

ESTTA Tracking number: **ESTTA674777**Filing date: **05/28/2015**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91207525
Party	Defendant Starbucks Corporation DBA Starbucks Coffee Company
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Signature	/Julia Anne Matheson/
Date	05/28/2015
Attachments	5-28-15 Naydonov Dec in Support of App Motion to Test the Sufficiency of Opp Resp to RFA, for Sanctions, and to Compel.pdf(135718 bytes) Exh. 1 - Starbucks First Set of Reqs for Admissions to Taza.pdf(1178146 bytes) Exh. 2 - Mar. 13, 2015 Taza Responses to Requests for Admissions.pdf(802583 bytes) Exh. 3 - Apr. 3, 2015 Matheson ltr to Saadi re discovery deficiencies.pdf(693197 bytes) Exh. 4 - Apr. 15, 2015 - Saadi ltr to Matheson re discovery deficiencies.pdf(647608 bytes) Exh. 5 - Apr. 15, 2015 - Taza amended responses to RFAs.pdf(848973 bytes) Exh. 6 - Combined Req. and Amended Responses.pdf(2099364 bytes) Exh. 7 - Part 1 of 2 - Demand Ltrs - Bates 948-1022.pdf(3169423 bytes) Exh. 7 - Part 2 of 2 - Demand Ltrs - Bates 1023-1097.pdf(3141362 bytes) Exh. 8 - Apr. 17, 2015 Matheson ltr to Saadi re deficiencies in doc production.pdf(250748 bytes) Exh. 9 - Starbucks 1st Set of Doc. Requests to Taza.pdf(283423 bytes) Exh. 10 - Apr. 25, 2015 Saadi ltr to Matheson re deficiencies in document production.pdf(171372 bytes)

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

TAZA SYSTEMS, LLC, Opposer, v. STARBUCKS CORPORATION dba STARBUCKS COFFEE COMPANY, Applicant.	Opposition No. 91207525 Mark: TAZO Serial No.: 85439878 Filed: October 5, 2011
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**DECLARATION OF ANNA NAYDONOV IN SUPPORT OF APPLICANT'S
MOTION TO TEST SUFFICIENCY OF OPPOSER'S RESPONSES
TO REQUESTS FOR ADMISSION, FOR SANCTIONS, AND TO COMPEL**

I, Anna B. Naydonov, declare as follows:

1. I am an attorney at Finnegan, Henderson, Farabow, Garrett & Dunner, LLP and am counsel for Starbucks Corporation dba Starbucks Coffee Company ("Starbucks") in this action. The facts set forth in this Declaration are based on my personal knowledge, unless otherwise noted.
2. Attached as Exhibit 1 is a true and accurate copy of Applicant's First Set of Requests for Admission to Opposer (June 12, 2014).
3. Attached as Exhibit 2 is a true and accurate copy of Opposer's Responses to Applicant's First Set of Requests for Admission to Opposer dated March 13, 2015.
4. Attached as Exhibit 3 is a true and accurate copy of the April 3, 2015 letter from Starbucks' counsel Julia Anne Matheson to Opposer's counsel Edward Saadi.
5. Attached as Exhibit 4 is a true and accurate copy of the April 15, 2015 letter from Opposer's counsel Edward Saadi to Starbucks' counsel Julia Anne Matheson.

6. Attached as Exhibit 5 is a true and accurate copy of Opposer's Amended Responses to Applicant's First Set of Requests for Admission dated April 15, 2015.

7. Neither Opposer's original responses to Starbucks' requests for admission (Ex. 2) nor the amended responses (Ex. 5) reproduce the relevant Starbucks' requests immediately before the answer or the objection to the request, even though such is the preference of the Board. TBMP § 407.03(b) ("The Board prefers that the responding party reproduce each request immediately preceding the answer or objection thereto."). For the convenience of the Board, attached is a true and accurate copy of Opposer's amended responses to Starbucks' Requests for Admission (Ex. 5), with Starbucks' requests reproduced before each individual response.

8. Attached as Exhibit 7 is a true and accurate copy of Opposer's April 2, 2015 demand letters to various third parties (Bates Nos. TAZA SYSTEMS 0948-1097), as produced to Starbucks.

9. Attached as Exhibit 8 is a true and accurate copy of the April 17, 2015 letter from Starbucks' counsel Julia Anne Matheson to Opposer's counsel Edward Saadi.

10. Attached as Exhibit 9 is a true and accurate copy of Applicant's First Set of Requests for the Production of Documents and Things dated April 11, 2014.

11. Attached as Exhibit 10 is a true and accurate copy of the April 24, 2015 letter from Opposer's counsel Edward Saadi to Starbucks' counsel Julia Anne Matheson.

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct pursuant to 28 U.S.C. § 1746. This declaration was executed on May 28, 2015 in Washington, D.C.

Date: May 28, 2015

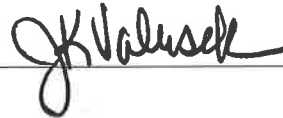


Anna B. Naydonov

CERTIFICATE OF SERVICE

I certify that a true and accurate copy of the foregoing DECLARATION OF ANNA NAYDONOV IN SUPPORT OF APPLICANT'S MOTION TO TEST SUFFICIENCY OF OPPOSER'S RESPONSES TO REQUESTS FOR ADMISSION, FOR SANCTIONS, AND TO COMPEL was served by email and first class mail, postage prepaid, on this 28th day of May 2015, upon counsel for Opposer at the following address of record:

EDWARD T SAADI
EDWARD T SAADI LLC
970 WINDHAM COURT, STE 7
BOARDMAN, OH 44512

_____

Opposition No. 91207525
DECLARATION OF ANNA NAYDONOV IN SUPPORT OF APPLICANT'S
MOTION TO TEST SUFFICIENCY OF OPPOSER'S RESPONSES
TO REQUESTS FOR ADMISSION, FOR SANCTIONS, AND TO COMPEL

Exhibit 1

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

<p>TAZA SYSTEMS, LLC,</p> <p>Opposer,</p> <p>v.</p> <p>STARBUCKS CORPORATION dba STARBUCKS COFFEE COMPANY,</p> <p>Applicant.</p>	<p>Opposition No. 91207525</p> <p>Mark: TAZO Serial No.: 85439878 Filed: October 5, 2011</p>
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APPLICANT'S FIRST SET OF REQUESTS FOR ADMISSION TO OPPOSER

Pursuant to Rules 26 and 36 of the Federal Rules of Civil Procedure, Starbucks Corporation dba Starbucks Coffee Company ("Applicant" or "Starbucks") submits the following First Set of Requests for Admission (Nos. 1-183) to Opposer Taza Systems, LLC ("Taza").

DEFINITIONS AND INSTRUCTIONS

Starbucks incorporates the Definitions and Instructions to Applicant's First Set of Interrogatories to Opposer (April 11, 2014) in their entirety. Starbucks also provides the following additional definitions that apply to all of Starbucks' discovery requests:

(1) "Applicant's TAZO Registrations" means U.S. Registration No. 2005769 (issued October 8, 1996), Reg. No. 2036503 (issued February 11, 1997), Reg. No. 2036502 (issued February 11, 1997), and Reg. No. 2281225 (issued September 28, 1999).

(2) "Ethnic" means associated with or belonging to a particular race or group of people who have the same customs, religion, origin, etc.

(3) "Franchising" means providing technical assistance in the establishment and operation of restaurants, cafes, tea houses, coffee houses, and snack bars.

(4) "Take-out" means food and/or beverages that are cooked in a restaurant, café, and/or bar but are purchased by a customer for consumption elsewhere.

(5) "TAZO Marks" means Starbucks's trademarks, product names, brand, and/or designations that include the term TAZO (alone or with any other wording and/or designs) in connection with any goods or services.

(6) "Third-Party(ies)" means any individual or entity that is not Opposer or Starbucks and/or is not Opposer's and/or Starbucks' attorney, employee, subsidiary, affiliate, related entity, agent, or any other person acting for or on their behalf.

(7) "You" means Opposer, its directors, founders, owners, subsidiaries, related companies, predecessors in interest, attorneys, agents, and anyone acting on Opposer's behalf.

REQUESTS

1. Admit that You serve Lebanese food in Your restaurants.
2. Admit that You serve only Lebanese food in Your restaurants.
3. Admit that You serve primarily Lebanese food in Your restaurants.
4. Admit that You serve Middle-Eastern food in Your restaurants.
5. Admit that You serve primarily Middle-Eastern food in Your restaurants.
6. Admit that You serve only Middle Eastern food in Your restaurants.
7. Admit that You serve primarily Ethnic food in Your restaurants.
8. Admit that You serve only Ethnic food in Your restaurants.
9. Admit that most of the dishes offered at Your restaurants are of Lebanese origin.

10. Admit that most of the dishes offered at Your restaurants are of Middle-Eastern origin.

11. Admit that most of the dishes sold at Your restaurants are of Lebanese origin.

12. Admit that most of the dishes sold at Your restaurants are of Middle-Eastern origin.

13. Admit that most of the dishes offered at Your restaurants are Lebanese cuisine.

14. Admit that most of the dishes offered at Your restaurants are Middle-Eastern cuisine.

15. Admit that You advertise Your restaurants as offering and/or serving Lebanese food.

16. Admit that You selected the name TAZA A LEBANESE GRILL because You offer Lebanese food in Your restaurants.

17. Admit that the terms A LEBANESE GRILL in Your TAZA A LEBANESE GRILL mark describe the type of food/services You offer in Your restaurants.

18. Admit that You have two restaurant locations—in Woodmere and Cleveland, Ohio.

19. Admit that You have no restaurant locations outside of Ohio.

20. Admit that You selected the name TAZA because it means “fresh” in Lebanese.

21. Admit that TAZA means “fresh” in Lebanese.

22. Admit that TAZA means “cup” in Spanish.

23. Admit that You did not coin the term TAZA.

24. Admit that the term TAZA existed before You adopted and/or registered

Opposer's Marks.

