whereabouts of each document, and to identify the persons having possession, custody or control thereof.

8. "Or" means and/or.

9. Unless otherwise apparent from the context, a request for the identity of a person means the identity of all persons within the specified category.

10. The terms "Petitioner" and "Cleveland State University mean" Cleveland State University.

11. The term "Petitioner's Marks" means CLEVELAND STATE UNIVERSITY and CLEVELAND STATE UNIVERSITY 1964 w/Design (Reg. Nos. 3,671,697 and 3,694,718, respectively) and/or the word mark CLEVELAND STATE UNIVERSITY, either alone or in conjunction with other letters, words, numbers or symbols.

12. The terms "Good" or "Goods" or "Product" or "Products" means any good or product manufactured, advertised, marketed, offered for sale, sold, shipped, transported, distributed, or made available, either directly or indirectly, by or on behalf of Registrant, to any person, distributor, agent, or salesperson in the USA.

13. The terms "Service" or "Services" means any service provided, advertised, marketed, offered for sale, sold, or otherwise made available, either directly or indirectly, by or on behalf of Registrant, to any person, agent, or salesperson in the USA.

## INSTRUCTIONS

1. When answering Interrogatories, you are required to furnish such information as is available to Registrant, including but not limited to information known to its directors, owners, officers, employees, counsel (including, but not limited to, house or outside), agents, consultants, experts, representatives or anyone acting or purporting to act for or on its behalf.

2. If you have no information about the subject of a particular Interrogatory, or if for some other reason you are unable to answer it, the response to that Interrogatory should specifically so state, and no Interrogatory should be without some response.

3. If you cannot answer an Interrogatory completely, answer as fully as you can and specify the ways in which your response may be incomplete because of your lack of knowledge. If you do not know exact dates, amounts, or other facts with certainty, but you have information from which you can make an appropriate or estimated answer, do so and indicate that the answer is approximate or estimated because you lack more precise information.

4. If any of the documents requested to be identified herein have been destroyed, identify each such document, state the date upon which the document was destroyed and state the reason it was destroyed.

5. If Registrant withholds from production any of the requested documents on the basis of an alleged privilege, immunity, exception or other justification, provide, within thirty (30) days of service of this request, or at a time mutually agreed upon by the parties, a list identifying each withheld document including:

- (a) the date of the document,
- (b) the full name and address of the author of the document or originator of the thing,
- (c) the full name and address of every recipient of the original or any copy of the document or thing and the name and address of each person who now has the original or any copy and the identification and location wherein the original and each copy are normally kept,
- (d) the subject matter of the document,
- (e) the type of document (memorandum, pamphlet, report, etc.),
- (f) the specific grounds for withholding the document in sufficient detail for the Board to rule on the merits of the asserted privilege or immunity,
- (g) the number of the document request to which the document pertains, and
- (h) the type of factual matter involved in the assertion of privilege to the extent necessary for understanding the assertion.

6. If you have any previously provided information requested in an Interrogatory, in an answer to a preceding Interrogatory, or in documents filed in this action (including answers to interrogatories or depositions), you may answer such interrogatories by reference to the document or answer to a preceding Interrogatory providing the information requested. But, to the extent that the referenced document or answer to a preceding Interrogatory does not provide all of the information that is known to you (including but not limited to specific details, the identity and locations of persons,

the description and location of documents or tangible things, etc.) that is called for by the Interrogatory, state all such information in your answer to the Interrogatory.

7. It will be a sufficient answer to an Interrogatory calling for you to identify documents to state either (a) that such documents already have been produced in this action and have been specifically identified on record, provided that you reference the record identifying the documents, or (b) that such documents will be produced in accordance with the request for production of documents served upon you, if you actually produce such documents. Any documents that you have been requested to identify that you cannot or will not produce must be identified as requested, to the extent possible, whether or not they are in your possession, custody, or control.

8. Documents produced in lieu of answering any Interrogatory pursuant to Federal Rule of Civil Procedure 33(c), should be expressly identified to the Interrogatory to which they pertain.

