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

Proceeding	92058543
Party	Plaintiff Edge Games Inc
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Submission	Motion to Compel Discovery
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Signature	/Tim Langdell/
Date	09/25/2014
Attachments	AmendedMotionToCompelDiscovery23Sept14.pdf(2910381 bytes)

the contents of the first Motion incorporated herein except where the content of the first motion is now irrelevant given Registrant did serve some documents on September 12, 2014 (the balance of the facts and arguments in the first Motion, and all Exhibits thereto, shall be considered incorporated herein).

WHY PETITIONER FILED ITS MOTION TO COMPEL PRIOR TO THE REGISTRANT'S TIME TO FILE REPLIES TO DISCOVERY REQUESTS EXPIRING.

Subsequent to Petitioner filing its Motion to Compel, Petitioner received Registrant's purported responses to the Discovery Requests and Request for Admissions. In hindsight, Petitioner now believes that it should have waited until Registrant's time to respond had fully expired before filing its Motion to Compel, but that said Petitioner believes that the timing of its Motion was justified on the grounds that Registrant made a definitive statement on August 29, 2014 that it did not accept that its time to respond to the discovery requests had started (see Exhibit A). Petitioner, quite reasonably, took this to be a clear statement by Registrant that it did not intend to file any responses to the requests, which in turn justified the timing of Petitioner's Motion to Compel. Again, since Registrant did in fact serve documents (that it no doubt wishes to now argue were responsive) within the time for it to respond to the requests, in hindsight perhaps Petitioner should have waited some further days before filing its Motion. Registrant apologizes to the Board, but does believe that Registrant's August 29th letter did give Petitioner every reason to believe Registrant was refusing to respond to the requests, which in turn justified the early filing of the Motion to Compel.

THE DOCUMENTS SERVED BY REGISTRANT TO THE DISCOVERY REQUESTS ARE NOT FULLY RESPONSIVE AND THUS THE MOTION TO COMPEL IS STILL ENTIRELY VALID ON REVISED GROUNDS

Turning now to the documents that Registrant served on Petitioner on September 12, 2014, allegedly in response to Petitioner's initial request for production of documents, request for admissions and initial interrogatories. Consideration of Registrant's replies to the interrogatories (see Exhibit B), its replies to the initial request for admissions (see Exhibit C) and its replies to the initial request for document production (see Exhibit D), it is clear that these replies are a blatant abuse of process and reveal that Registrant does not

intend to properly participate in discovery. Not only are these replies not fully responsive, they are instead actively obstructive, giving disingenuous and invalid reasons as to why each request and interrogatory should not or need not be properly responded to by Registrant. Indeed, Registrant could hardly make it more clear that it has no intention of complying with discovery unless compelled to do so by the Board. Hence this Amended Motion to Compel, which Petitioner believes is clearly entirely valid and (now) also entirely timely.

DETAILS OF FAILURE TO SERVE FULLY RESPONSIVE REPLIES TO DISCOVERY REQUESTS

As mentioned above, even a cursory review of the three documents that Registrant served on Petitioner reveals a concerted effort to dodge making any meaningful or fully responsive reply to any of Petitioner's requests, indeed the three documents amount to nothing more than a long list of invalid excuses not to respond to the requests. Just how egregious this blatant attempt to avoid complying with discovery is can be seen by the fact that **Registrant fails to produce even a *single* document as a result of the numerous document requests**, failing to give adequate or valid grounds for its failure to produce, and clearly not even trying to comply with the entirely usual and valid document requests. Similarly, Registrant's replies to the request for admission and interrogatories is responded to by a litany of invalid and unacceptable "objections" as to why Registrant does not need to admit anything or be responsive to interrogatories.

Where Registrant comes teasingly close to being responsive, it then falls far short of actually fully responding: for instance, in response to Interrogatories 1 and 26, Registrant admits Petitioner is entitled to details of Registrant's corporate officers, yet then fails to even provide this information.

FAILURE TO BE FULLY RESPONSIVE TO INTERROGATORY REQUESTS

Petitioner trusts that so egregious is Registrant's failure to properly and fully respond to the interrogatory requests, and so numerous are those obvious reasons, that Petitioner need not itemize all the valid reasons for requesting the Board order Registrant to serve proper fully responsive or face sanctions. Since Registrant uses essentially the same set of invalid grounds (objections) for failing to fully respond to interrogatories,

Petitioner trusts that giving a selection of examples of the invalidity and unacceptability of the so-called “objections” will enable the Board to rule in regard to all the Interrogatories, not just those given as examples of the endemic failure to fully respond.

Registrant repeatedly seeks to rely on the grounds of “overly broad, burdensome, vague, ambiguous and not relevant” as to the reason it refuses to respond to requests. However, in no instance is any interrogatory (“ROG”) overly broad, burdensome, vague, ambiguous, or irrelevant thus this repeated set of excuses for not responding is clearly an attempt to be unresponsive while seeming to provide valid reasons that are in fact not valid. Even if (which Petitioner does not accept) some interrogatories call for a substantive response that Registrant may feel is “overly broad” or “burdensome,” the Board should compel Registrant to still respond to the best of its ability and to the extent possible that Registrant reasonably believes is not overly broad or burdensome. Registrant should not be permitted not to respond at all, when at least a good faith best effort at response is reasonably called for and which Petitioner is reasonably entitled to.

Taking ROG #1 as an example, Registrant even admits that Petitioner should be supplied with details of the corporate officers it is requesting, and yet still does not supply that information. This interrogatory, and others like it that seek to determine the identities of corporate officers or decision makers regarding the trademark’s initial and ongoing use, are vital to the process of Discovery, since Petitioner has a right to gain knowledge of key persons with knowledge of the trademark and its use with a view to exercising Petitioner’s entirely valid right to depose said person(s). These ROGS are thus far from irrelevant, they are very relevant and Registrant’s refusal to fully respond is clearly an effort to wrongfully prevent Petitioner from being able to identify, and hence depose, key persons employed by Registrant with key knowledge relevant to these proceedings.

Taking ROG #2 as an example, it is highly relevant and essential that Petitioner gain knowledge of all sales made by Registrant of goods and services using the mark EDGE since Petitioner’s grounds for cancellation of the mark include consideration of the extent of use of the mark in U.S. commerce by registrant which goes to establishment of comparison of the degree to which the mark in question is associated with Petitioner’s many decades long use of the mark EDGE, compared to the extent of Registrant’s reputation in the mark (that has been gained by passing off on Petitioner’s good will).

Registrant seeks to deny Petitioner the right to know essential details of Registrant's commercial activity using the mark in question on the basis of TBMP 412.02(b). However, while 412.02(b) speaks to pro se litigants not having access to confidential commercial information, sales data does not fall into this protected category where it is central to the proceedings (as here and as is usual in cancellation proceedings) that the degree of use of the mark, as measured by sales and marketing, is a key determinative factor. Registrant does not have the right to object to Petitioner receiving details of its sales or marketing data related to the EDGE mark, indeed it is essential to Petitioner's case that it must have free and full access to such data and information, absent which Petitioner would be prevented from mounting its fully and proper case for cancellation of the mark.

Moving now to ROG #3 which has the invalid objection that Registrant seeks to use in this and in many other interrogatories, namely Registrant refuses to respond on the purported grounds that "foreign use of the EDGE mark is irrelevant." However, Registrant is fully aware that this and all other interrogatories like it in Petitioner's requests refers to use of the mark EDGE (which is, after all, a U.S. registered trademark) in United States commerce. Petitioner is not requesting details of foreign use of the mark EDGE here or in any other ROG that is asking for similar responses, rather clearly Petitioner is requesting details of Registrant's use of the mark in U.S. commerce. And, to be clear, in the definitions of what the term "Registrant" means, it is defined as being not just the named Singapore corporation, but also any U.S. subsidiaries, affiliates, agents, licensees and so forth. Registrant therefore cannot deliberately refuse to be fully responsive to this interrogatory (or any of the other similar ROGS where Registrant gave similar grounds for not responding) on the grounds that Registrant believed Petitioner was only referring to the Singapore company and hence by (very shaky logic) thus referring only to foreign use by the Singapore company. Clearly, that is not the case and it would be disingenuous of Registrant to claim this is what it thought as its excuse for providing these invalid grounds for objecting to this and all the similar ROGS.

ROG #5, and all interrogatories similar to it, reveal just how obstructionist Registrant is being, and how Registrant is clearly attempting to avoid properly participating in Discovery. This interrogatory asks what documents Registrant will seek

to rely upon and in response Registrant invalidly objects that the request is “overly broad and burdensome.” With respect, it cannot be either overly broad or burdensome to request a party to identify what documents it will rely upon, since by definition Registrant has expended the effort to identify those documents and Petitioner has a right to know what they are.

Now ROG #8; here Registrant objects on the absurd grounds that the interrogatory is logically inconsistent insofar as it asks for “each person” who was “primarily responsible.” This is a clear blatant attempt to avoid responding to an entirely valid interrogatory, the answer to which is vital to Petitioner since this is validly seeking primary responsible people’s identities so that Petitioner may depose these persons as a perfectly valid part of discovery. Clearly, if there is only one primarily responsible person, then Registrant should not try to dodge answering and should assume the request is for in this case the one person who is the “each person” – while the phrase suggests more than one person, it is entirely acceptable that the response is that there is only one person, if that is indeed the case. However, this interrogatory asks for all such persons, so for example in this case there may be a person in Singapore who was primarily responsible for the original decision to use the mark EDGE, whereas there may be a second person in the U.S. who was primarily responsible for commencing use of the mark EDGE in commerce here. In which case the ROG makes perfect sense, is not illogical, and requires Registrant to identify all such persons – be that one person, two or many such “primarily responsible” persons.