25. Admit that TAZO has no meaning in English.
26. Admit that TAZO has no meaning in Lebanese.
27. Admit that TAZO has no meaning in Spanish.
28. Admit that TAZO has no meaning in any language known to You.
29. Admit that those who speak Lebanese will understand TAZA to mean "fresh."
30. Admit that those who speak "Spanish" will understand TAZA to mean "cup."
31. Admit that You don't offer Take-out tea beverages at Your restaurants.
32. Admit that You don't sell Take-out tea beverages at Your restaurants.
33. Admit that You don't advertise Take-out tea beverages at Your restaurants.
34. Admit that You don't offer Take-out coffee beverages at Your restaurants.
35. Admit that You don't sell Take-out coffee beverages at Your restaurants.
36. Admit that You don't advertise Take-out coffee beverages at Your restaurants.
37. Admit that You don't offer Take-out tea beverages under any of Opposer's

Marks.

38. Admit that You don't sell Take-out tea beverages under any of Opposer's Marks.
39. Admit that You don't advertise Take-out tea beverages under any of Opposer's

Marks.

40. Admit that You don't offer Take-out coffee beverages under any of Opposer's

Marks.

41. Admit that You don't sell Take-out coffee beverages under any of Opposer's Marks.

42. Admit that You don't advertise Take-out coffee beverages under any of Opposer's Marks.

43. Admit that You never offered Take-out tea beverages under any of Opposer's Marks.

44. Admit that You never sold Take-out tea beverages under any of Opposer's Marks.

45. Admit that You never advertised Take-out tea beverages under any of Opposer's Marks.

46. Admit that You don't offer tea beverage catering services.

47. Admit that You don't advertise tea beverage catering services.

48. Admit that You don't provide tea beverage catering services.

49. Admit that You don't offer coffee beverage catering services.

50. Admit that You don't advertise coffee beverage catering services.

51. Admit that You don't provide coffee beverage catering services.

52. Admit that You never provided beverage catering services under Opposer's Marks.

53. Admit that You never provided tea catering services under Opposer's Marks.

54. Admit that You never provided coffee catering services under Opposer's Marks.

55. Admit that Exhibit 1 is a true and correct copy of a catering menu from Your restaurants.

56. Admit that Your catering menu in Exhibit 1 states that “[c]ommitted to the meaning of Taza, we promise the freshest ingredients, inspired by traditional Lebanese home cooked meals.”

57. Admit that Your catering menu in Exhibit 1 lists no tea or tea-based beverages.

58. Admit that Your catering menu in Exhibit 1 lists no coffee or coffee-based beverages.

59. Admit that Your catering menu in Exhibit 1 lists no beverages.

60. Admit that Your catering menu in Exhibit 1 does not offer any beverages.

61. Admit that Your catering menu in Exhibit 1 offers only food.

62. Admit that Your catering services (described in Exhibit 1) are a natural expansion of Your restaurant business.

63. Admit that Exhibit 2 is a true and correct copy of a menu from Your restaurants.

64. Admit that Your menu in Exhibit 2 mentions “Lebanese” or “Lebanon” multiple times.

65. Admit that Your menu in Exhibit 2 mentions “Lebanese” or “Lebanon” over 8 times.

66. Admit that Your menu in Exhibit 2 mentions “Lebanese” or “Lebanon” multiple times because You offer Lebanese food in Your restaurants.

67. Admit that Your menu in Exhibit 2 mentions “Lebanese” or “Lebanon” multiple times because it describes the type of food You offer and/or sell at Your restaurants.

68. Admit that Your menu in Exhibit 2 mentions “Lebanese” or “Lebanon” multiple times because it describes the ethnic origin of the food You offer and/or sell at Your restaurants.

69. Admit that You obtained or had obtained a trademark search report in connection with Your TAZA A LEBANESE GRILL mark and/or any other Opposer's Marks.

70. Admit that the search report You obtained or had obtained in connection with Your TAZA A LEBANESE GRILL mark and/or any other Opposer's Marks disclosed one or more of Applicant's TAZO Registrations.

71. Admit that "a search report for TAZA A LEBANESE GRILL dated April 12, 2006" referenced in Your response to Interrogatory No. 3 (Responses to Applicant's First Set of Interrogatories to Opposer, May 16, 2014) ("Taza's Search Report") disclosed one or more of Applicant's TAZO Registrations and/or TAZO Marks.

72. Admit that although Taza's Search Report disclosed one or more of Applicant's TAZO Registrations, You did not believe any of Applicant's TAZO Registrations precluded You from registering any of Opposer's Marks.

73. Admit that although Taza's Search Report disclosed one or more of Applicant's TAZO Registrations and/or TAZO Marks, You did not believe any of Applicant's TAZO Registrations and/or TAZO Marks precluded You from using any of Opposer's Marks.

74. Admit that although Taza's Search Report disclosed one or more of Applicant's TAZO Registrations and/or TAZO Marks, You did not believe any of Applicant's TAZO Registrations and/or TAZO Marks were so similar to Opposer's Marks as to result in consumers being confused.

75. Admit that Taza's Search Report disclosed Third-Party marks and/or names containing TAZA, TAZ, and/or TAZZA.

76. Admit that Taza's Search Report disclosed Third-Party marks and/or names containing TAZA, TAZ and/or TAZZA, but You did not believe that these Third-Party marks/names precluded Your registration of Opposer's Marks.

77. Admit that Taza's Search Report disclosed Third-Party marks and/or names containing TAZA, TAZ, and/or TAZZA, but You did not believe that these Third-Party marks/names precluded Your use of Opposer's Marks.

78. Admit that Taza's Search Report disclosed Third-Party marks and/or names containing TAZA, TAZ, and/or TAZZA, but You did not believe that consumers would confuse those Third-Party names and/or marks with Opposer's Marks.

79. Admit that the U.S. Patent and Trademark Office did not err in not citing any of Applicant's TAZO Registrations as a bar to registration of Opposer's Marks.

80. Admit that the U.S. Patent and Trademark Office erred in not citing any of Applicant's TAZO Registrations as a bar to registration of Opposer's Marks.

81. Admit that You did not believe that Applicant's TAZO Registrations were confusingly similar to Opposer's Marks when You filed trademark applications for Opposer's Marks.

82. Admit that You were aware of Applicant's TAZO Registrations when You filed trademark applications to register one or more of Opposer's Marks.

83. Admit that You were aware of Applicant's TAZO Registrations when You started using Opposer's Marks.

84. Admit that You were aware of TAZO Marks when You filed applications to register one or more of Opposer's Marks.

85. Admit that You were aware of TAZO Marks when You started using one or more of Opposer's Marks.

86. Admit that You had visited Applicant's restaurants on or before November 22, 2005.

87. Admit that You had purchased food and/or beverages at Applicant's restaurants on or before November 22, 2005.

88. Admit that You don't offer Franchising services in the U.S.

89. Admit that You never offered Franchising services in the U.S.

90. Admit that You have no plans to offer Franchising services in the U.S.

91. Admit that Third Parties used the term TAZA, TAZ, and/or TAZZA as part of restaurant, café, and/or bar names before November 22, 2005 in the U.S.

92. Admit that Third Parties use the term TAZA, TAZ, and/or TAZZA as part of restaurant, café, and/or bar names in the U.S.

93. Admit that You are aware of Third Parties that used the term TAZA, TAZ, and/or TAZZA as part of restaurant, café, and/or bar names before November 22, 2005 in the U.S.

94. Admit that You are aware of Third Parties that use the term TAZA, TAZ, and/or TAZZA as part of restaurant, café, and/or bar names in the U.S.

95. Admit that You were aware of Third Parties that used the term TAZA, TAZ, and/or TAZZA as part of restaurant, café, and/or bar names in the U.S. when You adopted Opposer's Marks.

96. Admit that You were aware of Third Parties that used the term TAZA, TAZ, and/or TAZZA as part of restaurant, café, and/or bar names in the U.S. when You started using Opposer's Marks.

97. Admit that You are not aware of any instances when someone confused Your restaurants and/or Opposer's Marks, on the one hand, with Applicant and/or its TAZO Marks, on the other hand.

98. Admit that You are not aware of any instances when someone thought that Your restaurants and/or Opposer's Marks, on the one hand, and Applicant and/or its TAZO Marks, on the other hand, were in any way related.

99. Admit that You are aware of the U.S. Registration No. 3467821 (filed February 10, 2005; registered July 15, 2008) for the mark TAAZA MEANS FRESH and Design for "food and dairy products, namely, butter, ghee, cream, yogurt, and cheese."

100. Admit that You were aware of the U.S. Registration No. 3467821 (filed February 10, 2005; registered July 15, 2008) for the mark TAAZA MEANS FRESH and Design for "food and dairy products, namely, butter, ghee, cream, yogurt, and cheese" when You filed trademark applications to register Opposer's Marks.

101. Admit that You serve butter at Your restaurants.

102. Admit that You serve ghee at Your restaurants.

103. Admit that You serve yogurt at Your restaurants.

104. Admit that You serve cheese at Your restaurants.

105. Admit that the U.S. Registration No. 3467821 (filed February 10, 2005; registered July 15, 2008) for the mark TAAZA MEANS FRESH and Design for "food and dairy products,

namely, butter, ghee, cream, yogurt, and cheese" did not preclude Your registration of Opposer's Marks.

106. Admit that you did not think the U.S. Registration No. 3467821 (filed February 10, 2005; registered July 15, 2008) for the mark TAAZA MEANS FRESH and Design for "food and dairy products, namely, butter, ghee, cream, yogurt, and cheese" precluded Your registration of Opposer's Marks.

107. Admit that the U.S. Registration No. 3467821 (filed February 10, 2005; registered July 15, 2008) for the mark TAAZA MEANS FRESH and Design for "food and dairy products, namely, butter, ghee, cream, yogurt, and cheese" has not precluded Your use of Opposer's Marks.

108. Admit that the mark TAAZA MEANS FRESH (U.S. Registration No. 3467821; filed February 10, 2005; registered July 15, 2008) and Opposer's Marks are similar.

109. Admit that the mark TAAZA MEANS FRESH (U.S. Registration No. 3467821; filed February 10, 2005; registered July 15, 2008) and Opposer's Marks are similar in sight.

110. Admit that the mark TAAZA MEANS FRESH (U.S. Registration No. 3467821; filed February 10, 2005; registered July 15, 2008) and Opposer's Marks are similar in sound.