9. Except as otherwise expressly directed herein, each paragraph of the interrogatories, should be construed independently and not by reference to any other paragraphs herein for purposes of limiting the scope of the Interrogatory being answered.

## INTERROGATORIES

### INTERROGATORY NO. 1:

Please identify each officer and director of the Registrant and describe their respective responsibilities or duties.

### RESPONSE:

### INTERROGATORY NO. 2:

Please identify each natural person currently or previously employed by Registrant or who works for or has worked for or on behalf of Registrant, who is or was responsible for decisions involving the use, application for registration, protection, or enforcement of the Registrant's Mark by Registrant and describe that person's responsibilities relating to the use, application for registration, protection, or enforcement of the mark.

### RESPONSE:

**INTERROGATORY NO. 3:**

Please identify all state and federal registrations, applications for registration, trademarks, service marks, trade names, and uses by Registrant that include Registrant's Mark.

**RESPONSE:**

**INTERROGATORY NO. 4:**

State the date when Registrant first began using the term UNIVERSITY OF CLEVELAND as a service mark or other identifying designation in connection with education services, namely providing university level instruction and courses.

**RESPONSE:**

**INTERROGATORY NO. 5:**

Please identify all Services offered by Registrant under Registrant's Mark.

**RESPONSE:**

**INTERROGATORY NO. 6:**

List all Goods or Products sold by Registrant under Registrant's Mark.

**RESPONSE:**

**INTERROGATORY NO. 7:**

For each Service offered by Registrant under Registrant's Mark, please describe in detail the trade channel(s) through which the Services are provided.

**RESPONSE:**

**INTERROGATORY NO. 8:**

For each Good or Product offered by Registrant under Registrant's Mark, please describe in detail the trade channel(s) through which the Goods or Products are provided.

**RESPONSE:**

**INTERROGATORY NO. 9:**

Please state all reasons why Registrant selected Registrant's Mark.

**RESPONSE:**

**INTERROGATORY NO. 10:**

Describe the process by which Registrant selected Registrant's Mark.

**RESPONSE:**

**INTERROGATORY NO. 11:**

Identify all documents that bear Registrant's Mark which are viewed by customers or prospective customers of Registrant's Services, Goods, or Products.

**RESPONSE:**

**INTERROGATORY NO. 12:**

Identify the types of consumers to whom Registrant's Services, Goods, or Products are offered under Registrant's Mark.

**RESPONSE:**

**INTERROGATORY NO. 13:**

For each of the Services identified in response to Interrogatory No. 5, please state the total revenue derived from providing such Services.

**RESPONSE:**

**INTERROGATORY NO. 14:**

For each of the Services identified in response to Interrogatory No. 5, please state the date of first use in commerce of Registrant's Mark by or on behalf of Registrant on or in association with such Services.

**RESPONSE:**

**INTERROGATORY NO. 15:**

For each of the Services identified in response to Interrogatory No. 5, please identify the geographic area (by city and/or state) in which such Services have been offered, provided, and/or sold.

**RESPONSE:**

**INTERROGATORY NO. 16:**

For each of the Goods or Products identified in response to Interrogatory No. 6, please state the total revenue derived from providing such Goods or Products.

**RESPONSE:**

**INTERROGATORY NO. 17:**

For each of the Goods or Products identified in response to Interrogatory No. 6, please state the date of first use in commerce of Registrant's Mark by or on behalf of Registrant on or in association with such Goods or Products.

**RESPONSE:**

**INTERROGATORY NO. 18:**

For each of the Goods or Products identified in response to Interrogatory No. 6, please identify the geographic area (by city and/or state) in which such Goods or Products have been offered, provided, and/or sold.

**RESPONSE:**

**INTERROGATORY NO. 19:**

For each Service, Good, or Product offered by Registrant under Registrant's Mark, please identify all documents upon which Registrant will rely to establish the first use date.

**RESPONSE:**

**INTERROGATORY NO. 20:**

Please list all media, including printed or electronic publications and websites, direct marketing, newsprint, radio, television, or other broadcast media, in the United States by which Registrant has advertised, marketed, distributed, or sold any Service, Good, or Product under Registrant's Mark.

