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By Rita M. Sulic  
Rita M. Sulic

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

In the Matter of:  
Trademark Serial No. 78/164,521  
Filed: September 16, 2002  
For the Mark: **XOCOLATE**  
Petitioner's Reference No: BSSO 7 00013

SONAFI S.A.,	)	
	)	
Opposer	)	Opposition No. 91/159,665
v.	)	
	)	
RANDY JUDD	)	
	)	
Applicant	)	

**OPPOSER'S REPLY BRIEF IN SUPPORT OF  
ITS MOTION TO COMPEL DISCOVERY**

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, Virginia 22313-1451  
Attention: TTAB



03-16-2006

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #30

Dear Sir:

Opposer, Sonafi S.A., in accordance with 37 C.F.R. §2.127, hereby replies to APPLICANT'S BRIEF IN OPPOSITION TO OPPOSER'S MOTION TO COMPEL DISCOVERY.

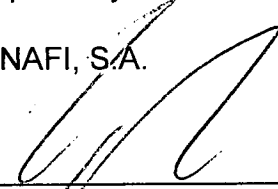
Applicant's brief is broken into two sections which will be responded to separately.

First, Opposer replies to Applicant's statement that Opposer failed to comply with 37 C.F.R. §2.120(e)(1). This statement by Applicant is disingenuous in that Opposer's Motion to Compel meets the requirements of 37 C.F.R. §2.120(e)(1). Opposer's Motion includes the required statements and includes facts on the efforts made to resolve this issue.

Second, Opposer replies to Applicant's statement that "Opposer's Motion to Compel is moot." While Opposer has not fully reviewed the documents provided by Applicant, this claim that Opposer's Motion to Compel is moot indicates that Opposer will NOT encounter additional documents by Applicant in this opposition. If that is true, then Opposer's Motion is, indeed, moot. Therefore, the statement is interpreted as being true so there will be no more documents provided by Applicant and no more documents will be relied upon by Applicant in this opposition.

Respectfully submitted,

SONAFI, S.A.



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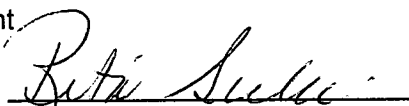
Attorneys for Opposer

**CERTIFICATE OF SERVICE**

A copy of the foregoing **OPPOSER'S REPLY BRIEF IN SUPPORT OF ITS MOTION TO COMPEL DISCOVERY** has been served by U.S. Mail, postage prepaid, this 14th day of March, 2006, upon:

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Rita M. Sulic