In ROG #11, Registrant uses another example of grounds for objection that is neither acceptable nor valid; namely, stating in blanket fashion that it refuses to respond “for the reasons set forth in the general objections above.” First, and at the least, Registrant should be compelled to identify what specific objection it is referring to so that Petitioner and Board can consider whether the objection is valid. Second, reviewing the general objections reveals no possible valid objection to responding to this ROG (or any of the other ROG S where Registrant used these grounds to refuse to respond), other than perhaps its reason 18 that it alleges the requests were not properly served. However, the requests were properly served, and the fact that Registrant responded within the 30 days permitted supports the view that Registrant is fully aware that service was made and was

valid. In Petitioner's worse case, the requests were validly served (we say, for the second time) on September 9, 2014 when they were supplied again by a valid service method as part of the Motion to Compel. Thus in Registrant's best possible case its full responses to all Interrogatories are due 30 days from September 9, 2014. However, Petitioner makes clear that this is not the case since the original service was indeed valid and we believe Registrant has effectively accepted the August service date.

As to Registrant's false statement that Petitioner did not serve its Initial Disclosures, this is not true since Petitioner did timely serve such on Registrant.

Petitioner believes these examples cover all of the false grounds Registrant sought to use to object to (and hence fail to) respond to the interrogatories, and it can clearly be seen that no such objection had any validity and/or at the least Registrant should have responded to the best of its ability, limiting itself to scope that it feels is reasonable (with justification), interpreting what it believes meaning to be where it would seek to argue ambiguity, and so forth. Such grounds should not be a basis for a complete failure to substantially respond at all, which is what Registrant did in the documents it served on September 12.

FAILURE TO FULLY RESPOND TO REQUEST FOR ADMISSIONS

Registrant's grounds for essentially refusing/failing to respond to any of Petitioner's request for admission include "for reasons set forth in its general objections," and because it claims that foreign use of and application for the EDGE mark is irrelevant. None of Registrant's "general objections" are valid, or at least do not excuse the complete failure of Registrant to respond to the request for admissions entirely. Most of Registrant's general objections are self-evidently invalid. Petitioner did serve its Initial Disclosures, hence this is an invalid objection, and the request for admission was also validly served. In Registrant's best argument the request for admission were also received by Registrant as a result of the service of the Motion to Compel on September 9, 2014. Thus, while Petitioner denies there was anything improper about its original service, at Registrant's best case it must serve fully responsive responses to admission requests by the deadline set by a September 9th service date. Again, that said, Petitioner reiterates that the original August service date was entirely valid, as is evidenced by Registrant

submitting a timely response based on the August service date, thereby effectively accepting the August service date as valid.

Clearly, none of the objects are valid, and Registrant is just trying to avoid participating in Discovery by refusing to respond to any of these admission requests on obviously invalid and disingenuous grounds.

FAILURE TO FULLY RESPOND TO DOCUMENT PRODUCTION REQUESTS

In short, Registrant fails to produce even a single document, which could hardly more clearly show that Registrant has no intention of participating in Discovery unless it is compelled to do so by the Board.

Despite the grounds being repeatedly used by Registrant, none of Petitioner's document production requests were overly broad, burdensome, vague, ambiguous or irrelevant. In many cases it is inherent in the discovery request that Petitioner is requesting those documents that Registrant itself would seek to rely upon to establish its rights in the mark EDGE through U.S. commerce, and yet even so Registrant refuses to produce any such documents, even the ones it will no doubt eventually seek to rely on itself, which can hardly be documents that these objections were valid grounds for refusing to produce now if Registrant intends to produce them itself in the future. In any event, Petitioner has a *right* to copies of all these documents since they are directly and critically relevant to these cancellation proceedings, and thus the Board should order Registrant to produce said requested documents forthwith.

None of Registrant's general objections are valid, and this is either obvious on their face, or they are invalid since Petitioner did serve its Initial Disclosures and Petitioner did validly serve these document requests on Registrant (which Registrant effectively accepts by its timely service of the replies based on Petitioner's service date).

THEREFORE:

Per 37 CRF §2.120(e), Petitioner therefore requests that the Board compel Registrant to respond to the discovery requests within 15 days of this amended motion, or such other earliest possible time the Board shall deem appropriate, with the time for discovery being stayed during consideration of this motion and during the pendency of

Registrant complying with the discovery requests and interrogatories. Petitioner particularly wishes to have additional time to make further reasonable requests and server further reasonable interrogatories based on Registrants eventual responses, and thus asks that the Board extend the period for Discovery accordingly to permit Petitioner to have such reasonable additional time.

Per 37 CFR §2.120(h), Petitioner requests that the Board test the sufficiency of Registrant's response to Petitioner's request for admissions and rule that having failed to respond in a timely manner that Registrant has not met the test, and is thus compelled to respond within 15 days of this motion (or such other deadline as the Board shall deem appropriate).

For its failure to participate in Discovery, including its refusal to take part in a telephonic Discovery Conference and to properly respond to Initial Disclosures, Petitioner also requests that Registrant be barred from objecting to any of Petitioners requests or interrogatories, and barred from making any discovery requests on Petitioner, or requests for admissions, and that therefore Registrant be bound to accept without challenge any and all evidence submissions, witness statements, statements of fact relating to the case, and etc, that Petitioner may subsequently seek to rely on in these proceedings, without Registrant being permitted to object to any of same.

Respectfully submitted this day September 23, 2014,

A handwritten signature in black ink, appearing to read 'Tim Langdell', written in a cursive style.

Rev Dr Tim Langdell, CEO Petitioner in *Pro Per/Se*
Edge Games, Inc.
530 South Lake Avenue, 171
Pasadena, CA 91101
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EXHIBIT A

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August 29, 2014

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



Re: EDGE Trademark Cancellation Action in the U.S.
Our Ref.: 39771-0019PP1

ATLANTA

AUSTIN

BOSTON

DALLAS

DELAWARE

HOUSTON

MUNICH

NEW YORK

SILICON VALLEY

SOUTHERN CALIFORNIA

TWIN CITIES

WASHINGTON, DC

Dear Mr. Langdell:

This is to advise you that we have never received copies of your discovery requests via service by U.S. mail or other means, as required by Rule 2.119 of the U.S. Trademark Office, nor have we consented to service via email.

Accordingly, we do not consider your discovery requests to have been properly served, and our response deadline has not yet begun.

To avoid any future problems regarding service of papers, we suggest that we agree to service via U.S. certified mail. Please let me know if you agree.

Sincerely,


Keith A. Barritt

41030132.doc

EXHIBIT B

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

EDGE GAMES, INC.

Petitioner,

v.

RAZER (ASIA-PACIFIC) PTE LTD,
Registrant.

Cancellation No.: 92058543

Mark: EDGE

Registration No. 4,394,393

Registered: September 3, 2013

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

Pursuant to Federal Rule of Civil Procedure 33 and Trademark Rules of Practice § 2.120, Registrant Razer (Asia-Pacific) Pte Ltd ("Registrant" or "Razer") by its undersigned attorneys hereby responds to Petitioner's First Requests for Interrogatories.

RESERVATION OF RIGHTS

Registrant's responses are based solely on information currently available to Registrant based upon a reasonable investigation. Investigation and discovery are ongoing. Registrant reserves all rights to supplement, revise and/or amend these responses should additional information become available through the discovery process or other means. Registrant also reserves the right to produce or use any information or documents that are discovered after service of these responses in support of or in opposition to any motion, in

depositions, or in hearings. In responding to Registrant's requests, Registrant does not waive any objection on the grounds of privilege, competency, relevance, materiality, authenticity, or admissibility of the information contained in these responses.

GENERAL OBJECTIONS

1. Registrant objects to the definitions, instructions, and requests to the extent that they seek information or documents protected by the attorney-client privilege or by the work product doctrine, prepared in connection with settlement discussions, prepared in anticipation of litigation or for trial, or subject to any other applicable privilege, protection, immunity or restriction upon discovery. Inadvertent disclosure of any privileged or protected information or documents in response to these requests shall not be deemed a waiver of the applicable privilege or protection, or of any other basis for objecting to discovery, or of the right of Registrant to object to the use, and see the return, of any such inadvertently disclosed information.

2. Registrant objects to the requests to the extent that they are not within the scope of permissive discovery under the Federal Rules of Civil Procedure and/or the Trademark Rules of Practice.

3. Registrant objects to the requests, including the definitions and instructions incorporated therein, to the extent that they seek to impose an improper or undue burden or a burden that exceeds what is contemplated by the Federal Rules of Civil Procedure and/or the Trademark Rules of Practice.

4. Registrant objects to the definitions, instructions and requests to the extent that they seek disclosure of information or documents that are neither relevant to the subject matter of this litigation nor reasonably calculated to lead to the discovery of admissible

evidence, or are in any other way inconsistent with the Federal Rules of Civil Procedure and/or the Trademark Rules of Practice. Registrant will respond to the requests only to the extent required by the Rules.

5. Registrant objects to Petitioner's definition of "RAZER," "you," and "your" as overly broad and to the extent that it includes persons or entities that are separate and distinct from Registrant and over which Registrant exercises no control.

6. Registrant objects to the requests to the extent that they use terms that are not defined or understood, or are vaguely or ambiguously defined, and therefore fail to identify with reasonable particularity the information sought. Registrant will not speculate as to the meaning to ascribe to such terms.

7. Registrant objects to the requests to the extent they seek to impose an obligation on Registrant to disclose information that is publicly available and/or as easily obtained by other parties than Registrant, or that is more appropriately obtained through sources other than requests, such as through expert witnesses, on the grounds that such discovery is overly broad and unduly burdensome. Registrant also Registrant objects to the requests to the extent that they seek information or documents that are already known to or in the possession of Registrant.