**RESPONSE:**

**INTERROGATORY NO. 21:**

Please state whether any searches or investigations were conducted by Registrant or any person on its behalf to determine whether Registrant's Mark was available for use and/or registration and, if so, identify each such search or investigation including the date such search or investigation was performed and all marks or uses located in such search or investigation.

**RESPONSE:**

**INTERROGATORY NO. 22:**

Identify each person who supervised, participated in or was involved in the origination, clearance, selection, and adoption of the Registrant's mark to identify Registrant and Registrant's Goods and Services, and describe with particularity the circumstances surrounding the origination, clearance, selection, and adoption of the Registrant's Mark including, but not limited to, the date of origination, the derivation of the mark, and/or the meaning or suggestive connotation of the mark, if any.

**RESPONSE:**

**INTERROGATORY NO. 23:**

Describe fully each instance in which Registrant has objected in any way to the use or registration of a third party mark on the basis that the third party mark is confusingly similar to Registrant's Mark, and describe the outcome and current status of each dispute.

**RESPONSE:**

**INTERROGATORY NO. 24:**

Other than the present cancellation proceeding, describe fully each instance in which a third party has objected in any way to the use or registration of a mark by Registrant and describe the outcome and current status of each such dispute.

**RESPONSE:**

**INTERROGATORY NO. 25:**

Please identify all inquiries, investigations, surveys, evaluations, and/or studies conducted by Registrant or by anyone acting for or on its behalf that refer or relate in any manner to Registrant's Mark, including the date conducted, the name, address, and title of each person who conducted it, the purpose for which it was conducted, the findings or conclusions made, and identify all documents which record, refer to, or relate to such inquiry, investigation, survey, evaluation, or study.

**RESPONSE:**

**INTERROGATORY NO. 26:**

Please identify all legal and non-legal opinions concerning availability of Registrant's Mark for use or registration by Registrant.

**RESPONSE:**

**INTERROGATORY NO. 27:**

For each Service, Good, and Product associated with Registrant's Mark, please state the amount expended by Registrant in the United States in connection with the sale, advertising, marketing, promotion, and/or distribution of the Service, Good, or Product for each calendar year since commencement of use of Registrant's Mark.

**RESPONSE:**

**INTERROGATORY NO. 28:**

For each Service, Good, and Product associated with Registrant's Mark, please state the gross amount of sales by Registrant in the United States for each calendar year since commencement of use of Registrant's Mark.

**RESPONSE:**

**INTERROGATORY NO. 29:**

State with particularity the date(s) when, and circumstances under which, Registrant first became aware of:

- a. the Petitioner;
- b. any or each of Petitioner's U.S. Trademark Registrations for the Petitioner's Marks;
- c. the existence of Petitioner's use, promotion, marketing, or advertisement of Petitioner's Marks.

The answer to each section (a, b, c) shall include the date such knowledge was obtained, the person(s) who obtained such knowledge, how such knowledge was obtained, the exact nature of the knowledge obtained, and identify all documents that relate to such knowledge.

**RESPONSE:**

**INTERROGATORY NO. 30:**

Identify any opinions obtained by Registrant relating to the validity, enforceability, and infringement of Registrant's Mark, including the date any such opinions were prepared, the author, the date received by Registrant, each recipient thereof, each person with whom the opinion was discussed, and each reference referred to in the opinion.

**RESPONSE:**

**INTERROGATORY NO. 31:**

Describe all instances of actual confusion, mistake, and/or deception known to Registrant as to the source of Petitioner's Products, Goods, and Services and Registrant's Products, Goods, or Services.

**RESPONSE:**

**INTERROGATORY NO. 32:**

Please identify representative documents that Registrant presents to customers or potential customers in promoting its Products, Goods, and Services under Registrant's Mark, and describe the circumstances of such presentations.

**RESPONSE:**

**INTERROGATORY NO. 33:**

Identify all agreements, including licenses and assignments, entered into by Registrant relating to the Registrant's mark, and identify all persons participating in the negotiation and creation of each such agreement and the parties to each such agreement.