111. Admit that the mark TAAZA MEANS FRESH (U.S. Registration No. 3467821; filed February 10, 2005; registered July 15, 2008) and Opposer's Marks are similar in meaning.

112. Admit that the mark TAAZA MEANS FRESH (U.S. Registration No. 3467821; filed February 10, 2005; registered July 15, 2008) and Opposer's Marks are similar in overall commercial impression.

113. Admit that You are aware of the U.S. Registration No. 3576257 (first use date October 18, 2005; registered February 17, 2009) for the mark TAZA CHOCOLATE and Design for "chocolate."

114. Admit that You serve chocolate at Your restaurants.

115. Admit that the U.S. Registration No. 3576257 (first use date October 18, 2005; registered February 17, 2009) for the mark TAZA CHOCOLATE and Design for "chocolate" has not precluded Your use of Opposer's Marks.

116. Admit that the mark TAZA CHOCOLATE and Design (U.S. Registration No. 3576257; first use date October 18, 2005; registered February 17, 2009) and Opposer's Marks are similar.

117. Admit that the mark TAZA CHOCOLATE and Design (U.S. Registration No. 3576257; first use date October 18, 2005; registered February 17, 2009) and Opposer's Marks are similar in sight.

118. Admit that the mark TAZA CHOCOLATE and Design (U.S. Registration No. 3576257; first use date October 18, 2005; registered February 17, 2009) and Opposer's Marks are similar in sound.

119. Admit that the mark TAZA CHOCOLATE and Design (U.S. Registration No. 3576257; first use date October 18, 2005; registered February 17, 2009) and Opposer's Marks are similar in meaning.

120. Admit that the mark TAZA CHOCOLATE and Design (U.S. Registration No. 3576257; first use date October 18, 2005; registered February 17, 2009) and Opposer's Marks are similar in overall commercial impression.

121. Admit that You are aware of the U.S. Registration No. 2609343 (first use date March 20, 2001; registered February August 20, 2002) for the mark TAZZA RICA and Design for "coffee, coffee beans."

122. Admit that You were aware of the U.S. Registration No. 2609343 (first use date March 20, 2001; registered February August 20, 2002) for the mark TAZZA RICA and Design for "coffee, coffee beans" when You filed trademark applications to register Opposer's Marks.

123. Admit that the U.S. Registration No. 2609343 (first use date March 20, 2001; registered February August 20, 2002) for the mark TAZZA RICA and Design for "coffee, coffee beans" did not preclude Your registration of Opposer's Marks.

124. Admit that you did not believe the U.S. Registration No. 2609343 (first use date March 20, 2001; registered February August 20, 2002) for the mark TAZZA RICA and Design for "coffee, coffee beans" precluded Your registration of Opposer's Marks.

125. Admit that the U.S. Registration No. 2609343 (first use date March 20, 2001; registered February August 20, 2002) for the mark TAZZA RICA and Design for "coffee, coffee beans" has not precluded Your use of Opposer's Marks.

126. Admit that the mark TAZZA RICA (U.S. Registration No. 2609343; first use date March 20, 2001; registered February August 20, 2002) and Opposer's Marks are similar.

127. Admit that the mark TAZZA RICA (U.S. Registration No. 2609343; first use date March 20, 2001; registered February August 20, 2002) and Opposer's Marks are similar in sight.

128. Admit that the mark TAZZA RICA (U.S. Registration No. 2609343; first use date March 20, 2001; registered February August 20, 2002) and Opposer's Marks are similar in sound.

129. Admit that the mark TAZZA RICA (U.S. Registration No. 2609343; first use date March 20, 2001; registered February August 20, 2002) and Opposer's Marks are similar in meaning.

130. Admit that the mark TAZZA RICA (U.S. Registration No. 2609343; first use date March 20, 2001; registered February August 20, 2002) and Opposer's Marks are similar in overall commercial impression.

131. Admit that You are aware of the U.S. Registration No. 3588140 for the mark CAFFE TAZZA and Design (filed September 19, 2007; registered March 10, 2009) for "coffee shop services."

132. Admit that You did not initiate an opposition proceeding before the Trademark Trial and Appeal Board against the mark CAFFE TAZZA and Design (U.S. Registration No. 3588140; filed September 19, 2007; registered March 10, 2009) for "coffee shop services."

133. Admit that You did not petition to cancel before the Trademark Trial and Appeal Board the U.S. Registration No. 3588140 for the mark CAFFE TAZZA and Design (filed September 19, 2007; registered March 10, 2009) for "coffee shop services."

134. Admit that You serve coffee at Your restaurants.

135. Admit that the mark CAFFE TAZZA and Design (U.S. Registration No. 3588140; filed September 19, 2007; registered March 10, 2009) for "coffee shop services" and Opposer's Marks are similar.

136. Admit that the mark CAFFE TAZZA and Design (U.S. Registration No. 3588140; filed September 19, 2007; registered March 10, 2009) for "coffee shop services" and Opposer's Marks are similar in sight.

137. Admit that the mark CAFFE TAZZA and Design (U.S. Registration No. 3588140; filed September 19, 2007; registered March 10, 2009) for "coffee shop services" and Opposer's Marks are similar in sound.

138. Admit that the mark CAFFE TAZZA and Design (U.S. Registration No. 3588140; filed September 19, 2007; registered March 10, 2009) for "coffee shop services" and Opposer's Marks are similar in meaning.

139. Admit that the mark CAFFE TAZZA and Design (U.S. Registration No. 3588140; filed September 19, 2007; registered March 10, 2009) for "coffee shop services" and Opposer's Marks are similar in overall commercial impression.

140. Admit that You are aware of U.S. Registration No. 3588675 for the mark TAZZA D'AMORE and Design (filed March 3, 2008; registered March 10, 2009) for "coffee shop services."

141. Admit that You did not initiate an opposition proceeding before the Trademark Trial and Appeal Board against the mark TAZZA D'AMORE and Design (U.S. Registration No. 3588675; filed March 3, 2008; registered March 10, 2009) for "coffee shop services."

142. Admit that You did not petition to cancel before the Trademark Trial and Appeal Board the U.S. Registration No. 3588675 for the mark TAZZA D'AMORE and Design (filed March 3, 2008; registered March 10, 2009) for "coffee shop services."

143. Admit that the mark TAZZA D'AMORE and Design (U.S. Registration No. 3588675; filed March 3, 2008; registered March 10, 2009) and Opposer's Marks are similar.

144. Admit that the mark TAZZA D'AMORE and Design (U.S. Registration No. 3588675; filed March 3, 2008; registered March 10, 2009) and Opposer's Marks are similar in sight.

145. Admit that the mark TAZZA D'AMORE and Design (U.S. Registration No. 3588675; filed March 3, 2008; registered March 10, 2009) and Opposer's Marks are similar in sound.

146. Admit that the mark TAZZA D'AMORE and Design (U.S. Registration No. 3588675; filed March 3, 2008; registered March 10, 2009) and Opposer's Marks are similar in meaning.

147. Admit that the mark TAZZA D'AMORE and Design (U.S. Registration No. 3588675; filed March 3, 2008; registered March 10, 2009) and Opposer's Marks are similar in overall commercial impression.

148. Admit that You are aware of the U.S. Registration No. 3911916 for the mark TAZZA ITALIA (filed September 1, 2009; registered January 25, 2011) for "coffee."

149. Admit that You did not initiate an opposition proceeding before the Trademark Trial and Appeal Board against the mark TAZZA ITALIA (U.S. Registration No. 3911916; filed September 1, 2009; registered January 25, 2011) for "coffee."

150. Admit that You did not petition to cancel before the Trademark Trial and Appeal Board the U.S. Registration No. 3911916 for the mark TAZZA ITALIA (filed September 1, 2009; registered January 25, 2011) for "coffee."

151. Admit that mark TAZZA ITALIA (U.S. Registration No. 3911916; filed September 1, 2009; registered January 25, 2011) for "coffee" and Opposer's Marks are similar.

152. Admit that mark TAZZA ITALIA (U.S. Registration No. 3911916; filed September 1, 2009; registered January 25, 2011) for "coffee" and Opposer's Marks are similar in sight.

153. Admit that mark TAZZA ITALIA (U.S. Registration No. 3911916; filed September 1, 2009; registered January 25, 2011) for "coffee" and Opposer's Marks are similar in sound.

154. Admit that mark TAZZA ITALIA (U.S. Registration No. 3911916; filed September 1, 2009; registered January 25, 2011) for "coffee" and Opposer's Marks are similar in meaning.

155. Admit that mark TAZZA ITALIA (U.S. Registration No. 3911916; filed September 1, 2009; registered January 25, 2011) for "coffee" and Opposer's Marks are similar in overall commercial impression.

156. Admit that You are aware of the U.S. Registration No. 3240350 for the mark TAZZA MIA (filed February 13, 2004; registered May 8, 2007) for "coffee houses, cafes."

157. Admit that You were aware of the TAZZA MIA mark depicted in the U.S. Registration No. 3240350 (filed February 13, 2004; registered May 8, 2007) when You filed trademark applications for Opposer's Marks.

158. Admit that the U.S. Registration No. 3240350 for the mark TAZZA MIA (filed February 13, 2004; registered May 8, 2007) for "coffee houses, cafes" did not preclude registration of Opposer's Marks for restaurant and bar services.

159. Admit that you did not believe the U.S. Registration No. 3240350 for the mark TAZZA MIA (filed February 13, 2004; registered May 8, 2007) for "coffee houses, cafes" precluded registration of Opposer's Marks for restaurant and/or bar services.

160. Admit that the U.S. Registration No. 3240350 for the mark TAZZA MIA (filed February 13, 2004; registered May 8, 2007) for "coffee houses, cafes" has not precluded Your use of Opposer's Marks for restaurant and/or bar services.

161. Admit that the mark TAZZA MIA (U.S. Registration No. 3240350; filed February 13, 2004; registered May 8, 2007) for "coffee houses, cafes" and Opposer's Marks are similar.

162. Admit that the mark TAZZA MIA (U.S. Registration No. 3240350; filed February 13, 2004; registered May 8, 2007) for "coffee houses, cafes" and Opposer's Marks are similar in sight.

