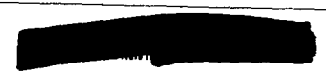


TTAB



08-22-2002

U.S. Patent & TMOfo/TM Mail Rcpt Dt. #77

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

The B. Manischewitz Company, LLC
Petitioner-Opposer,

*** Opposition No. 91151477**
Serial No.: 76-144,393

vs.

TM: Four Seasons Fruit Soup

Four Seasons Fruit Soup, Corp.
Respondent- Applicant

Box TTAB No Fee
Commissioner For Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

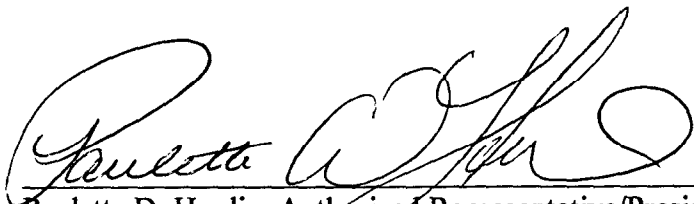
**APPLICANT'S ANSWER TO OPPOSER'S REQUEST FOR
PRODUCTION OF DOCUMENTS**

Now comes Four Seasons Fruit Soup, Corp., by and through its duly authorized representative and President, Paulette D. Hardin, and responds to Opposer's First Request for Production of Documents as follows:

1. See attached documents relating to Interrogatory Answers.
2. At this time, Applicant has no invoices or customer orders for its goods bearing the mark Four Seasons Fruit Soup for 2000-2002.
3. At this time, Applicant has no representative advertising and other printed matter for the years 2000, 2001 and 2002 showing the mark Four Seasons Fruit Soup in connection with its goods.

4. Applicant has no representative publications showing the mark Four Seasons Fruit Soup there in connection with its goods.
5. See attached document relating to Applicant's Intent to Use Application.
6. See attached documents relating to the selection of applicant's mark Four Seasons Fruit Soup.
7. See attached documents.
8. See attached documents.
9. There are no other documents evidencing any litigation other than the present opposition proceeding involving applicant's mark.
10. There are no other relating to any request by applicant that another company abandon or change a mark it was using because of applicant's or its predecessor's use of the mark Four Seasons Fruit Soup.
11. See attached documents. This answer will be supplemented as new information becomes available through this litigation process.

Pursuant to the Rules of Civil Procedure, the Applicant reserves the right to supplement any and all answers offered in this pleading as new information becomes available.

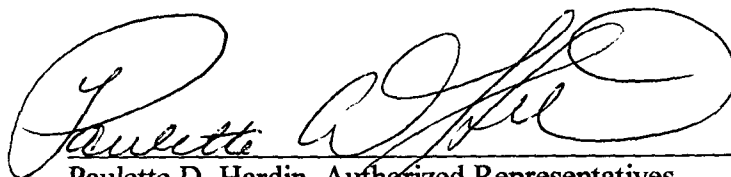


Paulette D. Hardin, Authorized Representative/President
FOUR SEASONS FRUIT SOUP, CORP.
150 North Ridge Avenue
Troy, Ohio 45373
(937) 335-9796

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Applicant's Answers to Opposer's Requests for Documents has been mailed to the following individual by Express Mail on the 20th day of August, 2002:

Martin J. Beran, Esq.
OSTROLENK, FABER, GERB & SOFFEN, LLP
1180 Avenue of the Americas
New York, New York 10036-8403
Customer No. 2352

A handwritten signature in cursive script, appearing to read "Paulette D. Hardin", written over a horizontal line.

Paulette D. Hardin, Authorized Representatives
FOUR SEASONS FRUIT SOUP, CORP.