**RESPONSE:**

**INTERROGATORY NO. 34:**

Please identify any instances of actual or proposed licensing of Registrant's Mark by or on behalf of Registrant, and identify the person most knowledgeable thereof.

**RESPONSE:**

**INTERROGATORY NO. 35:**

Please state whether or not Registrant currently uses Registrant's Mark.

**RESPONSE:**

**INTERROGATORY NO. 36:**

If Registrant no longer uses Registrant's Mark, identify when use of Registrant's Mark ceased.

**RESPONSE:**

**INTERROGATORY NO. 37:**

For each interrogatory, please identify all documents which were used (a) to provide the response to the interrogatory or (b) to provide proof of each fact in the response to the interrogatory.

**RESPONSE:**

**INTERROGATORY NO. 38:**

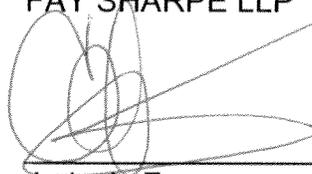
Please identify each person who participated in or supplied information used in answering any of the above interrogatories; beside the name of each such person, state the number of the interrogatory answer(s) with respect to which that person participated in or supplied information.

**RESPONSE:**

Dated: September 10, 2011

Respectfully submitted,

FAY SHARPE LLP

A handwritten signature in black ink, appearing to read "Jude A. Fry", is written over a horizontal line. The signature is somewhat stylized and overlaps the line.

Jude A. Fry

Colleen F. Goss

The Halle Building, 5<sup>th</sup> Floor

1228 Euclid Avenue

Cleveland, Ohio 44115

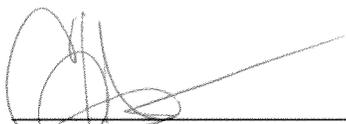
Phone: (216) 363-9000

Fax: (216) 363-9001

Attorneys for Petitioner

**CERTIFICATE OF SERVICE**

I hereby certify that on September 10, 2011, the foregoing **PETITIONER'S FIRST SET OF INTERROGATORIES TO REGISTRANT** was served via email, with consent, on Michael C. DeJohn, counsel for the Registrant at michael\_dejohn@campuseai.org.



---

Colleen F. Goss  
Attorney for Petitioner

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EXHIBIT B



This request shall be deemed to seek documents and tangible things that are in the possession, custody or control of Registrant as of the date hereof, and shall be deemed to be continuing such that any document or tangible thing relating in any way to this request which comes into the possession, custody or control of Registrant up to, and including, the time of trial is requested to be produced and made available to Petitioner for inspection and copying within a reasonable time after they are acquired or become known to be in the possession, custody or control of Registrant.

If any of the documents requested herein have been destroyed, identify each such document, state the date upon which the document was destroyed and state the reason it was destroyed.

If Registrant withholds from production any of the requested documents on the basis of an alleged privilege, immunity, exception or other justification, Petitioner requests that Registrant provide, within thirty (30) days of service of this request, or at a time mutually agreed upon by the parties, a list identifying each withheld document including: (1) the date of the document, (2) name and title or position of the author(s) of the document, (3) name and title or position of persons designated as addressees receiving copies of the document, (4) the subject matter of the document, (5) the type of document (memorandum, report, etc.), (6) the specific grounds for withholding the document in sufficient detail for the Board to rule on the merits of the asserted privilege or immunity, and (7) the number of the document requested to which the document pertains.

## **DEFINITIONS AND INSTRUCTIONS**

Petitioner incorporates by reference the definitions and instructions in Petitioner's First Set of Interrogatories to Registrant.

### **REQUEST FOR PRODUCTION OF DOCUMENTS**

#### **DOCUMENT REQUEST NO. 1:**

All documents, things and ESI identified in, relating to, or relied upon in connection with Registrant's answers and/or responses to Petitioner's First Set of Interrogatories to Registrant.

#### **RESPONSE:**

#### **DOCUMENT REQUEST NO. 2:**

All documents, things and ESI related to the marketing, advertising, offer of sale, use, and/or promotion of the Services, Goods, or Products under Registrant's Mark by or on behalf of Registrant.