163. Admit that the mark TAZZA MIA (U.S. Registration No. 3240350; filed February 13, 2004; registered May 8, 2007) for "coffee houses, cafes" and Opposer's Marks are similar in sound.

164. Admit that the mark TAZZA MIA (U.S. Registration No. 3240350; filed February 13, 2004; registered May 8, 2007) for "coffee houses, cafes" and Opposer's Marks are similar in meaning.

165. Admit that the mark TAZZA MIA (U.S. Registration No. 3240350; filed February 13, 2004; registered May 8, 2007) for "coffee houses, cafes" and Opposer's Marks are similar in overall commercial impression.

166. Admit that You are aware of the U.S. Registration No. 3684509 for the mark CHOCOLATE TAZZA (filed September 16, 2005; registered September 15, 2009) for "desserts, namely, flavored dessert soufflés."

167. Admit that You were aware of the U.S. Registration No. 3684509 for the mark CHOCOLATE TAZZA (filed September 16, 2005; registered September 15, 2009) for "desserts, namely, flavored dessert soufflés" when You filed Your trademark applications for Opposer's Marks.

168. Admit that You serve desserts at Your restaurants.

169. Admit that the U.S. Registration No. 3684509 for the mark CHOCOLATE TAZZA (filed September 16, 2005; registered September 15, 2009) did not preclude registration of Opposer's Marks.

170. Admit that you did not believe the U.S. Registration No. 3684509 for the mark CHOCOLATE TAZZA (filed September 16, 2005; registered September 15, 2009) precluded Your registration of Opposer's Marks.

171. Admit that the U.S. Registration No. 3684509 for the mark CHOCOLATE TAZZA (filed September 16, 2005; registered September 15, 2009) has not precluded use of Opposer's Marks.

172. Admit that the mark CHOCOLATE TAZZA (U.S. Registration No. 3684509; filed September 16, 2005; registered September 15, 2009) and Opposer's Marks are similar.

173. Admit that the mark CHOCOLATE TAZZA (U.S. Registration No. 3684509; filed September 16, 2005; registered September 15, 2009) and Opposer's Marks are similar in sight.

174. Admit that the mark CHOCOLATE TAZZA (U.S. Registration No. 3684509; filed September 16, 2005; registered September 15, 2009) and Opposer's Marks are similar in sound.

175. Admit that the mark CHOCOLATE TAZZA (U.S. Registration No. 3684509; filed September 16, 2005; registered September 15, 2009) and Opposer's Marks are similar in meaning.

176. Admit that the mark CHOCOLATE TAZZA (U.S. Registration No. 3684509; filed September 16, 2005; registered September 15, 2009) and Opposer's Marks are similar in overall commercial impression.

177. Admit that You are aware of the U.S. Registration No. 3759349 for the mark CHEESECAKE TAZZA (filed September 16, 2005; registered March 9, 2010) for "bakery desserts."

178. Admit that You were aware of the U.S. Registration No. 3759349 for the mark CHEESECAKE TAZZA (filed September 16, 2005; registered March 9, 2010) for "bakery desserts" when You filed Your trademark applications for Opposer's Marks.

179. Admit that the mark CHEESECAKE TAZZA (U.S. Registration No. 3759349; filed September 16, 2005; registered March 9, 2010) and Opposer's Marks are similar.

180. Admit that the mark CHEESECAKE TAZZA (U.S. Registration No. 3759349; filed September 16, 2005; registered March 9, 2010) and Opposer's Marks are similar in sight.

181. Admit that the mark CHEESECAKE TAZZA (U.S. Registration No. 3759349; filed September 16, 2005; registered March 9, 2010) and Opposer's Marks are similar in sound.

182. Admit that the mark CHEESECAKE TAZZA (U.S. Registration No. 3759349; filed September 16, 2005; registered March 9, 2010) and Opposer's Marks are similar in meaning.

183. Admit that the mark CHEESECAKE TAZZA (U.S. Registration No. 3759349; filed September 16, 2005; registered March 9, 2010) and Opposer's Marks are similar in overall commercial impression.

Dated: June 12, 2014

By: 

Julia Anne Matheson
Anna B. Naydonov
Finnegan, Henderson, Farabow,
Garrett & Dunner, L.L.P.
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Attorneys for Applicant
STARBUCKS CORPORATION DBA
STARBUCKS COFFEE COMPANY

CERTIFICATE OF SERVICE

I certify that a true and accurate copy of the foregoing APPLICANT'S FIRST SET OF REQUESTS FOR ADMISSION TO OPPOSER was served by email and first class mail, postage prepaid, on this 12th day of June 2014, upon counsel for Opposer at the following address of record:

EDWARD T. SAADI
EDWARD T. SAADI LLC
970 WINDHAM COURT, STE 7
BOARDMAN, OH 44512



Anna Naydonov

EXHIBIT 1

Appetizer Trays

Serves 10 Guests
Served with Pita on the side

Hummos	35.00
Puree of chickpeas, tahini and lemon. Topped with fresh herbs and olive oil.	
Spicy Hummos	35.00
Our famous Hummos, mixed with hot sauce and topped with fresh herbs and olive oil.	
Baba	35.00
Puree of char-grilled eggplant, tahini, and lemon. Topped with fresh herbs and olive oil.	
Touile M Damas	35.00
Puree of fava beans, garlic, olive oil, and lemon. Topped with diced tomatoes and parsley.	
Falafel 25 pieces	40.00
Mildly spiced vegetarian patties fried in peanut oil and served with tahini sauce, tomatoes and parsley.	
Dawall 36 pieces	45.00
Grape leaves stuffed with rice, chickpeas, tomatoes, and parsley. Topped with feta cheese and lemon herb dressing.	
Loubie	40.00
Green beans sautéed with onions, herbs, large whole cloves of garlic, tomatoes and extra virgin olive oil.	
Garlic Spinach	40.00
Sautéed spinach in olive oil with onions and fresh garlic. Topped with fried onions and pine nuts.	
Lebanese Jibneh	40.00
Lebanese cheese seared with pomegranate sauce. Garnished with pistachios, grape tomatoes, basil, and kalamata olives.	
Kibbie 18 pieces	45.00
Ground beef and crushed wheat shells, stuffed with seasoned meat, pine nuts, and onions; fried in peanut oil. Served with yogurt and Lebanese Salata.	
Mixed Appetizer	45.00
Choose any six of your favorite appetizers and make your own combination.	

Salad Trays

Serves 10 Guests
Served with Pita on the side

Cedars Salad	40.00
Crisp romaine, grape tomatoes, and kashkaval cheese. Garnished with fried pita chips. Creamy garlic dressing on the side.	
Phoenician Salad	40.00
Mixed greens, grape tomatoes, sun-dried cranberries, candied walnuts, and Gorgonzola cheese. Balsamic herb vinaigrette on the side.	
Taza Chicken Salad	55.00
Shredded romaine lettuce mixed with thinly sliced grilled chicken tenders, roasted corn, grape tomatoes, dates, and red grapes. Topped with feta cheese and roasted pine nuts. Mango-cilantro dressing on the side.	
Spinach Salad	40.00
Fresh baby spinach, diced cucumbers, grape tomatoes, candied walnuts, and kalamata olives. Topped with orange wedges and feta cheese. Your choice of tomato-herb or raspberry vinaigrette dressing on the side.	
Lebanese Salata	40.00
Mixed greens topped with chopped tomatoes, cucumbers, green peppers, onions, kalamata olives, and feta cheese. Lemon-herb vinaigrette on the side.	
Tattoush	40.00
Shredded romaine lettuce mixed with chopped tomatoes, green peppers, cucumber, parsley, seasoned pita chips, lemon, garlic, olive oil, and a hint of sumac. Lemon herb vinaigrette on the side.	
Add chicken to any salad for an additional 20.00	

Bread & Dipping Sauce

Hot Sauce 16oz.	6.95
Zaatar Dipping Oil 16oz.	5.95
Fresh Pita Bread (3)	1.00
Jasmine Pita Bread (bag)	3.00

Rolled Pita Trays

Choice of 10 rolls cut in half, served with fries on the side
65.00

Kabob Rolled	Vegetarian
Chicken Kafta Rolled	Falafel Rolled
Beef Kafta Rolled	Baba Garden Rolled
Shawarma Rolled	Hummos Garden Rolled
Lamb Rolled	Hummos Falafel Rolled
Shish Tawook Rolled	Baba Falafel Rolled
Spicy Chicken Kafta Rolled	
Spicy Beef Kafta Rolled	
Chicken Shawarma Rolled	

Entree Platters

Serves 10 Guests
Served with Pita on the side

Samakeh Harra	40.00
Seared Cod seasoned with exotic Lebanese spices smothered in a roasted tomato-garlic sauce. Served with vegetable bulgur.	
Samakeh Tajin	40.00
Seasoned char-grilled Salmon paired with a tahini walnut cilantro sauce. Served with Lebanese rice.	
Samakeh Seana	40.00
Five spice crusted Ah! Tuna topped with parsley zaatar pesto sauce and served with vegetable couscous.	
Fatteh Shawarma	75.00
Seasoned Shawarma layered over chickpeas and fried pita chips. Topped with a tahini yogurt-garlic sauce, pine nuts, and olive oil.	
Fatteh Chicken	65.00
Seasoned chicken tenders layered over chickpeas and fried pita chips. Topped with a tahini yogurt-garlic sauce, pine nuts and olive oil.	
Hummos Shawarma	50.00
Our famous hummos topped with seasoned strips of beef, diced tomatoes, pine nuts and parsley.	
Hummos Chicken	50.00
Our famous hummos topped with marinated chicken, diced tomatoes, pine nuts and parsley.	
Mujadara	50.00
A bed of steamed lentils and rice topped with Lebanese Salata, garnished with fried onions.	
Shawarma Plate	60.00
Seasoned strips of grilled beef served with fresh tomato, onion, sumac, parsley, tahini sauce and french fries.	

Shish Grill Platters

A traditional grill where meats and vegetables are prepared on skewers. Served with Lebanese rice, grilled vegetables and your choice of garlic or tahini sauce.