8. Registrant objects to the requests to the extent that they call for lay opinion, expert opinion, legal conclusions, or other non-factual responses.

9. Registrant objects to the requests to the extent that they seek information subject to confidentiality restrictions of a third party.

10. Registrant objects to the requests to the extent that they incorporate, and seek responses based on, erroneous statements of law, and any response is not to be construed as an agreement with such erroneous statements of pertinent law by Petitioner.

11. Registrant objects to the requests to the extent that they are duplicative.

12. Registrant objects to the requests to the extent that they seek to impose an obligation to identify or search for documents or information at any location other than that at which they would be expected to be stored in the ordinary course of business.

13. Registrant objects to the requests to the extent that they seek identification of “any” and “all” information that refers or relates to a particular subject on the grounds of overbreadth, undue burden, and expense.

14. Registrant objects to Petitioner’s requests that Registrant provide the “identity” of a person or document as overly broad and unduly burdensome, particularly with respect to information regarding the whereabouts of third parties or entities not within Registrant’s possession, custody, or control.

15. A statement by Registrant of its willingness to produce responsive documents that are not protected from discovery does not mean that such documents exist or that such documents, if they exist, are admissible, relevant, or reasonably calculated to lead to discovery of admissible evidence.

16. Registrant incorporates by reference the General Objections set forth above into each of its responses, whether or not repeated therein, as well as any specific stated objections. Registrant may repeat a general objection for emphasis or some other reason, but the failure to repeat any general objection does not waive any general objection to the requests for production. Registrant does not waive its right to amend its objections. Registrant’s willingness to provide the requested responses or information is not an admission that such responses or information are relevant or admissible.

17. Registrant objects to the service of the discovery requests prior to the service of Petitioner’s initial disclosures as required by Trademark Rule 2.120(a)(3). Accordingly,

pursuant to *Dating DNA, LLC v. Imagini Holdings, Ltd.*, 94 USPQ2d 1889 (TTAB 2010), Registrant objects to the discovery requests in their entirety and is not required to provide any substantive responses.

18. Registrant objects to the discovery requests on the grounds that they were not properly served as required by Rule 2.119 of the U.S. Trademark Office.

19. Registrant reserves the right to include additional objections to any future discovery requests.

20. Unless otherwise stated, individuals identified herein may only be contacted via Registrant's outside litigation counsel, Fish & Richardson P.C.

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

INTERROGATORY NO. 1:

Identify each officer and managing agent of Registrant, giving each officer's and managing agent's name, address, title and duties with respect to Registrant. In particular, identify all such persons in Registrant's Singapore company, in its United States subsidiary(ies) along with all other persons responsive to this interrogatory.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous, and requests information that is irrelevant to the cancellation proceeding. Registrant further objects that pursuant to Section 414 (12) of the Trademark Trial and Appeal Board Manual of Procedure, the most that Petitioner is entitled to is information regarding Registrant's officers.

INTERROGATORY NO. 2:

Identify each product and/or service provided by Registrant prior to April 17, 2012 and list the mark under which each product and/or service was provided, the dates during which each product and/or service was provided, annual sales for each year each product and/or service was provided, the amount spent annually on advertising each product and/or service, and the geographic area in which each product and/or service was advertised, provided and/or sold.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous, and requests information that is irrelevant to the cancellation proceeding. Registrant further objects that it is not required to provide information with respect to its marks and goods that are not involved in this proceeding, pursuant to Section 414(11) of the Trademark Trial and Appeal Board Manual of Procedure. Registrant further objects that information regarding its sales and advertising expenditures is trade secret/commercially sensitive and therefore Petitioner as a pro se litigant is not entitled to such information pursuant to Section 412.02(b) of the Trademark Trial and Appeal Board Manual of Procedure.

INTERROGATORY NO. 3:

Identify and describe each product and/or service sold and/or distributed by Registrant under the designation EDGE.

OBJECTIONS: Registrant objects pursuant to Section 414(13) of the Trademark Trial and Appeal Board Manual of Procedure that foreign use of the EDGE mark is irrelevant.

INTERROGATORY NO. 4:

State the exact dates(s) on which Registrant will rely as to when its use of the term EDGE commenced in connection with the sale or distribution of each product and/or service specified in answer to above Interrogatory No. 3.

OBJECTIONS: Registrant objects pursuant to Section 414(13) of the Trademark Trial and Appeal Board Manual of Procedure that foreign use of the EDGE mark is irrelevant.

INTERROGATORY NO. 5:

Identify all documents, purchase orders, invoices, labels, flyers, brochures, other advertising or any writing whatsoever which Registrant will rely upon to establish the date(s) specified in answer to above Interrogatory No. 4.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad and burdensome.

INTERROGATORY NO. 6:

With respect to the first use(s) of EDGE in connection with the sale of each product and/or service identified in above Interrogatory No. 3, state:

- (a) Each manner in which the term EDGE was used, e.g. by affixing to containers, labels, or in newspaper advertising or fliers;
- (b) If the designation EDGE was printed on containers for the product or on labels, the name and address of the person(s) or organization(s) which printed them;

- (c) If the designation EDGE was used in brochures or fliers, the name and address of the person(s) or organization(s) which printed them;
- (d) If the designation was used in media advertising, the name and address of the person(s) or organization(s) which advertised them;
- (e) Whether the product and/or service was sold;
- (f) Whether the product and/or service was offered free of charge;
- (g) The name and address of each and every person(s) or organization(s) to whom/which the product and/or service was sold;
- (h) Whether Registrant itself manufactured each of the product(s) sold and/or distributed under the designation EDGE.
- (i) Whether Registrant itself provided the service(s) sold under the designation EDGE.
- (j) Whether the sale of each product or service under the designation EDGE has been continuous from each date specified in above Interrogatory No. 4 to the present;
- (k) If the answer to Interrogatory 6, including any portion thereof, is in the affirmative, state whether the circumstances that are described in answer to Interrogatory 6 prevailed throughout the period beginning on the date identified in above Interrogatory 4;
- (l) If the circumstances described in the answer to Interrogatory 6, including any portion thereof, did not prevail throughout the period(s) beginning on the date identified in above Interrogatory 4, state in detail how they changed, providing specific dates and names wherever requested; and
- (m) If the answer to Interrogatory 6(j) is in the negative, state the periods of time during which the term EDGE was not used by Registrant in connection with the sale of each product and/or service.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous, and requests information that is irrelevant to the cancellation proceeding. Registrant further objects pursuant to Section 414(13) of the Trademark Trial and Appeal Board Manual of Procedure that foreign use of the EDGE mark is irrelevant. Registrant also objects that the names and contact details of Registrant's customers are not discoverable pursuant to Section 414(3) of the Trademark Trial and Appeal Board Manual of Procedure.

INTERROGATORY NO. 7:

State why Registrant selected the term EDGE as a trademark for each product and/or service specified in Classes 9 and 28 of Reg. No. 4,394,393 and explain in detail how this mark was decided upon before use.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous.

INTERROGATORY NO. 8:

Identify each person who was primarily responsible for selecting the term EDGE as a product and/or service mark.

OBJECTIONS: Registrant objects to this Request on the grounds that the question is logically inconsistent in that it requests information regarding “each person” who was “primarily responsible.”

INTERROGATORY NO. 9:

Identify each person involved in the decision to use the mark EDGE for the products and/or services identified in Classes 9 and 28 of Reg. No. 4,394,393.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous.

INTERROGATORY NO. 10:

Identify all documents in the possession, custody or control of Registrant including but not limited to search reports, market surveys, interoffice memoranda, etc., referring or relating to the adoption of the term EDGE as a mark for each product and/or service specified in Classes 9 and 28 of Reg. No. 4,394,393.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous, and requests information that is irrelevant to the cancellation proceeding.

INTERROGATORY NO. 11:

Identify and describe the channels of trade in the United States of each product and/or service specified in Classes 9 and 28 of Reg. No. 4,394,393 marketed under the designation EDGE.

OBJECTIONS: Registrant objects to this Request for the reasons set forth in the general objections above.

INTERROGATORY NO. 12:

Identify all purchasers by class (e.g., retailers, general public) of each product and/or service specified in Classes 9 and 28 of Reg. No. 4,394,393 marketed under the designation EDGE, whether sold or distributed directly, through licensees, or by any other sales or distribution arrangement.

OBJECTIONS: Registrant further objects pursuant to Section 414(13) of the Trademark Trial and Appeal Board Manual of Procedure that foreign use of the EDGE mark is irrelevant.

INTERROGATORY NO. 13:

Identify each item of sales literature, including brochures and fliers produced by or for Registrant for distribution in the United States to advertise each product and/or service specified in Classes 9 and 28 of Reg. No. 4,394,393 marketed under the designation EDGE.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous.

INTERROGATORY NO. 14:

List all geographical areas (by city, state and country) in which Registrant sells each product and/or service specified in Classes 9 and 28 of Reg. No. 4,394,393 under the designation EDGE.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad and burdensome, and requests information that is irrelevant to the cancellation proceeding. Registrant further objects pursuant to Section 414(13) of the Trademark Trial and Appeal Board Manual of Procedure that foreign use of the EDGE mark is irrelevant.

INTERROGATORY NO. 15:

List all newspapers in the United States in which Registrant has advertised each product and/or service specified in Classes 9 and 28 of Reg. No. 4,394,393 under the designation EDGE and the dates thereof.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad and burdensome.

INTERROGATORY NO. 16:

List all trade journals and magazines (printed or electronic) in the United States in which Registrant has advertised each product and/or service specified in Classes 9 and 28 of Reg. No. 4,394,393 and the dates thereof.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad and burdensome.