#### **RESPONSE:**

#### **DOCUMENT REQUEST NO. 3:**

Representative samples of advertisements, promotional materials, packaging, labeling or other materials or documents, things and ESI bearing Registrant's Mark .

#### **RESPONSE:**

#### **DOCUMENT REQUEST NO. 5:**

Representative invoices for sales of each Product, Good or Service for each year Registrant's Mark has been used in connection therewith

**RESPONSE:**

**DOCUMENT REQUEST NO. 6:**

All documents relating to the prosecution of any state or federal applications for registration of any trademarks, service marks, or trade names containing Registrant's Mark

**RESPONSE:**

**DOCUMENT REQUEST NO. 5:**

Any opinions of any counsel relating to the validity, infringement, or enforcement of any of Registrant's U.S. Trademark Applications for Registrant's Mark.

**RESPONSE:**

**DOCUMENT REQUEST NO. 6:**

Copies of all trademark searches conducted by or for Registrant concerning Registrant's Mark.

**RESPONSE:**

**DOCUMENT REQUEST NO. 7:**

Copies of all legal or non-legal opinions concerning the availability of Registrant's Mark for use or registration by Registrant.

**RESPONSE:**

**DOCUMENT REQUEST NO. 8:**

Copies of all documents that bear Registrant's Mark which are viewed by customers or prospective customers of Registrant.

**RESPONSE:**

**DOCUMENT REQUEST NO. 9:**

All documents that relate to or reference Petitioner.

**RESPONSE:**

**DOCUMENT REQUEST NO. 10:**

All documents that relate to Registrant's knowledge of Petitioner's CLEVELAND STATE UNIVERSITY or CLEVELAND STATE UNIVERSITY 1964 w/Design marks or the use of CLEVELAND STATE UNIVERSITY.

**RESPONSE:**

**DOCUMENT REQUEST NO. 11:**

All documents related to the origination, adoption, conception, selection, design, development, or creation of the Registrant's Mark.

**RESPONSE:**

**DOCUMENT REQUEST NO. 12:**

All documents related to the use of Registrant's Mark in association with Registrant's Services, Goods, or Products.

**RESPONSE:**

**DOCUMENT REQUEST NO. 13:**

All documents that report on, describe, refer to, and/or relate to Registrant's use of Registrant's Mark.

**RESPONSE:**

**DOCUMENT REQUEST NO. 14:**

All documents which relate to or reflect the date of Registrant's first introduction, first offer for sale, first sale, and first use of Registrant's Mark in the United States.

**RESPONSE:**

**DOCUMENT REQUEST NO. 16:**

All documents which Registrant will rely upon to establish that Registrant's Mark is currently being used in the United States, including any and all documents showing the Products, Goods, or Services for which the Registrant's Mark is being used by or on behalf of the Registrant.

**RESPONSE:**

**DOCUMENT REQUEST NO. 18:**

All documents that describe, discuss, state, refer to, and/or relate to actual or intended channels of distribution and/or trade for Registrant's Products or Services bearing Registrant's Mark.

**RESPONSE:**

**DOCUMENT REQUEST NO. 19:**

All documents showing Registrant's annual advertising, marketing, and promotional expenses for each Product, Good, or Service related to Registrant's Mark for each year from the date of first use to the present date.

**RESPONSE:**

**DOCUMENT REQUEST NO. 20:**

Representative samples of advertising, marketing, or promotional materials bearing Registrant's Mark.

**RESPONSE:**

**DOCUMENT REQUEST NO. 21:**

All licenses granted to Registrant by any third party or granted by Registrant to any third party with respect to Registrant's Mark.

**RESPONSE:**

**DOCUMENT REQUEST NO. 22:**

All documents concerning contracts, agreements, licenses, consents, and the like to which Registrant is a party and which relate to Registrant's Mark.

**RESPONSE:**

**DOCUMENT REQUEST NO. 23:**

All documents concerning quality control exercised by Registrant over the use of Registrant's Mark by third parties.

**RESPONSE:**

**DOCUMENT REQUEST NO. 24:**

Each document pertaining to any informal or formal dispute in the United States, including, but not limited to an opposition, revocation, arbitration, mediation, negotiation, or adversary proceeding between Registrant and any other party, which includes or included an allegation of infringement, unfair competition, likelihood of confusion, deception, deceptive trade practice, or dilution involving Registrant's Mark.