Shish Kabob Beef tenderloin marinated in a blend of spices and roasted to perfection.	80.00
Shish Lamb Hand trimmed high quality lamb, infused with our robust blend of herbs.	80.00
Beef Kafta Lean ground beef, parsley and onions, combined with traditional spices.	75.00
Chicken Kafta Ground chicken breast mixed with a blend of spices, grilled to a golden brown.	70.00
Shish Tawook Cuts of chicken tenders, brushed with a zesty lemon and garlic blend.	70.00
Ahi Tuna Steeped in a delectable marinade of special spices.	75.00
Mixed Grill A combination of lamb, chicken and beef kafta skewers. Served with Lebanese rice, grilled veggies and your choice of garlic or tahini sauce.	85.00

All meat is prepared to a medium internal temperature.

Catering menu available for Carry Out only.

Gift cards available.

Dessert Trays

Lebanese Pastries

Minimum 40 pieces.
Pricing available upon request.

Fingers

Flaky filo dough rolled around ground cashews.

Bassma

Knafee dough, clarified butter and crunchy pistachio.

Burma

Shredded wheat wrapped around Turkish pistachios.

Baklava

Sheets of filo with walnuts and sweetened with sugar syrup.

Bird's Nest

Crispy layers of filo filled with whole pistachios.

Mini Roses

Sheets of filo with cashews and sweetened with sugar syrup.

Gourmet Cakes & Cheesecakes

Please inquire about our
Gourmet Cakes and Cheesecakes.
Available in full sheet, half sheet and 12" round.



Food Trays

*Taza guarantees an exotic,
unforgettable experience.*

*Committed to the
meaning of Taza,
we promise the freshest
ingredients, inspired
by traditional Lebanese
home cooked meals.*

East	Downtown
28601 Chagrin Blvd.	1400 W. 6th St.
Woodmere, OH	Cleveland, OH
44122	44113
216.464.4000	216.274.1170

www.mytaza.com

EXHIBIT 2



Appetizers - Shared Mezza

Hummos Puree of chickpeas, tahini, and lemon.	7/5	Tabouli A delicate mixture of chopped parsley, onion, tomatoes and cracked wheat. Seasoned with olive oil, lemon and herbs.	7/5	French Fries Fried in peanut oil, seasoned with Zaatar (an ancient mid east herb).	4/95
Spicy Hummos Our hummos, blended with our famous hot sauce.	7/5	Lebanese Jibneh Sauteed Lebanese cheese with pomegranate sauce, pistachios, grape tomatoes, basil and kalamata olives.	7/5	Makaneh Baby beef and lamb sausages sauteed in a lemon-pomegranate sauce, and garnished with pine nuts.	7/5
Hummos Fattah Chickpeas layered with fried pita chips, tahini yogurt garlic sauce, pine nuts, seasoned olive oil and fresh herbs.	7/5	Manakish Freshly baked Lebanese flat bread topped with your choice of Feta Cheese Mix, Zaatar Mix or Spinach Mix.	6/95	Soujouk Beef and lamb sausages in a spicy tomato sauce.	7/5
Baba Puree of char-grilled eggplant, tahini, and lemon.	7/5	Garlic Spinach Sauteed spinach in olive oil and fresh garlic. Topped with toasted onions and pine nuts.	7/45	Shawarma Seasoned strips of grilled beef topped with tomato, onion, sumac, parsley, and pine nuts. Served with tahini sauce.	7/5
Toote M Damas Puree of fava beans, garlic, olive oil and lemon.	7/5	Garlic Labneh Creamy dip made from strained yogurt, garlic, a dash of dry mint and olive oil.	6/95	Kibbie Ground beef and wheat shells stuffed with seasoned meat, pine nuts, and onions, fried in peanut oil.	7/95
Falafel Mildly spiced vegetarian patties made with chick peas, fava beans, and parsley. Fried in peanut oil. Topped with tahini sauce.	7/5	Potato Cilantro Diced potatoes sauteed in olive oil, garlic, cilantro, and lemon sauce.	6/95		
Dawall Grape leaves stuffed with rice, chickpeas, tomato and parsley. Topped with feta cheese and lemon herb dressing.	7/5				
Loubie Green beans sauteed with onion, herbs, large whole cloves of garlic, tomato and olive oil.	7/5	Kibbie Nayyeh A Traditional Lebanese Delicacy* Lamb tartar blended with cracked wheat and spices. Served with fresh mint and onions.	14/95		
Kabis Pickled turnips, olives, and wild cucumbers.	6/95				

Tour of Lebanon

Vegetarian Feast Our traditional favorites: Tabouli, Hummos, Baba and Falafel.	14/25
Taste of Taza Shawarma, Shish Tawook, Vegetable Couscous, Lebanese Salata, Hummos, & Baba.	14/25

Entrees from our Shish Grill

Shish Kabob Beef tenderloin marinated in a blend of spices and roasted to perfection.	12/95 // 20/95	Shish Tawook Cuts of chicken tenders, brushed with a zesty lemon and garlic blend.	9/95 // 16/95
Shish Lamb Hand trimmed high quality lamb, infused with our robust blend of herbs.	12/95 // 20/95	Ahi Tuna Steeped in a delectable marinade of special spices.	12/95 // 19/95
Beef Kafta** Lean ground beef, parsley and onions, combined with traditional spices.	10/95 // 19/95	Mixed Grill I A selection of brochettes; lamb kabob, chicken kabob and beef kafta.	21/95
Chicken Kafta** Ground chicken breast mixed with a blend of spices, grilled to a golden brown.	10/95 // 18/95	Mixed Grill II A selection of brochettes; beef kabob, chicken kabob and beef kafta.	21/95

A traditional grill where meats & vegetables are prepared on skewers. Served with Lebanese rice, grilled vegetables and choice of garlic or tahini sauce.

Entrees

Grilled Veggie Marinated grilled vegetables. Served with Lebanese rice, vegetable bulguri, and your choice of garlic or tahini sauce.	9/95 // 13/95	Shawarma Plate Seasoned strips of grilled beef served with fresh tomato, onion, sumac, parsley, tahini sauce and french fries.	10/95 // 15/95	Samakeh Harra Seared Cod seasoned with exotic Lebanese spices and a roasted tomato garlic sauce. Served with vegetable bulguri.	12/95 // 21/95
Mujadara A bed of steamed lentils and rice topped with Lebanese Salata, garnished with toasted onions.	9/95 // 16/95	Hummos Chicken Our famous hummos topped with seasoned chicken, tomatoes, pine nuts and parsley.	9/95 // 15/95	Samakeh Tajin Seasoned char-grilled Salmon paired with a tahini walnut-cilantro sauce. Served with Lebanese rice.	12/95 // 21/95
Fattah Seasoned Chicken or Shawarma, chickpeas and fried pita chips, tahini yogurt garlic sauce, pine nuts & olive oil.	10/95 // 15/95	Hummos Shawarma Our famous hummos topped with seasoned strips of beef with tomatoes, pine nuts and parsley.	10/95 // 16/95	Samakeh Seana Five spice crusted Ahi Tuna topped with a parsley zaatar pesto sauce. Served with vegetable couscous.	12/95 // 21/95

Salads

Cedars Salad Crisp romaine, grape tomatoes, kashkaval cheese and fried pita chips. Tossed in creamy garlic dressing. Add chicken 2.00	7/95	Tabouli A delicate mixture of chopped parsley, onion, tomatoes and cracked wheat. Seasoned with olive oil, lemon and herbs.	7/95
Phoenician Salad Mixed greens, grape tomatoes, sun-dried cranberries, candied walnuts, and Gorgonzola. Tossed in balsamic herb vinaigrette. Add chicken 2.00	8/95	Lebanese Salata Mixed greens topped with chopped tomatoes, cucumbers, green peppers, onions, kalamata olives, and feta. Tossed in a lemon-herb dressing.	8/25
Falafel Salad Falafel patties served on a bed of mixed greens, grape tomatoes, cucumbers, and feta. Tossed with either lemon herb vinaigrette or tahini dressing.	9/95	Spinach Salad Baby spinach, cucumbers, grape tomatoes, candied walnuts, kalamata olives, orange wedges and feta. Tossed with either lemon herb or raspberry vinaigrette. Add Chicken or Shawarma 2.00	10/95
Taza Chicken Salad Shredded romaine with grilled chicken tenders, roasted corn, grape tomatoes, dates, red grapes, roasted pine nuts and feta. Tossed in mango cilantro dressing.	10/95	Fattoush Shredded romaine mixed with chopped tomatoes, green peppers, cucumbers, parsley, seasoned pita chips, lemon, garlic, olive oil and a hint of sumac. Add chicken 2.00	10/95

Specialty Salads

Mixed greens, grape tomatoes, kalamata olives & feta, served with lemon herb vinaigrette or tahini dressing.
Topped with your choice of:

Shish Kabob	12/95	Shawarma	12/95
Shish Tawook	11/95	Grilled Fish	12/95
Shish Lamb	11/95		

Rolled Pitas

Lamb Char-grilled marinated lamb kabob, topped with tomato, onion, lettuce, pickles, turnips and tahini sauce.	9/75	Vegetarian Rolled Pitas	
Kabob Char-broiled beef tenderloin, with grilled tomato, green pepper, onion, lettuce, pickles, turnips and tahini sauce.	9/25	Garden Lettuce, tomato, cucumber, pickles and turnips topped with your choice of our famous Hummos or Baba.	8/25
Kafta** Your choice of Beef or Chicken seasoned with our blend of herbs and spices. With tomato, onion and tahini sauce. Like it spicy? Add Hot Sauce!	11/95	Falafel Mildly spiced vegetarian patties topped with lettuce, tomato, parsley, pickles, turnips and tahini sauce.	10/95
Shawarma Your choice of Beef or Chicken Shawarma, topped with tomato, onion, lettuce, pickles, turnips and tahini sauce.	11/95	Hummos Falafel Mildly spiced vegetarian patties topped with hummos, lettuce, tomato, parsley, pickles and turnips.	11/95
Shish Tawook Marinated char-broiled chicken tenders, topped with lettuce, tomato, pickles, turnips and garlic sauce.	11/95		

All rolled sandwiches are lightly toasted and served with french fries.

Add a small Cedars or Phoenician Salad for \$5.95 to any Rolled Pita or Entree.