INTERROGATORY NO. 17:

List all radio and/or TV stations in the United States where Registrant has advertised each product and/or service specified in Classes 9 and 28 of Reg. No. 4,394,393 under the designation EDGE and the dates hereof.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad and burdensome.

INTERROGATORY NO. 18:

List all other media, not already identified in above Interrogatories 15, 16, and 17 where Registrant has advertised each product and/or service specified in Classes 9 and 28 of Reg. No. 4,394,393 under the designation EDGE and the dates thereof.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous, and requests information that is irrelevant to the cancellation proceeding. Registrant further objects pursuant to Section 414(13) of the Trademark Trial and Appeal Board Manual of Procedure that foreign use of the EDGE mark is irrelevant.

INTERROGATORY NO. 19:

For each calendar year since commencement of use of the designation EDGE in connection with the marketing of each product and/or service specified in Classes 9 and 28 of Reg. No. 4,394,393, state the amount expended by Registrant in the United States in the advertisement of each product and/or service.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad and burdensome. Registrant further objects that information regarding its advertising expenditures is trade secret/commercially sensitive and therefore Petitioner as a pro se litigant is not entitled to such information pursuant to Section 412.02(b) of the Trademark Trial and Appeal Board Manual of Procedure.

INTERROGATORY NO. 20:

For each calendar year since commencement of use of the designation EDGE in connection with the sale of each product and/or service specified in Classes 9 and 28 of Reg. No. 4,394,393, state the amount of sales by Registrant in the United States of each product and/or service.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad and burdensome. Registrant further objects that information regarding its sales is trade secret/commercially sensitive and therefore Petitioner as a pro se litigant is not entitled to such information pursuant to Section 412.02(b) of the Trademark Trial and Appeal Board Manual of Procedure.

INTERROGATORY NO. 21:

Describe in detail all instances of actual confusion known to Registrant between the source of Petitioner's products and/or services and each product and/or service specified in Classes 9 and 28 of Reg. No. 4,394,393 and identify all documents in the possession, custody or control of Registrant relating to each such instances of confusion.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous.

INTERROGATORY NO. 22:

Identify by name and address all person(s) or organization(s) who have been responsible for advertising each service specified in Classes 9 and 28 of Reg. No. 4,394,393, under the designation EDGE.

OBJECTIONS: Registrant objects to this Request for the reasons set forth in the general objections above.

INTERROGATORY NO. 23:

Has Registrant requested or received or does Registrant have knowledge of any opinions, legal or otherwise, of any type regarding the right to use the mark EDGE or in relation to whether Petitioner has a right to the mark EDGE? If the answer to this interrogatory is other than a categorical unqualified negative, identify the person or persons requesting each such opinion; identify each such opinion; and identify the person rendering each such opinion.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous.

INTERROGATORY NO. 24:

Has Registrant or any of its officers or managing agents identified in the answer to above Interrogatory No. 1 ever considered or attempted to initiate or ever been party to a lawsuit, Trademark Office opposition or cancellation proceeding (other than the present proceeding) in the United States involving or relating to the use or registration of the mark EDGE?

OBJECTIONS: Registrant objects to this Request for the reasons set forth in the general objections above.

INTERROGATORY NO. 25:

If the answer to above Interrogatory 24 is yes, set forth the following concerning each such litigation or proceeding: identify each actual or potential adversary and the trademarks involved; state its case docket number and filing date and identify the tribunal involved; state its outcome; identify all documents referring or relating to such litigation or proceeding and ensuing negotiations, if any; and state the name(s) and address(es) and telephone number(s) of all counsel representing any adverse party in such litigation or proceeding.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad and burdensome.

INTERROGATORY NO. 26:

Identify the Registrant's predecessors-in-interest, and all of its subsidiaries and affiliated companies, and the officers, directors, employees, agents and representatives thereof.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad and burdensome, and requests information that is irrelevant to the cancellation proceeding. Registrant further objects that pursuant to Section 414 (12) of the Trademark Trial and Appeal Board Manual of Procedure, the most that Petitioner is entitled to is information regarding officers.

INTERROGATORY NO. 27:

Identify any and all documents responsive to the foregoing interrogatories which are lost or unavailable and identify the date(s) the loss or unavailability was first discovered, the person(s) who first discovered the loss or unavailability and the person(s) most knowledgeable about the contents of such lost or unavailable documents.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous.

INTERROGATORY NO. 28:

Identify all persons who participated in any way in the preparation of the answers or responses to these interrogatories and state specifically, with reference to interrogatory numbers, the area of participation of each such person (excluding only Registrant's lawyers or their representatives).

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous.

INTERROGATORY NO. 29:

Identify the person within Registrant who has the greatest knowledge as to the information requested, as to each of the above interrogatories.

OBJECTIONS: Registrant objects to this Request for the reasons set forth in the general objections above.

INTERROGATORY NO. 30:

Identify any study, research, focus group, testing or similar validation procedure employed by Registrant or any person or entity at Registrant's request or on behalf of Registrant to determine the presence and/or absence of any confusion between Petitioner's product and/or services and the products and/or services specified in Classes 1 and 28 of Reg. No. 4,394,393.

OBJECTIONS: Registrant objects to this Request for the reasons set forth in the general objections above.

INTERROGATORY NO. 31:

Identify any person with whom Registrant has discussed its use in U.S. commerce of the mark EDGE, or has discussed Petitioner's use or right to use the mark EDGE, or has discussed Petitioner's licensee agreements or arrangements relating to the mark EDGE, including any person associated with Petitioner's licensees or any license arrangement Petitioner may have for the mark EDGE. In each case give the person's full name, contact details, and full itemized details of each and every communication whether oral or written and the nature of each.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous.

INTERROGATORY NO. 32:

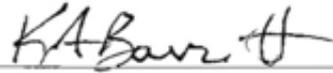
Was Registrant aware of Petitioner's use (or any use by any licensee of Petitioner and/or use by Velocity Micro Inc.) of the mark EDGE in U.S. commerce prior to (a) April 17, 2012, (b) Registrant's first use of the mark EDGE anywhere worldwide, (c) Registrant's first use of the mark EDGE in Singapore, (d) Registrant's first use of the mark EDGE in U.S. commerce? Unless the response to this interrogatory is a definitive "no" to any and all parts of it, then in each case identify everything that Registrant was aware of, what documents or events Registrant was aware of, with whom Registrant discussed such use, and any other pertinent fact relating to such use by Petitioner or Velocity Micro Inc. or otherwise.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous. Registrant further objects pursuant to Section 414(13) of the Trademark Trial and Appeal Board Manual of Procedure that foreign use of the EDGE mark is irrelevant.

INTERROGATORY NO. 33:

Identify in all ways how Registrant intends to rely on any foreign registration or foreign use of the mark EDGE, giving full details of how Registrant so intends, including all persons and documents relating thereto it intends to rely on.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous. Registrant further objects pursuant to Section 414(13) of the Trademark Trial and Appeal Board Manual of Procedure that foreign use of the EDGE mark is irrelevant.



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Sept. 12, 2014
Date

Attorneys for Registrant

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EXHIBIT C

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

EDGE GAMES, INC.

Petitioner,

v.

RAZER (ASIA-PACIFIC) PTE LTD,
Registrant.

Cancellation No.: 92058543

Mark: EDGE

Registration No. 4,394,393

Registered: September 3, 2013

**REGISTRANT'S RESPONSES TO
PETITIONER'S FIRST REQUESTS FOR ADMISSION**

Pursuant to Federal Rule of Civil Procedure 36 and Trademark Rules of Practice § 2.120, Registrant Razer (Asia-Pacific) Pte Ltd (“Registrant” or “Razer”) by its undersigned attorneys hereby responds to Petitioner’s First Requests for Admission.

RESERVATION OF RIGHTS

Registrant’s responses are based solely on information currently available to Registrant based upon a reasonable investigation. Investigation and discovery are ongoing. Registrant reserves all rights to supplement, revise and/or amend these responses should additional information become available through the discovery process or other means. Registrant also reserves the right to produce or use any information or documents that are discovered after service of these responses in support of or in opposition to any motion, in

depositions, or in hearings. In responding to Registrant's requests, Registrant does not waive any objection on the grounds of privilege, competency, relevance, materiality, authenticity, or admissibility of the information contained in these responses.

GENERAL OBJECTIONS

1. Registrant objects to the definitions, instructions, and requests to the extent that they seek information or documents protected by the attorney-client privilege or by the work product doctrine, prepared in connection with settlement discussions, prepared in anticipation of litigation or for trial, or subject to any other applicable privilege, protection, immunity or restriction upon discovery. Inadvertent disclosure of any privileged or protected information or documents in response to these requests shall not be deemed a waiver of the applicable privilege or protection, or of any other basis for objecting to discovery, or of the right of Registrant to object to the use, and see the return, of any such inadvertently disclosed information.

2. Registrant objects to the requests to the extent that they are not within the scope of permissive discovery under the Federal Rules of Civil Procedure and/or the Trademark Rules of Practice.

3. Registrant objects to the requests, including the definitions and instructions incorporated therein, to the extent that they seek to impose an improper or undue burden or a burden that exceeds what is contemplated by the Federal Rules of Civil Procedure and/or the Trademark Rules of Practice.

4. Registrant objects to the definitions, instructions and requests to the extent that they seek disclosure of information or documents that are neither relevant to the subject matter of this litigation nor reasonably calculated to lead to the discovery of admissible

evidence, or are in any other way inconsistent with the Federal Rules of Civil Procedure and/or the Trademark Rules of Practice. Registrant will respond to the requests only to the extent required by the Rules.