**RESPONSE:**

**DOCUMENT REQUEST NO. 25:**

All documents concerning efforts by Registrant to enforce its rights in Registrant's Mark including but not limited to cease and desist letters, opposition proceedings, cancellation proceedings, and litigation.

**RESPONSE:**

**DOCUMENT REQUEST NO. 26:**

All documents concerning any objection raised by third parties to Registrant's use or registration of Registrant's Mark.

**RESPONSE:**

**DOCUMENT REQUEST NO. 27:**

All documents that describe, discuss, state, refer to, and/or relate to other marks that Registrant considered before adopting and/or while continuing to use Registrant's Mark on its Products or in connection with its Services, including but not limited to, all documents showing any changes made to the mark from the date of conception to the present date.

**RESPONSE:**

**DOCUMENT REQUEST NO. 28:**

All documents that identify, classify, refer to, and/or relate to the actual and/or intended purchasers and/or customer (and end users, if different) of Registrant's Products, Goods, or Services bearing Registrant's Mark.

**RESPONSE:**

**DOCUMENT REQUEST NO. 29:**

All documents that identify providers of Services by or on behalf of Registrant under Registrant's Mark.

**RESPONSE:**

**DOCUMENT REQUEST NO. 30:**

All documents that identify recipients of Services by or on behalf of Registrant under Registrant's Mark.

**RESPONSE:**

**DOCUMENT REQUEST NO. 31:**

All documents concerning any surveys, market research studies, or reports undertaken by or on behalf of Registrant concerning a mark incorporating the phrase UNIVERSITY OF CLEVELAND.

**RESPONSE:**

**DOCUMENT REQUEST NO. 32:**

All documents concerning any communication about Registrant relating to Registrant's Services or Products under Registrant's Mark in newspapers, magazines, trade journals, or other printed form of communication.

**RESPONSE:**

**DOCUMENT REQUEST NO. 33:**

All documents of any court which were filed against or by Registrant and/or any correspondence directed to Registrant, complaining about the use by Registrant or any third party of a mark or term including the term UNIVERSITY OF CLEVELAND in the United States.

**RESPONSE:**

**DOCUMENT REQUEST NO. 34:**

All documents which refer to or reflect any research, trademark maintenance program, advertising campaign, Internet strategy, and/or marketing program for Registrant's Products, Goods, or Services bearing Registrant's Mark.

**RESPONSE:**

**DOCUMENT REQUEST NO. 35:**

All documents concerning plans to expand, or steps toward expansion by Registrant the types of Services, Goods, or Products on or in connection with which Registrant's Mark is or will be used beyond the services stated in Trademark Registration No. 3,735,435, or to alter the present or intended channels of trade, or to sell to persons other than Registrant's present or intended purchasers.

**RESPONSE:**

**DOCUMENT REQUEST NO. 36:**

All documents which relate to instances of actual confusion, mistake, and/or deception as to whether the source of a Product, Good, or Service was Registrant or Petitioner.

**RESPONSE:**

**DOCUMENT REQUEST NO. 37:**

All documents concerning any communication received by Registrant which Registrant believes was intended for Petitioner.

**RESPONSE:**

**DOCUMENT REQUEST NO. 38:**

All documents concerning or tending to show any confusion likely to arise or actual confusion that has arisen out of the contemporaneous use of the mark

CLEVELAND STATE UNIVERSITY by Petitioner and UNIVERSITY of CLEVELAND by Registrant or the contemporaneous marketing of Petitioner's Services, Products, or Goods and Registrant's Services, Products, or Goods under the respective marks.

**RESPONSE:**

Dated: September 10, 2011

Respectfully submitted,

FAY SHARPE LLP

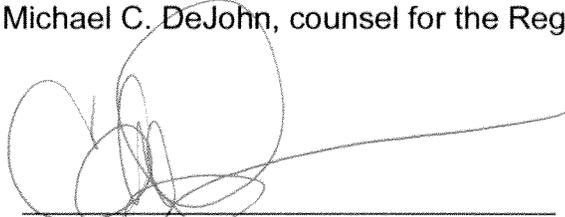
A handwritten signature in black ink, appearing to read "Jude A. Fry", is written over a horizontal line. The signature is stylized and somewhat cursive.