Soups

Nine Vegetable Homemade with the freshest mix of nine vegetables.	4/95
Lentil Red lentil beans seasoned with cumin. Topped with fried pita chips.	4/95
Tomato Couscous Tomato broth with onions, fresh garlic, couscous, garbanzo and black eye beans. Seasoned with our exotic herbs and spices.	4/95

Add chicken to any soup 1.00

All soups are made from scratch with no artificial starch or additives. We only use 100% pure imported Lebanese extra virgin olive oil in our cooking.

*Consuming raw or undercooked meats may increase the risk of food borne illness

**Kafta is seasoned minced beef or chicken

Opposition No. 91207525
DECLARATION OF ANNA NAYDONOV IN SUPPORT OF APPLICANT'S
MOTION TO TEST SUFFICIENCY OF OPPOSER'S RESPONSES
TO REQUESTS FOR ADMISSION, FOR SANCTIONS, AND TO COMPEL

Exhibit 2

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

Taza Systems, LLC,)	
)	
Opposer,)	<u>RESPONSES TO APPLICANT'S FIRST</u>
)	<u>SET OF REQUESTS FOR ADMISSION</u>
vs.)	<u>TO OPPOSER</u>
)	
)	Opposition No.: 91207525
Starbucks Corporation DBA Starbucks Coffee)	
Company,)	Mark: TAZO
Applicant.)	Ser. No.: 85/439,878
)	Filed: October 5, 2011
)	

RESPONSES

1. Admitted.
2. Denied.
3. Objection. The meaning of the term “primarily” is vague and ambiguous. Opposer is unable to admit or deny because the amount of foods which constitute “primarily” is a matter of opinion.
4. Admitted.
5. Objection. The meaning of the term “primarily” is vague and ambiguous. Opposer is unable to admit or deny because the amount of foods which constitute “primarily” is a matter of opinion.
6. Denied.
7. Objection. The meaning of the term “primarily” is vague and ambiguous. Opposer is unable to admit or deny because the amount of foods which constitute “primarily” is a matter of opinion.
8. Denied.
9. Objection. The meaning of the terms “dishes” and “origin” are vague and ambiguous.
10. Objection. The meaning of the terms “dishes” and “origin” are vague and ambiguous.

11. Objection. The meaning of the terms “dishes” and “origin” are vague and ambiguous.
12. Objection. The meaning of the term “dishes” and “origin” are vague and ambiguous.
13. Objection. The meaning of the phrase “are Lebanese cuisine” is vague and ambiguous. To the extent that this request is understood by Opposer, to mean that the entirety of Lebanese cuisine is encompassed within most of the dishes served at Opposer’s restaurants, this request is denied, as there are many Lebanese dishes which are not served at Opposer’s restaurants.
14. Objection. The meaning of the phrase “are Middle-Eastern cuisine” is vague and ambiguous. To the extent that this request is understood by Opposer, to mean that the entirety of Middle Eastern cuisine is encompassed within most of the dishes served at Opposer’s restaurants, this request is denied, as there are many Middle Eastern dishes which are not served at Opposer’s restaurants.
15. Admitted that some of Opposer’s advertisements have referenced Lebanese food. Otherwise denied.
16. Denied.
17. Denied that the terms describe the services Opposer offers in its restaurants. Admitted that the terms describe some of the foods Opposer offers in its restaurants.
18. Objection. Irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving said objection, and subject thereto, admitted that Opposer presently has two operating restaurant locations, one in Cleveland and one in Woodmere.
19. Objection. Irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving said objection, and subject thereto, denied. Opposer is presently scouting locations in Pittsburgh not yet in operation.
20. Denied.
21. Admitted that the term for “fresh” in Lebanese is pronounced “taza.”
22. Admitted that the term for “cup” in Spanish is pronounced “taza.
23. Admitted.
24. Admitted.
25. Opposer lacks information sufficient to truthfully admit or deny. Opposer has made a

reasonable inquiry and the information known or readily obtainable by Opposer is insufficient to enable the party to admit or deny.

26. Opposer lacks information sufficient to truthfully admit or deny. Opposer has made a reasonable inquiry and the information known or readily obtainable by Opposer is insufficient to enable the party to admit or deny.

27. Opposer lacks information sufficient to truthfully admit or deny. Opposer has made a reasonable inquiry and the information known or readily obtainable by Opposer is insufficient to enable the party to admit or deny.

28. Opposer lacks information sufficient to truthfully admit or deny. Opposer has made a reasonable inquiry and the information known or readily obtainable by Opposer is insufficient to enable the party to admit or deny.

29. Denied.

30. Denied.

31. Denied.

32. Denied.

33. Denied.

34. Denied.

35. Denied.

36. Denied.

37. Denied.

38. Denied.

39. Denied.

40. Denied.

41. Denied.

42. Denied.

43. Denied.

44. Denied.

45. Denied.

46. Admitted.

47. Admitted.

48. Admitted.

49. Admitted.

50. Admitted.

51. Admitted.

52. Admitted.

53. Admitted.

54. Admitted.

55. Denied. Exhibit 1 is a "Food Trays" menu.

56. Objection. Exhibit 1 is a "Food Trays" menu. The Exhibit speaks for itself. To the extent an answer is required, denied.

57. Denied. Exhibit 1 is a "Food Trays" menu.

58. Denied. Exhibit 1 is a "Food Trays" menu.

59. Denied. Exhibit 1 is a "Food Trays" menu.

60. Denied. Exhibit 1 is a "Food Trays" menu.

61. Denied. Exhibit 1 is a "Food Trays" menu.

62. Objection. Calls for a legal conclusion.

63. Admitted that Exhibit 2 is one of the menus that has been used by Opposer.

64. Objection. The Exhibit speaks for itself.

65. Objection. The Exhibit speaks for itself.

66. Objection. The Exhibit speaks for itself. To the extent a response is required, Opposer admits that it serves Lebanese food, among other things, in its restaurants, which results in the terms "Lebanon" and "Lebanese" appearing on the menu.
67. Objection. This request is grammatically incomprehensible due to open quotation marks. The Exhibit speaks for itself. To the extent a response is required, Opposer admits that "Lebanese" partially describes some, but not all, of the foods served in its restaurants.
68. Objection. This request is grammatically incomprehensible due to open quotation marks. The Exhibit speaks for itself. Vague and ambiguous as to the meaning of the term "ethnic origin." To the extent a response is required, Opposer admits that "Lebanese" partially describes some, but not all, of the foods served in its restaurants.
69. Objection. This request for admission is rendered incomprehensible by use of the term "and/or."
70. Objection. This request for admission is rendered incomprehensible by use of the term "and/or."
71. Admitted.
72. Objection. Irrelevant and inadmissible. Opposer's subjective belief at some distant point in the past has no bearing on this proceeding.
73. Objection. Irrelevant and inadmissible. Opposer's subjective belief at some distant point in the past has no bearing on this proceeding. Further objecting, this request for admission wrongly assumes that Opposer had knowledge of TAZO Marks other than those which were subject of the TAZO Registrations disclosed in the Search Report, thereby making this request compound and unanswerable.
74. Objection. Irrelevant and inadmissible. Opposer's subjective belief at some distant point in the past has no bearing on this proceeding. Further objecting, this request for admission wrongly assumes that Opposer had knowledge of TAZO Marks other than those which were subject of the TAZO Registrations disclosed in the Search Report. Calls for a legal conclusion. Misstates the test for consumer confusion, which is not limited to similarity of marks, and therefore seeks admission of irrelevant facts. Argumentative.
75. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Overly broad and unduly burdensome. The search report speaks for itself.
76. Objection. Irrelevant and inadmissible. Opposer's subjective belief at some distant point in the past has no bearing on this proceeding.
77. Objection. Irrelevant and inadmissible. Opposer's subjective belief at some distant point in the past has no bearing on this proceeding.

78. Objection. Irrelevant and inadmissible. Opposer's subjective belief at some distant point in the past has no bearing on this proceeding.
79. Objection. Calls for a legal conclusion. Calls for expert opinion.
80. Objection. Calls for a legal conclusion. Calls for expert opinion.
81. Objection. This request for admission is incomprehensible because registrations cannot be similar to marks; only marks can be similar to marks. Moreover, this request is irrelevant and inadmissible, as the subjective belief of Opposer at some distant point in the past is not germane to this proceeding.
82. Objection. Irrelevant and inadmissible. Opposer's knowledge at some distant point in the past has no bearing on this proceeding.
83. Denied.
84. Objection. Irrelevant and inadmissible. Opposer's knowledge at some distant point in the past has no bearing on this proceeding.
85. Objection. Irrelevant and inadmissible. Opposer's awareness at some distant point in the past has no bearing on this proceeding. Without waiving said objection, and subject thereto, Opposer lacks information sufficient to truthfully admit or deny. Opposer has made a reasonable inquiry and the information known or readily obtainable by Opposer is insufficient to enable the party to admit or deny.
86. Objection. The opposed application is founded upon Applicant's purported "intent to use" the applied-for mark. But this request for admission states that Applicant used the applied-for mark prior to the application filing date, and prior to November 22, 2005. Opposer is unable to discern what restaurants Applicant is referring to because this is not a use-based application. Opposer therefore lacks information sufficient to truthfully admit or deny. Opposer has made a reasonable inquiry and the information known or readily obtainable by Opposer is insufficient to enable the party to admit or deny.
87. Objection. The opposed application is founded upon Applicant's purported "intent to use" the applied-for mark. But this request for admission states that Applicant used the applied-for mark prior to the application filing date, and prior to November 22, 2005. Opposer is unable to discern what restaurants Applicant is referring to, because this is not a use-based application. Opposer therefore lacks information sufficient to truthfully admit or deny. Opposer has made a reasonable inquiry and the information known or readily obtainable by Opposer is insufficient to enable the party to admit or deny.
88. Denied.
89. Denied.

90. Denied.

91. Objection. Irrelevant. Seeks admission of facts unrelated to this proceeding.

92. Admitted that there have been third-party uses of the term “taza” in connection with restaurants, and that the owners of most of these restaurants have either received a cease and desist letter from Opposer, or have been sued by Opposer, to cause the cessation of such use. Opposer lacks information sufficient to truthfully admit or deny that such marks are currently in use. Opposer has made a reasonable inquiry and the information known or readily obtainable by Opposer is insufficient to enable the party to admit or deny on this point.