5. Registrant objects to Petitioner's definition of "RAZER," "you," and "your" as overly broad and to the extent that it includes persons or entities that are separate and distinct from Registrant and over which Registrant exercises no control.

6. Registrant objects to the requests to the extent that they use terms that are not defined or understood, or are vaguely or ambiguously defined, and therefore fail to identify with reasonable particularity the information sought. Registrant will not speculate as to the meaning to ascribe to such terms.

7. Registrant objects to the requests to the extent they seek to impose an obligation on Registrant to disclose information that is publicly available and/or as easily obtained by other parties than Registrant, or that is more appropriately obtained through sources other than requests, such as through expert witnesses, on the grounds that such discovery is overly broad and unduly burdensome. Registrant also objects to the requests to the extent that they seek information or documents that are already known to or in the possession of Registrant.

8. Registrant objects to the requests to the extent that they call for lay opinion, expert opinion, legal conclusions, or other non-factual responses.

9. Registrant objects to the requests to the extent that they seek information subject to confidentiality restrictions of a third party.

10. Registrant objects to the requests to the extent that they incorporate, and seek responses based on, erroneous statements of law, and any response is not to be construed as an agreement with such erroneous statements of pertinent law by Petitioner.

11. Registrant objects to the requests to the extent that they are duplicative.

12. Registrant objects to the requests to the extent that they seek to impose an obligation to identify or search for documents or information at any location other than that at which they would be expected to be stored in the ordinary course of business.

13. Registrant objects to the requests to the extent that they seek identification of “any” and “all” information that refers or relates to a particular subject on the grounds of overbreadth, undue burden, and expense.

14. Registrant objects to Petitioner’s requests that Registrant provide the “identity” of a person or document as overly broad and unduly burdensome, particularly with respect to information regarding the whereabouts of third parties or entities not within Registrant’s possession, custody, or control.

15. A statement by Registrant of its willingness to produce responsive documents that are not protected from discovery does not mean that such documents exist or that such documents, if they exist, are admissible, relevant, or reasonably calculated to lead to discovery of admissible evidence.

16. Registrant incorporates by reference the General Objections set forth above into each of its responses, whether or not repeated therein, as well as any specific stated objections. Registrant may repeat a general objection for emphasis or some other reason, but the failure to repeat any general objection does not waive any general objection to the requests for production. Registrant does not waive its right to amend its objections. Registrant’s willingness to provide the requested responses or information is not an admission that such responses or information are relevant or admissible.

17. Registrant objects to the service of the discovery requests prior to the service of Petitioner’s initial disclosures as required by Trademark Rule 2.120(a)(3). Accordingly,

pursuant to *Dating DNA, LLC v. Imagini Holdings, Ltd.*, 94 USPQ2d 1889 (TTAB 2010), Registrant objects to the discovery requests in their entirety and is not required to provide any substantive responses.

18. Registrant objects to the discovery requests on the grounds that they were not properly served as required by Rule 2.119 of the U.S. Trademark Office.

19. Registrant reserves the right to include additional objections to any future discovery requests.

20. Unless otherwise stated, individuals identified herein may only be contacted via Registrant's outside litigation counsel, Fish & Richardson P.C.

SPECIFIC OBJECTIONS AND RESPONSES TO INTERROGATORIES

Subject to the foregoing General Objections and reservation of rights, as well as the specific objections set forth below, Registrant responds as follows:

REGISTRANT'S RESPONSES TO PETITIONER'S FIRST REQUESTS FOR ADMISSION

REQUEST FOR ADMISSION NO. 1:

Admit that you had constructive knowledge of EDGE's use of the mark EDGE and/or claims to ownership of the mark EDGE prior to applying for the Razer Mark.

OBJECTIONS: Registrant objects to this Request for the reasons set forth in the general objections above.

REQUEST FOR ADMISSION NO. 2:

Admit that you had constructive knowledge of EDGE's use of the mark EDGE and/or claims to ownership of the mark EDGE prior to applying for the Razer Singapore Mark.

OBJECTIONS: Registrant objects pursuant to Section 414(13) of the Trademark Trial and Appeal Board Manual of Procedure that foreign use of and application for the Razer Mark is irrelevant.

REQUEST FOR ADMISSION NO. 3:

Admit that you had constructive knowledge of Velocity Micro Inc.'s use of the mark EDGE prior to applying for the Razer Mark.

OBJECTIONS: Registrant objects to this Request for the reasons set forth in the general objections above.

REQUEST FOR ADMISSION NO. 4:

Admit that you had constructive knowledge of Velocity Micro Inc.'s use of the mark EDGE prior to applying for the Razer Singapore Mark.

OBJECTIONS: Registrant objects pursuant to Section 414(13) of the Trademark Trial and Appeal Board Manual of Procedure that foreign use of and application for the Razer Mark is irrelevant.

REQUEST FOR ADMISSION NO. 5:

Admit that you had constructive knowledge of EDGE's use of the mark EDGE and/or claims to ownership interest in the mark EDGE prior to first use of the Razer Mark in U.S. commerce.

OBJECTIONS: Registrant objects to this Request for the reasons set forth in the general objections above.

REQUEST FOR ADMISSION NO. 6:

Admit that you had constructive knowledge of Velocity Micro Inc.'s use of the mark EDGE prior to first use of the Razer Mark in U.S. commerce.

OBJECTIONS: Registrant objects to this Request for the reasons set forth in the general objections above.

REQUEST FOR ADMISSION NO. 7:

Admit that use by RAZER of the mark EDGE for the goods and services mentioned in RAZER's Reg. no. 4,394,393 would have a likelihood of being confused with EDGE's use of the same mark for game computers or computer games, or use by one of EDGE's licensees for computer game hardware or related goods and services, such that consumers may be unclear as to the true source.

OBJECTIONS: Registrant objects to this Request for the reasons set forth in the general objections above.

REQUEST FOR ADMISSION NO. 8:

Admit that filing an application for registration of a trademark does not constitute right to use that trademark.

OBJECTIONS: Registrant objects to this Request for the reasons set forth in the general objections above.

REQUEST FOR ADMISSION NO. 9:

Admit that you had actual knowledge of EDGE's application no. 85/147,499 for the mark EDGE GAMES at the time you filed the Razer Mark application.

OBJECTIONS: Registrant objects to this Request for the reasons set forth in the general objections above.

REQUEST FOR ADMISSION NO. 10:

Admit that you had actual knowledge of EDGE's application no. 85/147,499 for the mark EDGE GAMES at the time you commenced first use of the Razer Mark.

OBJECTIONS: Registrant objects pursuant to Section 414(13) of the Trademark Trial and Appeal Board Manual of Procedure that foreign use of and application for the Razer Mark is irrelevant.

REQUEST FOR ADMISSION NO. 11:

Admit that you have actual knowledge of EDGE's application no. 85/891,810 for the mark EDGE GAMING PC and/or are aware that registration of the Razer Mark is an obstacle to EDGE gaining registration of this mark.

OBJECTIONS: Registrant objects to this Request for the reasons set forth in the general objections above.

REQUEST FOR ADMISSION NO. 12:

Admit that you have actual knowledge of EDGE's application no. 85/891,810 for the mark EDGE PC and/or are aware that registration of the Razer Mark is an obstacle to EDGE gaining registration of this mark.

OBJECTIONS: Registrant objects to this Request for the reasons set forth in the general objections above.

REQUEST FOR ADMISSION NO. 13:

Admit that the Razer Mark registration and the mark “EDGE” used by EDGE and are identical marks.

OBJECTIONS: Registrant objects to this Request for the reasons set forth in the general objections above.

REQUEST FOR ADMISSION NO. 14:

Admit that the Razer Mark registration and the mark “EDGE” used by EDGE’s various trademark licensees and are identical marks.

OBJECTIONS: Registrant objects to this Request for the reasons set forth in the general objections above.

REQUEST FOR ADMISSION NO. 15:

Admit that the Razer Mark registration and the mark “EDGE” used by Velocity Micro Inc. and are identical marks.

OBJECTIONS: Registrant objects to this Request for the reasons set forth in the general objections above.

REQUEST FOR ADMISSION NO. 16:

Admit that the Razer Mark registration and the mark “GAMER’S EDGE” used by EDGE and Velocity Micro Inc. and are essentially the same marks given that “GAMER’S” is merely descriptive of the target audience of RAZER, EDGE and Velocity Micro Inc.

OBJECTIONS: Registrant objects to this Request for the reasons set forth in the general objections above.

REQUEST FOR ADMISSION NO. 17:

Admit that you have received communications, intended for EDGE or Velocity Micro Inc. or one of EDGE’s other licensees about the Razer Edge products.

OBJECTIONS: Registrant objects to this Request for the reasons set forth in the general objections above.

REQUEST FOR ADMISSION NO. 18:

Admit that you have received e-mails, intended EDGE or Velocity Micro Inc. or one of EDGE’s other licensees about the Razer Edge products.

OBJECTIONS: Registrant objects to this Request for the reasons set forth in the general objections above.

REQUEST FOR ADMISSION NO. 19:

Admit that Razer Mark products and the EDGE brand products sold by EDGE and EDGE's licensees are related fields and the design of all those products are related fields.

OBJECTIONS: Registrant objects to this Request for the reasons set forth in the general objections above.

REQUEST FOR ADMISSION NO. 20:

Admit that the manufacturing of Razer Mark brand products on the one hand, and the engineering of EDGE's and EDGE's licensee's products — such as those by Velocity Micro Inc. — on the other hand, are related fields.

OBJECTIONS: Registrant objects to this Request for the reasons set forth in the general objections above.