Jude A. Fry  
Colleen F. Goss  
The Halle Building, 5<sup>th</sup> Floor  
1228 Euclid Avenue  
Cleveland, Ohio 44115  
Phone: (216) 363-9000  
Fax: (216) 363-9001

Attorneys for Petitioner

**CERTIFICATE OF SERVICE**

I hereby certify that on September 10, 2011, the foregoing **PETITIONER'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS AND THINGS TO REGISTRANT** was served via email, with consent, on Michael C. DeJohn, counsel for the Registrant at [michael\\_dejohn@campuseai.org](mailto:michael_dejohn@campuseai.org).



---

Colleen F. Goss  
Attorney for Petitioner

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EXHIBIT C

## Colleen F. Goss

---

**From:** Colleen F. Goss  
**Sent:** Tuesday, October 18, 2011 2:35 PM  
**To:** 'Michael DeJohn (CampusEAI Consortium)'  
**Cc:** Jude A. Fry; Rita M. Sulic  
**Subject:** RE: University of Cleveland

Michael,

When can we expect to receive your responses to our interrogatories and document production requests?

Colleen



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Colleen Flynn Goss, Esq.  
Fay Sharpe LLP  
The Halle Building, 5th Floor  
1228 Euclid Avenue  
Cleveland, OH 44115  
Main Telephone: 216.363.9000  
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EXHIBIT D

## Colleen F. Goss

---

**From:** Michael DeJohn (CampusEAI Consortium) <michael\_dejohn@campuseai.org>  
**Sent:** Wednesday, October 19, 2011 12:41 PM  
**To:** Colleen F. Goss  
**Cc:** Jude A. Fry; Rita M. Sulic  
**Subject:** RE: University of Cleveland

I am out of town right now. Can we discuss on Monday?

---

### Michael C. DeJohn

V.P. of Corporate Development and General Counsel

Work: 216-589-9626 ext. 332  
Fax: 216-589-9639

**CampusEAI Consortium**  
1111 Superior Avenue, Suite 310  
Cleveland, Ohio 44114  
U.S.A.



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EXHIBIT E

## Colleen F. Goss

---

**From:** Colleen F. Goss  
**Sent:** Friday, November 04, 2011 12:11 PM  
**To:** Michael DeJohn (CampusEAI Consortium) (michael\_dejohn@campuseai.org)  
**Cc:** Jude A. Fry; Rachel N. Kavalec; Docketing  
**Subject:** Cleveland State University v. CampusEAI Consortium  
**Attachments:** Pretrial Disclosures.PDF

Dear Michael,

Attached are Petitioner's pre-trial disclosures.

As you requested, we contacted our client again regarding settlement but have not received any feedback yet. Your Interrogatory and Document Production Request responses are long overdue. We will need to receive response within a week or we will have to file a Motion to Compel.

Colleen



Colleen Flynn Goss, Esq.  
Fay Sharpe LLP  
The Halle Building, 5th Floor  
1228 Euclid Avenue  
Cleveland, OH 44115  
Main Telephone: 216.363.9000  
Direct Telephone: 216.363.9132  
Facsimile Number: 216.363.9001  
E-mail: [cfgoss@faysharpe.com](mailto:cfgoss@faysharpe.com)

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EXHIBIT F

## Colleen F. Goss

---

**From:** Colleen F. Goss  
**Sent:** Friday, November 11, 2011 3:03 PM  
**To:** Michael DeJohn (CampusEAI Consortium) (michael\_dejohn@campuseai.org)  
**Cc:** Jude A. Fry; Docketing; Rita M. Sulic; Rachel N. Kavalec  
**Subject:** FW: Cleveland State University v. CampusEAI Consortium

Michael,

It has been a week since we requested that you comply with discovery and we have still not received any response from you. If we do not receive discovery responses by the close of business today, we will have to presume that you are refusing to respond. Please confirm.