93. Objection. Irrelevant and inadmissible. The awareness of Opposer of third party uses at some point in the distant past is not germane to this proceeding.

94. Admitted that Opposer was aware of certain third-party uses of the term “taza” in connection with restaurants, and either sent cease and desist letters to, or sued, most of these third parties. Opposer lacks information sufficient to truthfully admit or deny that such marks are currently in use. Opposer has made a reasonable inquiry and the information known or readily obtainable by Opposer is insufficient to enable the party to admit or deny on this point.

95. Objection. Irrelevant and inadmissible. The awareness of Opposer of third party uses at some point in the distant past is not germane to this proceeding.

96. Objection. Irrelevant and inadmissible. The awareness of Opposer of third party uses at some point in the distant past is not germane to this proceeding.

97. Admitted.

98. Admitted.

99. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned.

100. Objection. Irrelevant and inadmissible. Irrelevant and inadmissible. The awareness of Opposer of third party uses at some point in the distant past is not germane to this proceeding. The referenced Registration has been abandoned.

101. Denied.

102. Denied.

103. Admitted only to the extent that yogurt is an ingredient in a small number of the dishes served at Opposer’s restaurants. Otherwise, denied.

104. Admitted only to the extent that cheese is an ingredient or topping in a small number of the dishes served at Opposer's restaurants. Otherwise, denied.
105. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned.
106. Objection. Irrelevant and inadmissible. Opposer's subjective beliefs at some point in the distant past is not germane to this proceeding. The referenced Registration has been abandoned.
107. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned.
108. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned. Calls for a legal conclusion.
109. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned. Calls for a legal conclusion.
110. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned. Calls for a legal conclusion. Call for expert opinion.
111. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned. Calls for a legal conclusion. Calls for expert opinion.
112. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned. Calls for a legal conclusion.
113. Objection. Irrelevant and inadmissible. Opposer's awareness of alleged third-party marks is not germane to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations.
114. Admitted only to the extent that chocolate is an ingredient in four of the desserts/smoothies served at Opposer's restaurants. Otherwise, denied.
115. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations.
116. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations. Calls for a legal conclusion.

117. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations. Calls for a legal conclusion.
118. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations. Calls for a legal conclusion. Calls for expert opinion.
119. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations. Calls for a legal conclusion.
120. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations. Calls for a legal conclusion.
121. Objection. Irrelevant and inadmissible. Opposer's awareness of alleged third-party marks is not germane to this proceeding.
122. Objection. Irrelevant and inadmissible. Opposer's knowledge at some distant point in the past has no bearing on this proceeding.
123. Admitted.
124. Objection. Irrelevant and inadmissible. Opposer's knowledge at some distant point in the past has no bearing on this proceeding.
125. Admitted.
126. Objection. Calls for a legal conclusion. Without waiving said objection, and subject thereto, denied.
127. Objection. Calls for a legal conclusion. Without waiving said objection, and subject thereto, denied.
128. Objection. Calls for a legal conclusion. Without waiving said objection, and subject thereto, denied.
129. Objection. Calls for a legal conclusion. Calls for expert opinion. Without waiving said objection, and subject thereto, denied.
130. Objection. Calls for a legal conclusion. Without waiving said objection, and subject thereto, denied.

131. Objection. Irrelevant and inadmissible. Opposer's knowledge of alleged third party marks has no bearing on this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations.
132. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations.
133. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations.
134. Admitted.
135. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations. Calls for a legal conclusion.
136. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations. Calls for a legal conclusion.
137. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations. Calls for a legal conclusion.
138. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations. Calls for a legal conclusion.
139. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations. Calls for a legal conclusion.
140. Objection. Irrelevant and inadmissible. Opposer's knowledge of alleged third-party marks has no bearing on this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations. Without waiving the foregoing objection, and subject thereto, Opposer denies this request for admission.

141. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations.
142. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations.
143. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations. Calls for a legal conclusion. Without waiving the foregoing objection, and subject thereto, Opposer denies this request for admission.
144. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations. Calls for a legal conclusion. Without waiving the foregoing objection, and subject thereto, Opposer denies this request for admission.
145. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations. Calls for a legal conclusion. Without waiving the foregoing objection, and subject thereto, Opposer denies this request for admission.
146. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations. Calls for a legal conclusion. Calls for expert opinion. Without waiving the foregoing objection, and subject thereto, Opposer denies this request for admission.
147. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations. Calls for a legal conclusion. Without waiving the foregoing objection, and subject thereto, Opposer denies this request for admission.
148. Objection. Irrelevant and inadmissible. Opposer's awareness of alleged third-party marks is not germane to this proceeding. Without waiving said objection, and subject thereto, denied.
149. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding.

150. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding.
151. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Without waiving the foregoing objection, and subject thereto, Opposer denies this request for admission.
152. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Without waiving the foregoing objection, and subject thereto, Opposer denies this request for admission.
153. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Without waiving the foregoing objection, and subject thereto, Opposer denies this request for admission.
154. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Calls for expert opinion. Without waiving the foregoing objection, and subject thereto, Opposer denies this request for admission.
155. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Without waiving the foregoing objection, and subject thereto, Opposer denies this request for admission.
156. Objection. Irrelevant and inadmissible. Opposer's awareness of alleged third-party marks is not germane to this proceeding.
157. Objection. Irrelevant and inadmissible. Opposer's awareness at some distant point in the past has no bearing on this proceeding.
158. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding.
159. Objection. Irrelevant and inadmissible. Opposer's awareness at some undefined point in the past has no bearing on this proceeding.
160. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding.

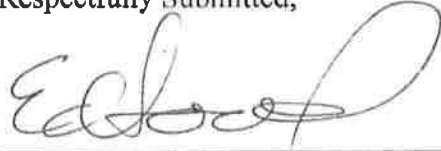
161. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Without waiving said objection, and subject thereto, denied.
162. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Without waiving said objection, and subject thereto, denied.
163. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Calls for expert opinion. Without waiving said objection, and subject thereto, denied.
164. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Calls for expert opinion. Without waiving said objection, and subject thereto, denied.
165. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Without waiving said objection, and subject thereto, denied.
166. Objection. Irrelevant and inadmissible. Opposer's awareness of alleged third-party marks is not germane to this proceeding.
167. Objection. Irrelevant and inadmissible. Opposer's awareness of purported third-party marks at some point in the distant past is not germane to these proceedings.
168. Admitted.
169. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding.
170. Objection. Irrelevant and inadmissible. Opposer's subjective beliefs held at some point in the distant past are not germane to these proceedings.
171. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding.
172. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Without waiving said objection, and subject

thereto, denied.

173. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Without waiving said objection, and subject thereto, denied.
174. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Without waiving said objection, and subject thereto, denied.
175. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Without waiving said objection, and subject thereto, denied.
176. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Without waiving said objection, and subject thereto, denied.
177. Objection. Irrelevant and inadmissible. Opposer's awareness of alleged third-party marks is not germane to this proceeding.
178. Objection. Irrelevant and inadmissible. Opposer's awareness of alleged third-party marks at some point in the distant past is not germane to this proceeding.
179. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Without waiving said objection, and subject thereto, denied.
180. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Without waiving said objection, and subject thereto, denied.
181. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Calls for expert opinion. Without waiving said objection, and subject thereto, denied.
182. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Calls for expert opinion. Without waiving said objection, and subject thereto, denied.

183. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Without waiving said objection, and subject thereto, denied.

Respectfully Submitted,

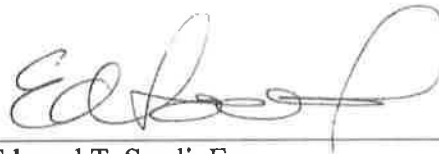
A handwritten signature in dark ink, appearing to read 'Edward T. Saadi', written over a horizontal line.

Edward T. Saadi, Esq.
EDWARD T. SAADI, LLC
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Attorney for Opposer

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing **RESPONSES TO APPLICANT'S FIRST SET OF REQUESTS FOR ADMISSION TO OPPOSER** was served on the following parties via First Class U.S. Mail, postage prepaid, on the 13th day of **March, 2015**, properly addressed as follows:

JULIA ANNE MATHESON, ESQ.
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, LLP
901 NEW YORK AVENUE, NW
WASHINGTON, DC 20001-4413



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EdwardSaadi@aol.com
Attorney for Opposer Taza Systems, LLC.

Opposition No. 91207525
DECLARATION OF ANNA NAYDONOV IN SUPPORT OF APPLICANT'S
MOTION TO TEST SUFFICIENCY OF OPPOSER'S RESPONSES
TO REQUESTS FOR ADMISSION, FOR SANCTIONS, AND TO COMPEL

Exhibit 3

JULIA ANNE MATHESON
202.408.4020
julia.matheson@finnegan.com

April 3, 2015

Edward T. Saadi, Esq.
Law Office of Edward T. Saadi, LLC
970 Windham Court
Suite 7
Boardman, Ohio 44512

VIA EMAIL & FIRST CLASS MAIL

Taza Systems, LLC v. Starbucks Corp. dba Starbucks Coffee Company
U.S. Trademark Opposition No. 91207525

Dear Edward,

We are writing regarding Taza Systems' ("Taza") numerous deficient supplemental discovery responses and improper objections that violate the Board's February 11, 2015 Order (Dkt. #37).

The objections Taza interposed to the majority of Starbucks requests for admission were fully briefed and overruled by the Board. On August 4, 2014, Taza filed a motion for a protective order with the Board, in which it argued that Starbucks requests for admission were excessive in number and that certain categories of individual requests (e.g., those inquiring about Taza's awareness of the TAZO marks and/or third-party marks, whether the U.S. PTO erred in not citing the TAZO marks against Taza's applications to register its marks, etc.) were improper. In its opposition to Taza's motion, Starbucks detailed why these individual requests were highly relevant and proper. The Board concluded that Taza's objections amounted to "mere 'conclusory statements' that lack the requisite particularity and specificity of fact to establish the good cause necessary for the issuance of a protective order." (Order 14, Dkt. #37, Feb. 11, 2015). The Board overruled all of Taza's objections and ordered it "to provide complete responses to Applicant's Requests for Admission within THIRTY DAYS," i.e., by March 13, 2015.

