

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

SOCIETE DES PRODUITS NESTLE S.A.,	:	
	:	
Opposer,	:	
	:	
v.	:	Opposition No. 91179789
	:	
PREMIUM NUTRITIONAL PRODUCTS,	:	
INC.,	:	
	:	
Applicant.	:	

**OPPOSER'S OBJECTIONS AND ANSWERS TO APPLICANT'S
REVISED FIRST SET OF INTERROGATORIES**

Opposer Societe des Produits Nestle S.A. ("Nestle") submits the following Objections and Answers to Applicant's Revised First Set of Interrogatories.

General Objection: Nestle objects to the "Definitions" and "Instructions" set forth in Applicant's Revised First Set of Interrogatories to the extent such Definitions and Instructions purport to impose duties, obligations, and/or responsibilities upon Nestle in excess of those required of it under the Federal Rules of Civil Procedure, the Trademark Rules of Practice, and other applicable law.

INTERROGATORIES

INTERROGATORY NO. 1:

Identify by name and dates of service all officers of Opposer from 2000 to the present.

ANSWER: Nestle objects to this interrogatory as overbroad and irrelevant.

INTERROGATORY NO. 30:

Set forth all facts with specificity any instances of alleged or actual confusion between Applicant's mark and Opposer's Mark(s).

ANSWER: Nestle objects to this interrogatory as vague, ambiguous, overbroad, unduly burdensome, and irrelevant. Subject to and without waiver of its objections, Nestle responds as follows: none as to actual confusion.

INTERROGATORY NO. 31:

Identify each person who participated in answering Opposer's Interrogatories.

ANSWER: Nestle objects to this interrogatory as an improper request per *U.S. v. Nat'l Steel Corp.*, 26 F.R.D. 599 (S.D. Tex. 1960).

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on March 24, 2008, a copy of the foregoing was sent via first class mail, postage prepaid, to:

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