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

Proceeding	92060849
Party	Plaintiff FINAM
Correspondence Address	KRISTEN A MOGAVERO COLLEN IP INTELLECTUAL PROPERTY LAW PC THE HOLYOKE-MANHATTAN BUILDING, 80 S HIGHLAND AVENUE OSSINING, NY 10562 UNITED STATES kmogavero@collenip.com, docket@collenip.com, jcollen@collenip.com
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Date	09/24/2015
Attachments	R224_Notice of Petitioner's Discovery Deposition_150924.pdf(114365 bytes)

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

FINAM,

Petitioner,

v.

Sunkiss Thermoreactors, Inc.,

Registrant.

Cancellation No.: 92060849

Registration No.: 1,200,333

Mark: SUNKISS

NOTICE OF RULE 30(b)(6) DEPOSITION
UPON WRITTEN QUESTIONS PURSUANT TO 37 C.F.R. §2.124

TO: Sunkiss Thermoreactors, Inc.

C/O: Levy & Grandinetti
PO Box 18385
Washington, DC 20036-8385
Attn.: Ms. Rebecca J. Stempien Coyle
mail@levygrandinetti.com

PLEASE TAKE NOTICE that in the above-captioned opposition proceedings, pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, 37 C.F.R. § 2.124 and TBMP § 404.07, Petitioner FINAM will take the discovery deposition on written questions of Registrant Sunkiss Thermoreactors, Inc. through one or more of its officers, directors, or managing agents, or other persons designated by Registrant, with knowledge of the topics identified in Appendix A hereto, upon oath and before a notary public or other duly authorized offer authorized to administer oaths, commencing as soon as feasible in accordance with the above mentioned rules,

and continuing thereafter until completed as the offices of McMillan S.E.N.C.R.L., s.r.l./LLP,
1000 Sherbrooke Street West, Suite 2700, Montréal, Québec H3A 3G4.

You are cordially invited to cross-examine by written questions, in accordance with the
aforementioned rules.

Respectfully Submitted,

By: 

Jess M. Collen
Kristen A. Mogavero
COLLEN IP
THE HOLYOKE-MANHATTAN BUILDING
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Counsel for Petitioner

Dated: September 24, 2015

Appendix A

1. All products and services sold or offered for sale in the United States by Registrant Sunkiss Thermoreactors, Inc. (“Registrant”) in conjunction with Registrant’s SUNKISS trademark.
2. Use of Registrant’s Marks in the United States, as well as any periods of non-use, and any intended future uses of the mark.
3. Registrant’s advertising, marketing, manufacturing and product development activities and plans for Registrant’s Marks in the United States.
4. The channels of trade through which Registrant sells and/or distributes goods in conjunction with Registrant’s Marks in the United States.
5. The customers and distributors to whom Registrant sells goods in conjunction with Registrant’s Marks in the United States.
6. The manner in which Registrant distributes products bearing Registrant’s Marks in the United States.
7. The dollar amounts expended by Registrant in developing and promoting Registrant’s Marks, either in alone or in combination with any other term, design, or designation in the United States.
8. Registrant’s annual U.S. sales of goods bearing Registrant’s Marks for the past eight years, in U.S. dollars.

9. Registrant's annual U.S. sales of goods bearing Registrant's Marks for the past eight years, in units.

10. Licenses or agreements with any third parties related to the use or ownership of Registrant's Marks in the United States.

11. Registrant's plans to market, distribute, sell, or provide products using Registrant's Marks in the United States.

12. Registrant's enforcement efforts with respect to Registrant's Marks.

13. All documents produced by Registrant in response to Petitioner's First Set of Interrogatories and Request for Document Production.

14. All information provided by Registrant in its responses to Petitioner's First Set of Interrogatories.

15. The factual bases for Registrant's admissions and denials provided in response to Petitioner's First Set of Requests for Admissions.

CERTIFICATE OF SERVICE

I, Carina Scorgia, hereby certify that a true and correct copy of the foregoing Notice of Rule 30(b)(6) Deposition Upon Written Questions Pursuant to 37 C.F.R. § 2.124 has been served by First Class Mail, Postage Prepaid, on September 24, 2015 upon Registrant's Attorney of Record at the following address:

Levy & Grandinetti
PO Box 18385
Washington, DC 20036-8385
Attn.: Ms. Rebecca J. Stempien Coyle
mail@levygrandinetti.com

Carina Scorgia