

ESTTA Tracking number: **ESTTA777326**

Filing date: **10/18/2016**

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

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|------------------------|---|
| Proceeding | 92063647 |
| Party | Defendant K & N Distributors |
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| Submission | Reply in Support of Motion |
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| Signature | /cas/ |
| Date | 10/18/2016 |
| Attachments | 16 Reply in Support of Motion to Strike.pdf(12255 bytes) |

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

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|---------------------------------------|---|----------------------------|
| INTERNATIONAL BEAUTY EXCHANGE, INC. : | : | |
| Petitioner, | : | |
| v. | : | Cancellation No. 92063647 |
| K&N DISTRIBUTORS, | : | U.S. Reg. No. 4,941,822 |
| Respondent | : | Mark: AFRICAN CLAIR |
| | : | FORMULA PLUS |
| | : | Registered: April 19, 2016 |
| | : | |

RESPONDENT K & N DISTRIBUTORS' REPLY IN SUPPORT OF MOTION TO STRIKE MOTION TO COMPEL INTERROGATORY RESPONSES

Petitioner International Beauty Exchange, Inc. has opposed Respondent K & N Distributors' Motion to Strike Petitioner's Motion to Compel Interrogatories and Supplemental Submission. On October 12, 2016, the undersigned counsel served via U.S. mail, with a courtesy copy via e-mail, Respondent's Supplemental Objections and Responses to Petitioner's Interrogatories, as it stated it would in its opposed Motion to Strike (Dkt. 14). Respondent addressed each of the issues raised by Petitioner in its Motion to Compel, including removal of the so-called "boilerplate objections." Thus, Petitioner's initial Motion to Compel is now moot, and should be withdrawn.

To the extent Petitioner refuses to withdraw its motion and contends the Supplemental Objections and Responses remain deficient, Respondent respectfully renews its request that Petitioner's Motion to Compel be stricken, for the reasons raised in Respondent's opening Motion to Strike. Respondent further requests that Petitioner satisfy its meet and confer obligations with current counsel to address any remaining issues with the Supplemental Responses before seeking Board intervention.

Dated: October 18, 2016

Respectfully submitted,

/s/ Carrie A. Shufflebarger

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Attorneys for Respondent K & N Distributors, Inc.

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing is being served via U.S. Mail, with a courtesy copy via email, on the following, on this 18th day of October, 2016.

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/s/ Carrie A. Shufflebarger

Carrie Shufflebarger

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