

ESTTA Tracking number: **ESTTA634375**

Filing date: **10/22/2014**

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

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|------------------------|---|
| Proceeding | 92058543 |
| Party | Plaintiff Edge Games Inc |
| Correspondence Address | TIM LANGDELL EDGE GAMES INC 530 SOUTH LAKE AVENUE 171, PASADENA, CA 91101 UNITED STATES uspto@edgegames.com, tim@edgegames.com |
| Submission | Other Motions/Papers |
| Filer's Name | Tim Langdell |
| Filer's e-mail | tim@edgegames.com, uspto@edgegames.com |
| Signature | /Tim Langdell/ |
| Date | 10/22/2014 |
| Attachments | LetterToBoard22Oct14.pdf(164860 bytes) |



Commissioner for Trademarks
PO Box 1451
Alexandria
VA 22313-1451

22 October 2014

Electronically Filed

**Re: EDGE Trademark Cancellation Action in the U.S.
Cancellation No. 92058543
Issue of Waiver of Initial Disclosure Requirements**

Dear Sir or Madam:

Please know that we are seeking to discern which documents should validly be filed at this time given the stay for documents other than those pertaining to the current live motion for sanctions. Since we believe the issue of Initial Disclosures, and the related dispute between the parties as to discovery requests, and so forth, is a factor in the current motion, we further believe that therefore this latest exchange of letters between the parties is relevant to put before the Board.

Consequently, we attach hereto Registrant's response to our letter of yesterday's date that we filed with the Board. We note that the Registrant also agrees the issue of waiver or non-waiver of initial disclosure requirements is now moot – however, whereas they claim they sent their initial disclosures to us in April we say we first received them only when exhibited to their recent filing; and Registrant in turn states they did not receive our initial disclosures earlier this year, but rather also claim they only just received them as exhibits to recent filings. Whereas both parties have now undisputedly served initial disclosures, both parties have also now clearly confirmed agree to waive the requirement for initial disclosures. On behalf of both parties, Petitioner wishes to apologize for the confusion this state of affairs must present to the Board. A confused state of affairs that we say, with due respect, would have been avoided if Registrant had agreed to our reasonable request for a telephone discovery conference in April, 2014.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Tim Langdell".

Rev Dr Tim Langdell
CEO, Petitioner in Pro Per

EDGE Games, Inc.,

530 South Lake Avenue, 171, Pasadena, California, 91101
T: 626 449 4EDGE F: 626 844 4EDGE W: www.edgegames.com

FISH & RICHARDSON P.C.

1425 K Street, N.W.
11th Floor
Washington, DC 20005

Telephone
202 783-5070

Facsimile
202 783-2331

Web Site
www.fr.com

Frederick P. Fish
1855-1930

W.K. Richardson
1859-1951

October 22, 2014

Via Email and U.S. Certified Mail
tim@edgegames.com

Tim Langdell
Edge Games Inc.
530 South Lake Avenue, 171
Pasadena, CA 91101

Re: EDGE Trademark Cancellation No. 92058543
Discovery Response Deadlines
Our Ref.: 29631-0019PP1

Dear Mr. Langdell:

This is in response to your letter of October 21, 2014.

As an initial matter, I believe the record is clear that there has never been any agreement to waive initial disclosures. We proposed that the parties dispense with them. You did not agree, leaving the obligations intact. In any event, the matter is moot considering that each party has now clearly received the other's initial disclosures, even if we received yours only as of October 1.

With respect to the pending discovery requests, we will proceed as follows:

- 1) We will re-serve our discovery requests following resumption of the proceedings once the Board lifts the suspension; and
- 2) We will respond to your outstanding discovery requests within 30 days following resumption of the proceedings once the Board lifts the suspension

If you have any concerns please let me know.

Sincerely,


Keith A. Barritt



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SILICON VALLEY

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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Petitioner's letter to the Board dated 22 October 2014 in respect to Cancellation proceeding No. 92058543 was served on Registrant via first class mail, certified, postage prepaid, this day October 22, 2014:

Keith A Barritt
Fish & Richardson PC
PO Box 1022
Minneapolis
MN 55440-1022

/Tim Langdell/
Rev Dr Tim Langdell