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

Proceeding	92053769
Party	Defendant Jane Wan Chou dba Ideal Skin, Inc.
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Submission	Other Motions/Papers
Filer's Name	Lisa A. Kane
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Date	11/09/2011
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

David M. Morrow and the Morrow
Institute Medical Group, Inc.

Opposer,

Janet Wan Chou (an individual).

Applicant,

Opposition/Cancellation No. 92053769

Mark:

Healthy Skin is Ideal Skin

Serial No. 76-648,915

Registration No. 31,52,675

Applicant Janet Wan Cho hereby provides her Federal Rule of Civil Procedure
26(a)(1) initial disclosures as follows:

(A) The name and, if known, the address and telephone number of each individual likely to have discoverable information — along with the subjects of that information — that the disclosing party may use to support its claims or defenses, unless the use would be solely for impeachment.

Janet Wan Chou
c/o Lisa A. Kane, Esq.
77 RocSam Park Road
Braintree, MA 02184
Phone- 781-929-5303
Fax 781-849-0982

Ms. Chou, the Applicant in this TTAB Proceeding, has knowledge of a variety of facts relevant to this Proceeding, including but not limited to the goods and/or services provided with the use of her Healthy Skin is Ideal Skin word trademark (“Mark”), the channels of trade in which goods and services bearing her Mark have been and will be advertised, the various marketing and advertising that she has employed and will employ to market her goods and/or services under the Mark, her current and targeted customer base, and her good faith ongoing and continued actions and intentions in using her Mark before, during and following filing for its federal registration.

*Ms. Linda Maloney - Phone: 239-561-1222
7701 Gardner Dr
Naples, Fl 34109*

Ms. Maloney is a long-standing client of the Applicant and has received Healthy Skin is Ideal Skin Mark branded product Brochures, Product Usage Cards and Thank You Cards associated with the services provided by the Applicant under the Healthy Skin is Ideal Skin Mark, as well as other trademarks and service marks of the Applicant.

*Josette Smetana - Phone: 516-333-2757
67 Jefferson St
Westbury, NY 11590*

Ms. Smetana is a long-standing client of the Applicant and has received Healthy Skin is Ideal Skin Mark branded product Brochures, Product Usage Cards and Thank You Cards associated with the services provided by the Applicant under the Healthy Skin is Ideal Skin Mark, as well as other trademarks and service marks of the Applicant.

*Michelle D'Arcangelo -Phone: 401-439-4141
9 Vantage Point Dr
Bristol, RI 02809*

Ms. D’Arcangelo is a long-standing client of the Applicant and has received Healthy Skin is Ideal Skin Mark branded product Brochures, Product Usage Cards and Thank You Cards associated with the services provided by the Applicant under the Healthy Skin is Ideal Skin Mark, as well as other trademarks and service marks of the Applicant.

*Summy Daeuffer - Phone: 914-238-0901
8 Haight's Cross Rd.
Chappaqua, NY 10514*

Ms. Daeuffer is a long-standing client of the Applicant and has received Healthy Skin is Ideal Skin Mark branded product Brochures, Product Usage Cards and Thank You Cards associated with the services provided by the Applicant under the Healthy Skin is Ideal Skin Mark, as well as other trademarks and service marks of the Applicant.

*Betty Debear- Phone: 516-333-2118
192 Rhododendron Dr.
Westbury, NY 11590*

Ms. Debear is a long-standing client of the Applicant and has received Healthy Skin is Ideal Skin Mark branded product Brochures, Product Usage Cards and Thank You Cards associated with the services provided by the Applicant under the Healthy Skin is Ideal Skin Mark, as well as other trademarks and service marks of the Applicant.

*Hailey Ferber - Phone: 978-369-8263
PO Box 97050
Durham, NC 27708*

Ms. Ferber is a long-standing client of the Applicant and has received Healthy Skin is Ideal Skin Mark branded product Brochures, Product Usage Cards and Thank You Cards associated with the services provided by the Applicant under the Healthy Skin is Ideal Skin Mark, as well as other trademarks and service marks of the Applicant.

*Marianne Larson - Phone: 401-946-4545
112 Plantation Dr
Cranston, RI 02920*

Ms. Larson is a long-standing client of the Applicant and has received Healthy Skin is Ideal Skin Mark branded product Brochures, Product Usage Cards and Thank You Cards associated with the services provided by the Applicant under the Healthy Skin is Ideal Skin Mark, as well as other trademarks and service marks of the Applicant.

