

ESTTA Tracking number: **ESTTA656012**

Filing date: **02/13/2015**

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

Proceeding	92058690
Party	Defendant Allan T. Hao Chin
Correspondence Address	BRIAN EDWARD BANNER THE BANNER FIRM LLC 2734 UNICORN LANE NW WASHINGTON, DC 20015 UNITED STATES brian@thebannerfirm.com
Submission	Opposition/Response to Motion
Filer's Name	Brian Edward Banner
Filer's e-mail	brian@thebannerfirm.com
Signature	/Brian Edward Banner/
Date	02/13/2015
Attachments	2-13-2015 Reply to Motion to Comple.pdf(1054511 bytes)

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

BARLOW DESIGNS, INC.

Petitioner,

Cancellation No. 92058690

v.

Registration No. 3,593,654

ALLAN T. HAO CHIN,

Respondent.

RESPONSE TO PETITIONER'S MOTION FOR AN ORDER TO COMPEL
DISCOVERY

Respondent, ALLAN T. HAO CHIN through his attorney hereby requests that the Trademark Trial and Appeal Board DENY Petitioner's Motion filed February 5, 2015 as it is MOOT as of this date. As evidence of this fact, Respondent attaches copies of its Certificates of Service for its responses to:

Petitioner's Third Request for the Production of Documents and Things;
Petitioner's Interrogatories Nos. 15 & 16; and
Petitioner's Interrogatories Nos. 17, 18, and 19.

Delays in serving these responses on the Petitioner were not deliberate. The scope of the requested discovery beginning in 2000, seven years before Registrant created its USA common law rights and the fact that the business practice of Registrant is to destroy business records on a cycle impacted the responses. Registrant is a foreign citizen in a country that experienced a super typhoon named Hagupit on December 5, 2014. Thereafter, the Philippines virtually shut down for Pope Francis' January 15 to 19, 2015 trip there. These two events also impacted the timing of the responses. As the responses are now complete, Petitioner's Motion should be DENIED.

Respectfully requested,
ALLAN T. HAO CHIN, Respondent

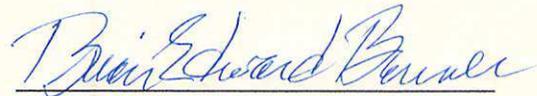

Brian Edward Banner
The Banner Firm, LLC
2734 Unicorn Lane N.W.
Washington, D.C. 20015

Attachments:

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was served upon Petitioner this 13th day of February, 2015, by mailing a copy thereof via first-class mail, postage pre-paid, to:

John L. Welch, Esq.
Lando & Anastasi, LLP
One Main Street Eleventh Floor
Cambridge, MA 02142



Brian Edward Banner
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2734 Unicorn Lane N.W.
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BARLOW DESIGNS, INC.

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ALLAN T. HAO CHIN,

Respondent.

RESPONSES TO PETITIONER'S
INTERROGATORY NOS. 15 and 16

Respondent, ALLAN T. HAO CHIN responds as follows to Petitioner's Second Set of Interrogatories.

GENERAL OBJECTIONS

~~to Petitioner's Definitions to the extent they seek to
beyond those~~

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was served upon
Petitioner this 10th day of February, 2015, by mailing a copy thereof via
first-class mail, postage pre-paid, to:

John L. Welch, Esq.
Lando & Anastasi, LLP
One Main Street Eleventh Floor
Cambridge, MA 02142

Brian Edward Banner 2/13/2015
Brian Edward Banner
The Banner Firm, LLC
2724 Union

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BARLOW DESIGNS, INC.

Petitioner,

Cancellation No. 92058690

v.

ALLAN T. HAO CHIN,

Registration No. 3,593,654

Respondent.

RESPONDENT'S REPLY TO PETITIONER'S
INTERROGATORIES NOS. 17, 18 and 19

Reply to Petitioner's Interrogatories

TBF00347 - February 13, 2015 Respondent's Reply to Petitioner's Interrogatories Nos. 17, 18 & 19

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