REQUEST FOR ADMISSION NO. 21:

Admit that the Razer Mark products produced by RAZER are targeted at computer game playing consumers.

OBJECTIONS: Registrant objects to this Request for the reasons set forth in the general objections above.

REQUEST FOR ADMISSION NO. 22:

Admit that the EDGE's "EDGE" brand products are targeted at computer game playing consumers.

OBJECTIONS: Registrant objects to this Request for the reasons set forth in the general objections above.

REQUEST FOR ADMISSION NO. 23:

Admit that the Velocity Micro Inc's EDGE brand products are targeted at computer game playing consumers.

OBJECTIONS: Registrant objects to this Request for the reasons set forth in the general objections above.

REQUEST FOR ADMISSION NO. 24:

Admit that RAZER owns the U.S. Trademark Reg. No. 4,330,124 "FOR GAMERS. BY GAMERS."

OBJECTIONS: Registrant objects to this Request as it requests irrelevant information, pursuant to Section 4I4(11) of the Trademark Trial and Appeal Board Manual of Procedure.

REQUEST FOR ADMISSION NO. 25:

Admit that RAZER received a request from EDGE for RAZER to cease and desist from use of the Razer Mark and that RAZER failed to act on that request.

OBJECTIONS: Registrant objects to this Request for the reasons set forth in the general objections above.

REQUEST FOR ADMISSION NO. 26:

Admit that Chin-Gee Ong who styled himself as working for “Razer|Fox (Asia-Pacific)” and as being a “Senior IP Executive” for said company wrote to EDGE’s CEO D Langdell on or about April 11, 2011 responding to EDGE’s cease and desist demand stating that RAZER’s “intention is to be cooperative” in dealing with EDGE’s protest of RAZER use of the Razer Mark.

OBJECTIONS: Registrant objects to this Request for the reasons set forth in the general objections above.

REQUEST FOR ADMISSION NO. 27:

Admit that “Razer|Fox” that Chin-Gee Ong stated he worked for in April 2011 is RAZER.

OBJECTIONS: Registrant objects to this Request for the reasons set forth in the general objections above.

REQUEST FOR ADMISSION NO. 28:

Admit that employees and representatives of RAZER were warned of the consequences of using the mark EDGE on RAZER products when this mark has been well known in U.S. commerce in relation to similar and identical products sold by EDGE and/or its affiliates and/or its licensees.

OBJECTIONS: Registrant objects to this Request for the reasons set forth in the general objections above.

REQUEST FOR ADMISSION NO. 29:

Admit that game tablets are game computers in portable form.

OBJECTIONS: Registrant objects to this Request for the reasons set forth in the general objections above.

REQUEST FOR ADMISSION NO. 30:

Admit that Velocity Micro Inc. is well known for producing game computers and tablet computers.

OBJECTIONS: Registrant objects to this Request for the reasons set forth in the general objections above.

REQUEST FOR ADMISSION NO. 31:

Admit that Velocity Micro Inc. is well known for producing game computers and using the brand name "EDGE."

OBJECTIONS: Registrant objects to this Request for the reasons set forth in the general objections above.

REQUEST FOR ADMISSION NO. 32:

Admit that Velocity Micro Inc. sells game computers and other related products through the same, or essentially, the same channels as RAZER sells its Razer Mark products.

OBJECTIONS: Registrant objects to this Request for the reasons set forth in the general objections above.

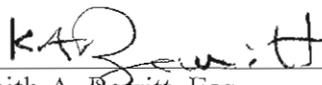
REQUEST FOR ADMISSION NO. 33:

Admit that The Lanham Act gives a court discretionary power to increase damages up to treble damages were RAZER to be found to have knowingly used, or continued to use, the Razer Mark after gaining knowledge of the earlier acquired rights in the same mark, for the same or closely related goods and services, owned by EDGE.

OBJECTIONS: Registrant objects to this Request for the reasons set forth in the general objections above.

Respectfully submitted,

Razer (Asia-Pacific) Pte Ltd.



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Sept. 12, 2014
Date

Attorneys for Registrant

EXHIBIT D

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

EDGE GAMES, INC.

Petitioner,

v.

RAZER (ASIA-PACIFIC) PTE LTD,
Registrant.

Cancellation No.: 92058543

Mark: EDGE

Registration No. 4,394,393

Registered: September 3, 2013

**REGISTRANT'S RESPONSES TO
PETITIONER'S FIRST SET OF DOCUMENT REQUESTS**

Pursuant to Federal Rule of Civil Procedure 34 and Trademark Rules of Practice § 2.120, Registrant Razer (Asia-Pacific) Pte Ltd ("Registrant" or "Razer") by its undersigned attorneys hereby responds to Petitioner's First Set of Document Requests.

RESERVATION OF RIGHTS

Registrant's responses are based solely on information currently available to Registrant based upon a reasonable investigation. Investigation and discovery are ongoing. Registrant reserves all rights to supplement, revise and/or amend these responses should additional information become available through the discovery process or other means. Registrant also reserves the right to produce or use any information or documents that are discovered after service of these responses in support of or in opposition to any motion, in

depositions, or in hearings. In responding to Registrant's requests, Registrant does not waive any objection on the grounds of privilege, competency, relevance, materiality, authenticity, or admissibility of the information contained in these responses.

GENERAL OBJECTIONS

1. Registrant objects to the definitions, instructions, and requests to the extent that they seek information or documents protected by the attorney-client privilege or by the work product doctrine, prepared in connection with settlement discussions, prepared in anticipation of litigation or for trial, or subject to any other applicable privilege, protection, immunity or restriction upon discovery. Inadvertent disclosure of any privileged or protected information or documents in response to these requests shall not be deemed a waiver of the applicable privilege or protection, or of any other basis for objecting to discovery, or of the right of Registrant to object to the use, and see the return, of any such inadvertently disclosed information.

2. Registrant objects to the requests to the extent that they are not within the scope of permissive discovery under the Federal Rules of Civil Procedure and/or the Trademark Rules of Practice.

3. Registrant objects to the requests, including the definitions and instructions incorporated therein, to the extent that they seek to impose an improper or undue burden or a burden that exceeds what is contemplated by the Federal Rules of Civil Procedure and/or the Trademark Rules of Practice.

4. Registrant objects to the definitions, instructions and requests to the extent that they seek disclosure of information or documents that are neither relevant to the subject matter of this litigation nor reasonably calculated to lead to the discovery of admissible

evidence, or are in any other way inconsistent with the Federal Rules of Civil Procedure and/or the Trademark Rules of Practice. Registrant will respond to the requests only to the extent required by the Rules.

5. Registrant objects to Petitioner's definition of "RAZER," "you," and "your" as overly broad and to the extent that it includes persons or entities that are separate and distinct from Registrant and over which Registrant exercises no control.

6. Registrant objects to the requests to the extent that they use terms that are not defined or understood, or are vaguely or ambiguously defined, and therefore fail to identify with reasonable particularity the information sought. Registrant will not speculate as to the meaning to ascribe to such terms.

7. Registrant objects to the requests to the extent they seek to impose an obligation on Registrant to disclose information that is publicly available and/or as easily obtained by other parties than Registrant, or that is more appropriately obtained through sources other than requests, such as through expert witnesses, on the grounds that such discovery is overly broad and unduly burdensome. Registrant also Registrant objects to the requests to the extent that they seek information or documents that are already known to or in the possession of Registrant.

8. Registrant objects to the requests to the extent that they call for lay opinion, expert opinion, legal conclusions, or other non-factual responses.

9. Registrant objects to the requests to the extent that they seek information subject to confidentiality restrictions of a third party.

10. Registrant objects to the requests to the extent that they incorporate, and seek responses based on, erroneous statements of law, and any response is not to be construed as an agreement with such erroneous statements of pertinent law by Petitioner.

11. Registrant objects to the requests to the extent that they are duplicative.

12. Registrant objects to the requests to the extent that they seek to impose an obligation to identify or search for documents or information at any location other than that at which they would be expected to be stored in the ordinary course of business.

13. Registrant objects to the requests to the extent that they seek identification of “any” and “all” information that refers or relates to a particular subject on the grounds of overbreadth, undue burden, and expense.

14. Registrant objects to Petitioner’s requests that Registrant provide the “identity” of a person or document as overly broad and unduly burdensome, particularly with respect to information regarding the whereabouts of third parties or entities not within Registrant’s possession, custody, or control.

15. A statement by Registrant of its willingness to produce responsive documents that are not protected from discovery does not mean that such documents exist or that such documents, if they exist, are admissible, relevant, or reasonably calculated to lead to discovery of admissible evidence.

16. Registrant incorporates by reference the General Objections set forth above into each of its responses, whether or not repeated therein, as well as any specific stated objections. Registrant may repeat a general objection for emphasis or some other reason, but the failure to repeat any general objection does not waive any general objection to the requests for production. Registrant does not waive its right to amend its objections. Registrant’s willingness to provide the requested responses or information is not an admission that such responses or information are relevant or admissible.

17. Registrant objects to the service of the discovery requests prior to the service of Petitioner’s initial disclosures as required by Trademark Rule 2.120(a)(3). Accordingly,

pursuant to *Dating DNA, LLC v. Imagini Holdings, Ltd.*, 94 USPQ2d 1889 (TTAB 2010), Registrant objects to the discovery requests in their entirety and is not required to provide any substantive responses.

18. Registrant objects to the discovery requests on the grounds that they were not properly served as required by Rule 2.119 of the U.S. Trademark Office.

19. Registrant reserves the right to include additional objections to any future discovery requests.

20. Unless otherwise stated, individuals identified herein may only be contacted via Registrant's outside litigation counsel, Fish & Richardson P.C.