*Nina Shields- Phone: 617-738-8402
590 6th Ave #2
Brooklyn, NY 11215*

Ms. Shields is a long-standing client of the Applicant and has received Healthy Skin is Ideal Skin Mark branded product Brochures, Product Usage Cards and Thank You Cards associated with the services provided by the Applicant under the Healthy Skin is Ideal Skin Mark, as well as other trademarks and service marks of the Applicant

Pebble Haven, Co- Phone: 781-407-9957

Pebble Haven is the company that originally designed and updated the Applicant's website which displays, among other marks of the Applicant, the Healthy Skin is Ideal Skin Mark

*Lynn Stetson
79 Hewlett St
Las Vegas, NV 89102*

Lynn Stetson is the company /individual that re designed, hosted and updated the Applicant's website which displays, among other marks of the Applicant, the Healthy Skin is Ideal Skin Mark.

*Gil Ray- Phone: 702-423-5718
VegasWebDesign.com*

Gil Ray is the company /individual that re designed and updates the Applicant's website which displays, among other marks of the Applicant, the Healthy Skin is Ideal Skin Mark.

*CopyLinks
Washington Street
Stoughton, Massachusetts*

CopyLinks is the company that designed and printed Applicant's Product Brochures, Product Cards and Thank You Cards which display the Healthy Skin is Ideal Skin Mark in association with the service provided by the Applicant.

*PrintMater- Phone: 781-449-5155
Tim Connors-
Norwood, Massachusetts*

PrintMaster is the company that designs and prints Applicant's Product Brochures, Product Cards and Thank You Cards which display the Healthy

Skin is Ideal Skin Mark in association with the service provided by the Applicant.

NameSecure.com

NameSecure.com is the company through which Applicant's Ideal-Skin.com Domain name, which displays the Healthy Skin is Ideal Skin Mark, has been purchased.

*David M. Morrow and the Morrow Institute Medical Group, Inc.
c/o Clark D. Gross
Law Office of Clark D. Gross
1800 Century Park East, Suite 600
Los Angeles, CA 90067
cgross@law-ip.com*

Attorney for Opposer

David M. Morrow and the Morrow Institute Medical Group, Inc. the Opposer in this TTAB Proceeding, has knowledge of a variety of facts relevant to this Proceeding, including but not limited to the types of services provided under the David M. Morrow and the Morrow Institute Medical Group, Inc. word, the lack of enforcement of its service mark and trademark rights, potential infringement of the Applicant's Mark, potential abandonment of its trademark rights, the revenue generated from its sales of promotional items, products, goods and services sold under the David M. Morrow and the Morrow Institute Medical Group, Inc. word, the channels of trade through which these goods and services are sold, the quality of these goods and services, the typical purchaser of these goods and services, and the geographic location of its clients, the knowledge of the Applicant's prior use and Federal Trademark application and registration of her Mark, and the knowledge of the Applicant's ongoing and continued use of her Mark,

(B) a copy — or a description by category and location — of all documents, electronically stored information, and tangible things that the disclosing party has in its possession, custody, or control and may use to support its claims or defenses, unless the use would be solely for impeachment.

Documents in the possession of Janet Wan Chou or her counsel include:

Vendor invoices

Customer invoices

Domain name invoices

Documents pertaining to prospective channels of trade

Documents pertaining to advertising and marketing of goods and/or services sold under the Healthy Skin is Ideal Skin Mark

As discovery in this case is ongoing, Ms. Chou expressly reserves the right to utilize any and all relevant documents that will be produced by the Plaintiff or any third-party as they become available.

(C) A computation of each category of damages claimed by the disclosing party — who must also make available for inspection and copying as under Rule 34 the documents or other evidentiary material, unless privileged or protected from disclosure, on which each computation is based, including materials bearing on the nature and extent of injuries suffered.

Ms. Chou reserves the right to supplement this response as necessary.

(D) For inspection and copying as under Rule 34, any insurance agreement under which an insurance business may be liable to satisfy all or part of a possible judgment in the action or to indemnify or reimburse for payments made to satisfy the judgment.

Ms. Chou is unaware of any indemnity and/or insurance agreements at this time. Ms. Chou reserves the right to supplement this response as necessary.

RESPECTFULLY SUBMITTED this 9^h day of November, 2011.

LISA A, KANE, ESQ

By: /s/ Lisa A. Kane
Lisa A. Kane, Esq
Attorney for Applicant, Janet Wan
Chou

CERTIFICATE OF SERVICE

I certify that on November 9th, 2011, I electronically transmitted the attached document via email and first class mail to the attorney listed below:

Attorneys for Opposer:

Clark D. Gross
Law Office of Clark D. Gross
1800 Century Park East, Suite 600
Los Angeles, CA 90067
cgross@law-ip.com

By /s/ Lisa A. Kane, Esq.