PDH/lis

TTAB



08-22-2002

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #77

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
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**APPLICANT'S ANSWER TO OPPOSER'S FIRST
SET OF INTERROGATORIES**

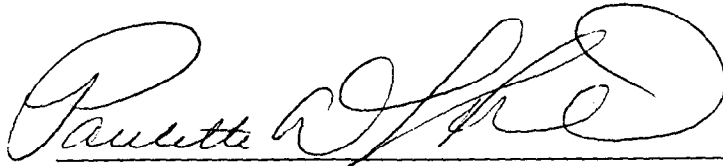
Now comes Four Seasons Fruit Soup, Corp., by and through its duly authorized representative and President, Paulette D. Hardin, and responds to Opposer's First Request for Production of Documents as follows:

1. The present nature of Applicant's business involves the preparation for the product to be mass produced. The authorized representative is currently inquiring as to the most cost effective routes with regard to mass producing and selling of the product.
2. 150 North Ridge Avenue, Troy, Ohio 45373.
3. Paulette D. Hardin, see answer no. 1

4. Paulette D. Hardin, President of Applicant.
- any and all other persons involved in the developmental stage are independent contractors aiding in this corporation in its respective business and have no authority to make decision for corporation.
5. Paulette D. Hardin
6. See attached documents, relating to application process with Trademark office
-any and all other communication, whether oral or written, is confidential, privileged, and not relevant to the herein referenced action.
7. Not applicable. Applicant will follow the Trademark rules relating to responding to a notice of allowance and ensuring said product is entered into the stream of commerce within the required time frame.
8. None.
9. See attached documents.
10. None- Applicant is in the initial stage of obtaining interested person and/or parties to invest in its company.
11. None.
12. None.
13. Nominal at this point.
14. Still in development stage- However, client anticipates a large response from children and individuals over 55 years of age.
15. None.
16. None.
17. None.
18. None.
19. Paulette D. Hardin
20. Product can be enjoyed year round.
21. Applicant researched trademark availability at Ohio State University's trademark depository.

22. None.
23. None.
24. None.
25. Applicant is still in discovery phase of pending litigation and reserves the right to supplement this answer. This answer will be supplement pursuant to the Federal Rules of Civil Procedures along with applicable trademark discovery provisions.
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32. Applicant is still in discovery phase of pending litigation and reserves the right to supplement this answer. This answer will be supplement pursuant to the Federal Rules of Civil Procedures along with applicable trademark discovery provisions.
33. Applicant is still in discovery phase of pending litigation and reserves the right to supplement this answer. This answer will be supplement pursuant to the Federal Rules of Civil Procedures along with applicable trademark discovery provisions.
34. Paulette D. Hardin

Applicant reserves the right to supplement all the answer in this pleading.



Paulette D. Hardin, Authorized Representative/President
FOUR SEASONS FRUIT SOUP, CORP.
150 North Ridge Avenue
Troy, Ohio 45373
Phone : (937) 335-9796
Fax: (937) 497-1583

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Applicant's Answers to Opposer's Requests for Documents has been mailed to the following individual by Express Mail on the 20th day of August, 2002:

Martin J. Beran, Esq.
OSTROLENK, FABER, GERB & SOFFEN, LLP
1180 Avenue of the Americas
New York, New York 10036-8403
Customer No. 2352



Paulette D. Hardin, Authorized Representatives
FOUR SEASONS FRUIT SOUP, CORP.

TTAB

FOUR SEASONS FRUIT SOUP, CORP

150 NORTH RIDGE AVENUE

TROY, OHIO 45373

Phone: (937) 335-9796 • Fax: (937) 497-1583

TO: **Box TTAB No Fee**
Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

DATE: August 20, 2002



RE: **B. Manischewitz Co., LLC vs. Four Seasons Fruit Soup, Corp.**
Opposition No. 91151477: Serial No. 76-144,393

08-22-2002

U.S. Patent & TMO/c/TM Mail Rpt Dt. #77

- The enclosed is for your information and files.
- If the enclosed meets with your approval, please sign and return it to my office.
- Please file the enclosed on our behalf and forward a file-stamped copy to my office.
- Please review the enclosed and contact my office.
- Please contact my office for an appointment and/or telephone conference.
- Other- _____

Please find the Enclosed:

- Answer and/or Counterclaim
- Agreed Judgment Entry
- Complaint
- Copy of Discovery Answers
- Entry _____
- Interrogatories -- _____ Set
- Motion _____
- Notice of _____
- Request for Production of Documents
- A stamped, self-addressed envelope for your convenience.
- Other - _____

02 AUG 27 PM 8:46
TRADemark TRIAL AND
OPPOSITION BOARD

If you have any questions, please call my office. Thank you for your attention in this matter.

Sincerely,

Paulette D. Hardin, Authorized Representative and President
Four Season Fruit Soup, Corp.