**REGISTRANT'S RESPONSES TO
FIRST SET OF DOCUMENT REQUESTS**

Subject to the foregoing General Objections and reservation of rights, as well as the specific objections set forth below, Registrant responds as follows:

DOCUMENT REQUEST NO. 1:

All documents relating in any way to your use of the mark EDGE, Petitioner's use of the mark EDGE or any other party's use of the mark EDGE.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous.

DOCUMENT REQUEST NO. 2:

All documents relating to communications between you and any party discussing your use of the mark EDGE or Petitioner's use of the mark EDGE or any other party's use of the mark EDGE.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous.

DOCUMENT REQUEST NO. 3:

All documents relating to communications with third parties, other than your counsel, concerning your decision to use the mark EDGE.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous.

DOCUMENT REQUEST NO. 4:

All documents relating to actual confusion between you or any of your products and services, and EDGE or Velocity Micro Inc. or any of their products or services.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad and burdensome.

DOCUMENT REQUEST NO. 5:

All documents relating to any incident or proceeding in which anyone has challenged your use or registration of, or the rights you claim, in the Razer Mark including but not limited to any demand to cease and desist.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad and burdensome.

DOCUMENT REQUEST NO. 6:

All documents relating to any incident or proceeding in which a third party has challenged your use or registration of, or the rights you claim in the Razer Mark, including but not limited to any demand to cease and desist.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad and burdensome.

DOCUMENT REQUEST NO. 7:

All documents relating to any incident or proceeding in which you have challenged the rights of a third party based on the rights you claim to the Razer Mark, including but not limited to any demand to cease and desist.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad and burdensome.

DOCUMENT REQUEST NO. 8:

All documents relating to your selection and/or adoption of the mark EDGE or any mark including the word EDGE in it.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous.

DOCUMENT REQUEST NO. 9:

All documents relating to your decision to file the 79,117,898 application or to your decision to file any foreign application for the same mark.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous, and requests information that is irrelevant to the cancellation proceeding. Registrant further objects pursuant to Section 414(13) of the Trademark Trial and Appeal Board Manual of Procedure that foreign use and application for the Razer Mark is irrelevant.

DOCUMENT REQUEST NO. 10:

All documents relating to any trademark applications you have filed for the Razer Mark including but not limited to any correspondence between you or your counsel, on the one hand, and the U.S. Patent and Trademark Office on the other, or any communications in any foreign territory relating to foreign applications for the mark EDGE or foreign registrations thereof.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous, and requests information that is irrelevant to the cancellation proceeding. Registrant further objects pursuant to Section 414(13) of the Trademark Trial and Appeal Board Manual of Procedure that foreign use and application for the Razer Mark is irrelevant. Registrant further objects that any requested correspondence with the U.S. Patent and Trademark Office is available to the public via the website of the Office and is therefore equally available to Petitioner as to Registrant.

DOCUMENT REQUEST NO. 11:

All documents relating to any communications between you or your counsel, on the one hand, and the U.S. Patent and Trademark Office, on the other hand, concerning trademark applications incorporating the EDGE led by anyone other than you.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous. Registrant further objects that any requested correspondence with the U.S. Patent and Trademark Office is available to the public via the website of the Office and is therefore equally available to Petitioner as to Registrant.

DOCUMENT REQUEST NO. 12:

All documents relating to any investigation, trademark search, and/or other inquiry conducted by you, and/or on your behalf, in connection with assessing the availability, registrability, or use of the Razer Mark.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous.

DOCUMENT REQUEST NO. 13:

All documents relating to studies and/or surveys in connection with the use of the Razer Mark.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous.

DOCUMENT REQUEST NO. 14:

All documents relating to studies, tests, ratings, and/or surveys in connection with your products and services.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous, and requests information that is irrelevant to the cancellation proceeding. Registrant also objects pursuant to Section 414(11) of the Trademark Trial and Appeal Board Manual of Procedure that this Request is overly broad because it is not limited to products and services related to the Razer Mark.

DOCUMENT REQUEST NO. 15:

All documents relating to your selection, adoption and registration of any Internet domain names incorporating the word EDGE.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous, and requests information that is irrelevant to the cancellation proceeding.

DOCUMENT REQUEST NO. 16:

Documents sufficient to identify every product and service on or in connection with which you have used or are using the Razer Mark or any mark incorporating the word EDGE.

OBJECTIONS: Registrant objects to this Request pursuant to Section 414(13) of the Trademark Trial and Appeal Board Manual of Procedure that foreign use of the EDGE mark is irrelevant.

DOCUMENT REQUEST NO. 17:

All documents relating to the dates of the first use, on or in connection with each of your products and services, of the Razer Mark.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous, and requests information that is irrelevant to the cancellation proceeding. Registrant further objects pursuant to Section 414(13) of the Trademark Trial and Appeal Board Manual of Procedure that foreign use and application for the Razer Mark is irrelevant.

DOCUMENT REQUEST NO. 18:

All documents relating to the dates of first use in commerce, on or in connection with each of your products and services, of the Razer Mark.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous.

DOCUMENT REQUEST NO. 19:

All documents relating to your past and present efforts to promote or expand public awareness of the Razer Mark.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous, and requests information that is irrelevant to the cancellation proceeding. Registrant further objects pursuant to Section 414(13) of the Trademark Trial and Appeal Board Manual of Procedure that foreign use of the Razer Mark is irrelevant.

DOCUMENT REQUEST NO. 20:

All documents relating to any license agreements, or consents to use, that you have granted to third parties for Razer Mark.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous, and requests information that is irrelevant to the cancellation proceeding. Registrant further objects pursuant to Section 414(13) of the Trademark Trial and Appeal Board Manual of Procedure that foreign use of the Razer Mark is irrelevant.

DOCUMENT REQUEST 21:

All documents relating to your plans for future use of, or plans to license others in the future to use, the Razer Mark.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous, and requests information that is irrelevant to the cancellation proceeding. Registrant also objects on the grounds that such information is trade secret/commercially sensitive under Section 414(8) of the Trademark Trial and Appeal Board Manual of Procedure and therefore Petitioner as a pro se litigant is not entitled to such information pursuant to Section 412.02(b) of the Trademark Trial and Appeal Board Manual

of Procedure. Registrant further objects pursuant to Section 414(13) of the Trademark Trial and Appeal Board Manual of Procedure that foreign use of the Razer Mark is irrelevant.

DOCUMENT REQUEST NO. 22:

All documents relating to your use of the Razer Mark on any Product or any mark including the word EDGE on any product.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous, and requests information that is irrelevant to the cancellation proceeding. Registrant further objects pursuant to Section 414(13) of the Trademark Trial and Appeal Board Manual of Procedure that foreign use of the Razer Mark is irrelevant.

DOCUMENT REQUEST NO. 23:

All documents relating to your plans to use, or plans to license others to use, the Razer Mark on tablet computers, computers handheld devices, or any accessories or peripherals thereto.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous, and requests information that is irrelevant to the cancellation proceeding. Registrant further objects pursuant to Section 414(13) of the Trademark Trial and Appeal Board Manual of Procedure that foreign use of the Razer Mark is irrelevant. Registrant also objects on the grounds that such information is trade secret/commercially sensitive under Section 414(8) of the Trademark Trial and Appeal Board Manual of Procedure and therefore Petitioner as a pro se litigant is not entitled to such information pursuant to Section 412.02(b) of the Trademark Trial and Appeal Board Manual of Procedure.

DOCUMENT REQUEST NO. 24:

All documents relating to your use of the Razer Mark in connection with any product or service not covered in Request 23.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous, and requests information that is irrelevant to the cancellation proceeding. Registrant further objects pursuant to Section 414(13) of the Trademark Trial and Appeal Board Manual of Procedure that foreign use of the Razer Mark is irrelevant.

DOCUMENT REQUEST NO. 25:

All documents relating to your plans to use, or plans to license others to use, the Razer Mark or any mark containing the word EDGE in connection with any products or services that you do not currently offer or sell.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous, and requests information that is irrelevant to the cancellation proceeding. Registrant further objects pursuant to Section 414(13) of the Trademark Trial and Appeal Board Manual of Procedure that foreign use of the Razer Mark is irrelevant. Registrant also objects on the grounds that such information is trade secret/commercially sensitive under Section 414(8) of the Trademark Trial and Appeal Board Manual of Procedure and therefore Petitioner as a pro se litigant is not entitled to such information pursuant to Section 412.02(b) of the Trademark Trial and Appeal Board Manual of Procedure.

DOCUMENT REQUEST NO. 26:

Documents sufficient to show your annual expenditures on domestic advertising and marketing of any products or services bearing or relating to the Razer Mark since first use in the United States.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous. Registrant also objects on the grounds that such information is trade secret/commercially sensitive and therefore Petitioner as a pro se litigant is not entitled to such information pursuant to Section 412.02(b) of the Trademark Trial and Appeal Board Manual of Procedure.

DOCUMENT REQUEST NO. 27:

Documents sufficient to show your annual expenditures on domestic advertising and marketing of any products or services bearing or relating to the Razer Mark since first use in the Singapore or any other foreign territory where use by RAZER will be relied on in these proceedings.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous, and requests information that is irrelevant to the cancellation proceeding. Registrant further objects pursuant to Section 414(13) of the Trademark Trial and Appeal Board Manual of Procedure that foreign use of the Razer Mark is irrelevant. Registrant also objects on the grounds that such information is trade secret/commercially sensitive and therefore Petitioner as a pro se litigant is not entitled to such information pursuant to Section 412.02(b) of the Trademark Trial and Appeal Board Manual of Procedure.