Colleen



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Colleen Flynn Goss, Esq.  
Fay Sharpe LLP  
The Halle Building, 5th Floor  
1228 Euclid Avenue  
Cleveland, OH 44115  
Main Telephone: 216.363.9000  
Direct Telephone: 216.363.9132  
Facsimile Number: 216.363.9001  
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EXHIBIT G

## Colleen F. Goss

---

**From:** Michael DeJohn (CampusEAI Consortium) <michael\_dejohn@campuseai.org>  
**Sent:** Monday, November 14, 2011 10:36 AM  
**To:** Colleen F. Goss  
**Cc:** Jude A. Fry; Docketing; Rita M. Sulic; Rachel N. Kavalec  
**Subject:** RE: Cleveland State University v. CampusEAI Consortium

**Importance:** High

Sorry, I was in San Francisco for a couple days and returned on Thursday... then I started to move into my new house on Fri (which is still going on today). I have visitors from Atlanta and San Fran tomorrow/wed.

Can we schedule a call for Thurs. to finalize this?

---

### Michael C. DeJohn

V.P. of Corporate Development and General Counsel

Work: 216-589-9626 ext. 332

Fax: 216-589-9639

**CampusEAI Consortium**

1111 Superior Avenue, Suite 310

Cleveland, Ohio 44114

U.S.A.



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## Colleen F. Goss

---

**From:** Michael DeJohn (CampusEAI Consortium) <michael\_dejohn@campuseai.org>  
**Sent:** Monday, November 14, 2011 5:42 PM  
**To:** Colleen F. Goss  
**Cc:** Jude A. Fry; Rita M. Sulic  
**Subject:** RE: University of Cleveland

Please give me until Friday. We are discussing internally about how to proceed. I will either provide you with Answers or a statement that we are not going to oppose the cancellation petition any longer.

---

### Michael C. DeJohn

V.P. of Corporate Development and General Counsel

Work: 216-589-9626 ext. 332  
Fax: 216-589-9639

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1111 Superior Avenue, Suite 310  
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**OSTN**

EXHIBIT H

## Colleen F. Goss

---

**From:** Colleen F. Goss  
**Sent:** Monday, November 14, 2011 3:51 PM  
**To:** 'Michael DeJohn (CampusEAI Consortium)'  
**Subject:** RE: Cleveland State University v. CampusEAI Consortium

Michael,

What are we finalizing? Sorry, I can't wait to file the Motion to Compel. We are running up against due dates and must adequately represent our client.

Colleen

**Fay  
Sharpe** LLP

---

*Protecting Ideas Since 1884*

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Fay Sharpe LLP  
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1228 Euclid Avenue  
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## Colleen F. Goss

---

**From:** Colleen F. Goss  
**Sent:** Tuesday, November 15, 2011 1:01 PM  
**To:** 'Michael DeJohn (CampusEAI Consortium)'  
**Cc:** Jude A. Fry; Rita M. Sulic  
**Subject:** RE: University of Cleveland

Tracking:	Recipient	Delivery	Read
	'Michael DeJohn (CampusEAI Consortium)'		
	Jude A. Fry	Delivered: 11/15/2011 1:01 PM	
	Rita M. Sulic	Delivered: 11/15/2011 1:01 PM	Read: 11/15/2011 1:23 PM

Dear Michael,

We are going to go ahead and file the Motion to Compel today. The due date for filing Motions to Compel and Motions for Summary Judgment is Friday and we must preserve our client's rights. The cancellation proceeding will be suspended while the Motion to Compel is decided. Should you determine that you will continue to defend the cancellation and respond to outstanding discovery, we can deal with the issue at that time.

Colleen



Protecting Ideas Since 1884

Colleen Flynn Goss, Esq.  
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The Halle Building, 5th Floor  
1228 Euclid Avenue  
Cleveland, OH 44115  
Main Telephone: 216.363.9000  
Direct Telephone: 216.363.9132  
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E-mail: [cfgoss@faysharpe.com](mailto:cfgoss@faysharpe.com)

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