DOCUMENT REQUEST NO. 28:

Documents sufficient to show the geographic scope of your business and promotional activities using the Razer Mark including all channels of trade used to sell and promote any goods or services using the Razer Mark or any variation thereon that include the word EDGE.

OBJECTIONS: Registrant objects pursuant to Section 414(13) of the Trademark Trial and Appeal Board Manual of Procedure that foreign use of the Razer Mark is irrelevant.

DOCUMENT REQUEST NO. 29:

One copy of each advertising, marketing, and promotional material showing use of the Razer Mark on any goods or services, including but not limited to web pages, catalogs, circulars, leaflets, direct mail pieces, brochures, point of sale pieces, press releases, web-based advertisements (including but not limited to banner ads), newspaper and magazine advertisements and articles, transcripts and audio tapes for radio advertisements, and transcripts and video tapes of television advertisements.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous, and requests information that is irrelevant to the cancellation proceeding. Registrant further objects pursuant to Section 414(13) of the Trademark Trial and Appeal Board Manual of Procedure that foreign use of the Razer Mark is irrelevant.

DOCUMENT REQUEST NO. 30:

All documents relating to your policies regarding retention, storage, filing and destruction of electronic mail, documents and things.

OBJECTIONS: Registrant objects to this Request for the reasons set forth in the general objections above.

DOCUMENT REQUEST NO. 31:

All documents relating to the target markets to which you have offered, or intended to offer, products or services identified by the Razer Mark.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous, and requests information that is irrelevant to the cancellation proceeding. Registrant also objects on the grounds that such information for future plans to offer products or services is trade secret/commercially sensitive under Section 414(8) of the Trademark Trial and Appeal Board Manual of Procedure and therefore Petitioner as a pro se litigant is not entitled to such information pursuant to Section 412.02(b) of the Trademark Trial and Appeal Board Manual of Procedure. Registrant further objects pursuant to Section 414(13) of the Trademark Trial and Appeal Board Manual of Procedure that foreign use of the Razer Mark is irrelevant.

DOCUMENT REQUEST NO. 32:

All documents sufficient to identify trade shows or conferences that you have attended in the United States or Singapore since April 17, 2012.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous, and requests information that is irrelevant to the cancellation proceeding. Registrant further objects pursuant to Section 414(13) of the Trademark Trial and Appeal Board Manual of Procedure that foreign use of the Razer Mark is irrelevant.

DOCUMENT REQUEST NO. 33:

All documents relating to the channels of trade through which you have sold or offered for sale products or services identified with the Razer Mark, identifying by name (with contact details) all RAZER's customers, resellers, and distributors.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous, and requests information that is irrelevant to the cancellation proceeding. Registrant also objects that the names and contact details of Registrant's customers, resellers, and distributors are not discoverable pursuant to Section 414(3) of the Trademark Trial and Appeal Board Manual of Procedure. Registrant further objects pursuant to Section 414(13) of the Trademark Trial and Appeal Board Manual of Procedure that foreign use of the Razer Mark is irrelevant.

DOCUMENT REQUEST NO. 34:

All documents relating to any sales of any product or service bearing the Razer Mark or sold in association with the Razer Mark (or any other mark containing the word "EDGE") in United States commerce, producing all evidence of sales broken down by channel of trade and by entity (e.g. store or reseller) within any given channel of trade, with all sales through each channel and entity further broken down on a quarterly basis since such sales of any product or service first commenced in the United States. Including, too, all documents sufficient to show the cost to your customers of all products or services you offer in connection with the Razer Mark and any other documents that permit the calculation of the net profit RAZER has gained from sales of any products or services associated with the Razer Mark.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous, and requests information that is irrelevant to the cancellation proceeding. Registrant also objects that the names and contact details of Registrant's customers, resellers, and distributors are not discoverable pursuant to Section 414(3) of the Trademark Trial and Appeal Board Manual of Procedure. Registrant further objects that information regarding its sales, costs to customers, and net profits is trade secret/commercially sensitive and therefore Petitioner as a pro se litigant is not entitled to such information pursuant to Section 412.02(b) of the Trademark Trial and Appeal Board Manual of Procedure. Registrant further objects that such information is irrelevant in the context of a cancellation proceeding where the only issue is Registrant's right to maintain the registration for its mark and calculation of costs and profits is not germane.

DOCUMENT REQUEST NO. 35:

All documents sufficient to identify the persons involved in design, sales, marketing, communications, business strategy, or business planning for Razer Mark.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous.

DOCUMENT REQUEST NO. 36:

Documents sufficient to show RAZER's legal status and date founded, including all documents related to the incorporation of RAZER (this must include all details of RAZER's U.S. and Singapore companies together with any other entities that fit the definition of RAZER above).

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous, and requests information that is irrelevant to the cancellation proceeding.

DOCUMENT REQUEST NO. 37:

Documents sufficient to show RAZER's legal status and date founded, including all documents related to the incorporation of RAZER both as a Singapore corporation and as a U.S. corporation (Razer Inc. or otherwise).

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous, and requests information that is irrelevant to the cancellation proceeding.

DOCUMENT REQUEST NO. 38:

Documents sufficient to show the legal relationship between Razor (Asia-Pacific) Pte Ltd and Razer Inc. or any other U.S. corporation or entity that RAZER either owns or has an affiliation of any kind with.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous, and requests information that is irrelevant to the cancellation proceeding.

DOCUMENT REQUEST NO. 39:

Documents sufficient to identify all officers, directors and owners of all predecessors, subsidiaries, parent companies, affiliated companies, and joint venturers (collectively, "Affiliates of RAZER").

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous, and requests information that is irrelevant to the cancellation proceeding. Registrant further objects that pursuant to Section 414 (12) of the Trademark Trial and Appeal Board Manual of Procedure, the most that Petitioner is entitled to is information regarding officers.

DOCUMENT REQUEST NO. 40:

Documents sufficient to show the legal relationship between Razer (Asia-Pacific) Pte Ltd and any Affiliates of RAZER.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous, and requests information that is irrelevant to the cancellation proceeding.

DOCUMENT REQUEST NO. 41:

All documents sufficient to identify all advertising agencies or consultants engaged by you for advertising and promoting products or services on or in connection with which the Razer Mark are or have been used.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous. Registrant also objects to this Request to the extent it requests information regarding use of the Razer Mark outside the United States.

DOCUMENT REQUEST NO. 42:

All documents sufficient to identify all advertising agency employees or consultants that have the most knowledge of the advertisement and promotion of products or services offered under Razer Mark.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous. Registrant also objects to this Request to the extent it requests information regarding use of the Razer Mark outside the United States.

DOCUMENT REQUEST NO. 43:

All documents related to e-mail communications directed to, addressed to, or intended for, RAZER or any other party in any way connected with this matter, received by you that relate in any way to the mark EDGE.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous.

DOCUMENT REQUEST NO. 44:

All documents related to communications, other than e-mail, directed to, addressed to, or intended for a party other than RAZER but received by you.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous, and requests information that is irrelevant to the cancellation proceeding.

DOCUMENT REQUEST NO. 45:

A copy of each print or online publication in which reference to you has appeared or reference to any product or service by you that involve the mark EDGE in U.S. or Singapore commerce.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous, and requests information that is irrelevant to the cancellation proceeding. Registrant further objects pursuant to Section 414(13) of the Trademark Trial and Appeal Board Manual of Procedure that foreign use of the Razer Mark is irrelevant.

DOCUMENT REQUEST NO.46:

A copy of any device, computer tablet, accessory, peripheral bearing the mark EDGE, or sold or marketed in connection with the mark EDGE, sold or marketed by RAZER (or any company in any way related to RAZER) in the United States since April 17, 2012.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad and burdensome. Registrant also objects to this Request to the extent it requests actual physical samples of any products bearing the EDGE mark.

DOCUMENT REQUEST NO. 47:

All documents related to your knowledge of Petitioner or its EDGE marks, or any dispute that Petitioner was involved in concerning the EDGE marks, or in the time period preceding your filing of an application for the Razer Mark including but not limited to all documents relating to your knowledge of any disputes involving Electronic Arts Inc., Future Publishing Inc., or Mobigame.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous, and requests information that is irrelevant to the cancellation proceeding.

DOCUMENT REQUEST NO. 48:

All documents related to your knowledge prior to your first use of the Razer Mark of Velocity Micro Inc., or its products and services, including any knowledge or awareness of the "EDGE" and "GAMER'S EDGE" branded game computers sold by Velocity Micro Inc.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad and burdensome.

DOCUMENT REQUEST NO. 49:

All documents requested to be identified or referred to in Petitioner's First Set of Interrogatories that are not already included in the document requests 1 through 48 above.

OBJECTIONS: Registrant objects to this Request on the grounds that it is overly broad, burdensome, vague, and ambiguous, and requests information that is irrelevant to the cancellation proceeding.

Respectfully submitted,

Razer (Asia-Pacific) Pte Ltd.



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Sept. 12, 2014

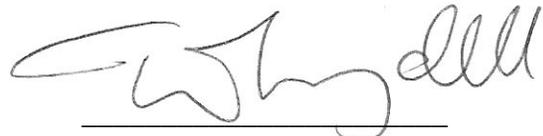
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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing AMENDED MOTION TO COMPEL DISCOVERY AND MOTION TO TEST SUFFICIENCY OF RESPONSE TO ADMISSION REQUESTS in respect to Cancellation proceeding No. 92058543 was served on Registrant via first class mail, postage prepaid, this day September 24, 2014:

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

A handwritten signature in black ink, appearing to read 'Tim Langdell', written over a horizontal line.

Rev Dr Tim Langdell
For Petitioner in *pro se*