In contempt of the Board's Order, Taza has refused to respond to the bulk of Starbucks requests for admission and asserted the same objections that the Board already overruled. Moreover, even though the Board required Taza to provide complete supplemental responses to Starbucks document requests by March 13, 2015, Starbucks received Taza's supplemental production only yesterday (i.e., more than three weeks past the deadline), and even a cursory review of the production has revealed continued deficiencies.. We detail the specific deficiencies below.

Responses to Applicant's First Set of Requests for Admission

As a preliminary matter, Taza has not reproduced each request immediately before the answer or objection to the request, even though such is the preference of the Board. *See, e.g.*, TBMP § 407.03(b) ("The Board prefers that the responding party reproduce each request immediately preceding the answer or objection thereto.") This unnecessarily inconveniences both the Board and Starbucks.

Regarding the substance of Taza's responses, they are replete with improper objections, evasive replies that ignore the question posed, and outright refusals to respond. Taza's continued lack of cooperation in discovery is regrettable and runs afoul of the Board's order requiring Taza to provide "*complete* responses." (Order 14) (emphasis added).

Request Nos. 3, 5, and 7:

Taza refused to respond to these requests "because the amount of foods which constitute 'primarily' is a matter of opinion." Taza's refusal to respond is improper. First, Rule 36 provides that a "party may serve on any party a written request to admit ... relating to (A) facts, the application of law to facts, or *opinions* about either." Fed. R. Civ. P. 36(a)(1)(A) (emphasis added). Second, "primarily" is commonly understood to mean "for the most part" (THE MERRIAM-WEBSTER DICTIONARY, available at <http://www.merriam-webster.com/dictionary/primarily>.) Utilizing the definition of this commonly-understood word, Taza must respond to Starbucks requests, which properly inquire about "facts ... or opinions about" facts. Please immediately withdraw your improper objections and respond to these requests.

Request Nos. 9-12:

Taza objected to these requests on the ground that the terms "dishes" and "origin" are purportedly "vague and ambiguous" and failed to admit or deny the requests. TBMP § 407.03(b) provides that "[a]n answer must admit the matter of which an admission is requested; deny the matter; or state in detail the reasons why the responding party cannot truthfully admit or deny the matter." Taza, however, failed to admit or deny the requests, as it must.

It is implausible that Taza does not understand the meaning of the phrase "the dishes offered at Your restaurants are of Lebanese [Middle Eastern] origin." Tellingly, Taza repeatedly uses the term "dishes" in its subsequent responses (*see, e.g.*, Responses to Request Nos. 13-14), demonstrating that Taza fully understands the meaning of the term. In any event, a "dish" means "food that is prepared in a particular way," and "origin" means "ancestry," "rise, beginning, or derivation from a source." (MERRIAM-WEBSTER DICTIONARY, available at <http://www.merriam-webster.com/dictionary/dish>; <http://www.merriam-webster.com/dictionary/origin>.) Please immediately withdraw your improper objections and respond to these requests.

Request Nos. 13-14:

Taza objected to these requests on the ground that the terms “are Lebanese cuisine”/“are Middle Eastern cuisine” are vague and ambiguous. In a clear effort to avoid responding to the request, Taza applies an unreasonable interpretation on the phrases “to mean that the entirety of Lebanese [Middle Eastern] cuisine is encompassed within most of the dishes served at Opposer’s restaurants.” Request Nos. 13-14, however, nowhere asked whether the “entirety of Lebanese [Middle Eastern] cuisine is encompassed within most of the dishes” served by Taza. The requests plainly asked whether “most of the dishes offered are Your restaurants are Lebanese [or Middle Eastern] cuisine,” i.e., whether most of the dishes Taza offers at its restaurants are Lebaneses/Middle Eastern (as opposed to French, Russian, Chinese, Italian cuisine, etc.). The language of the requests is clear and unambiguous. Please provide a proper response to these requests.

Request No. 15:

In response to Request No. 15, Taza “[a]dmitted that some of Opposer’s advertisements have referenced Lebanese food.” Taza, however, produced no documents showing that it has ever advertised any food other than Lebanese food. Please either immediately identify by Bates Nos. any responsive documents in your client’s existing production, or supplement your production with responsive documents evidencing Taza’s advertising of food other than Lebanese food.

Request Nos. 18-19:

Taza objected to these requests about its restaurant locations as “irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.” The Board, however, has already held that discovery requests regarding the geographic scope of Taza’s services are “permissible, relevant and reasonably calculated to lead to the discovery of admissible evidence.” Accordingly, please provide an amended response without the attendant objections. (Order 12)

Request Nos. 21-22:

These requests asked whether “Taza means ‘fresh’ in Lebanese” and whether “TAZA means ‘cup’ in Spanish.” Taza admitted that “the term for ‘fresh’ in Lebanese *is pronounced* ‘taza,’” and “the term for ‘cup’ in Spanish *is pronounced* ‘taza.” As pronunciation was not the substance of the requests, your answers are nonresponsive. In view of your admissions in the PTO records relative to Registration Nos. 3213262, 78878164, and 3439240 that the “English translation of TAZA is FRESH,” please amend your responses to these requests.

Request No. 28:

This request asked Taza to admit that “TAZO has no meaning in any language *known to You*” (emphasis added). Taza responded that it “lacks information sufficient to truthfully admit or deny.” It is implausible that Taza has no information on whether it knows (or does not know)

if a word has a meaning in any language *known to it*. Please withdraw your improper objection and provide a complete response to this request.

Request Nos. 29-30:

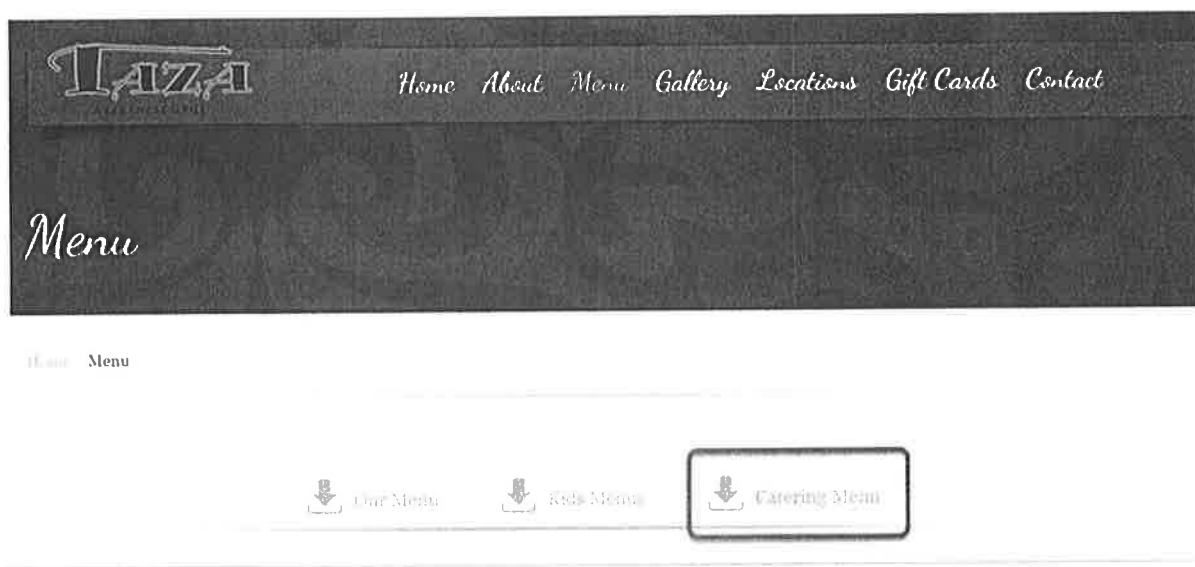
Taza denied that those who speak Lebanese will understand TAZA to mean “fresh” and that those who speak Spanish will understand TAZA to mean “cup.” These denials are improper and are belied by Taza’s own admissions that “the term for ‘fresh’ in Lebanese is pronounced ‘taza,’” the “English translation of TAZA is FRESH,” and “the term for ‘cup’ in Spanish is pronounced ‘taza.’” Please immediately withdraw your denials and truthfully and completely respond to these requests.

Request Nos. 31-45:

Taza denied that it does not (and/or has never) offered, sold, and advertised take-out tea or coffee beverages at its restaurants. We are not aware, however, of a single document in Taza’s document production showing that it advertises take-out coffee or tea under its marks at its restaurants. Nor have we seen any documents showing that it has offered or sold any take-out coffee or tea beverages at its restaurants (e.g., no documents depicting carry-out coffee or beverage cups, carry-out beverage menus, sales records, etc.). Please immediately identify by Bates Nos. the documents evidencing the advertising, offering for sale, or sale of carry-out tea and coffee beverages by Taza or produce all responsive documents.

Request Nos. 55-61:

Taza denied these requests on the ground that “Exhibit 1 is a ‘Food Trays’ menu.” This objection is improper as the menu in Exhibit 1 was downloaded from the “Catering Menu” link on Taza’s website:



Moreover, Exhibit 1 states: "Catering menu available for Carry Out only." Taza's objection is thus nothing more than an attempt to evade giving complete substantive answers to Starbucks requests. Please immediately withdraw your improper objections and provide complete responses to these requests.

Request No. 62:

Taza refused to respond to this request on the ground that it "[c]alls for a legal conclusion." Rule 36 provides, however, that a "party may serve on any party a written request to admit ... relating to (A) facts, the *application of law to facts*, or opinions about either." Fed. R. Civ. P. 36(a)(1)(A) (emphasis added). Please withdraw your improper objection and respond to these requests.

Request Nos. 64-65:

Taza objected to these requests on the ground that the "Exhibit speaks for itself" and failed to admit or deny the requests. TBMP § 407.03(b) provides that "[a]n answer must admit the matter of which an admission is requested; deny the matter; or state in detail the reasons why the responding party cannot truthfully admit or deny the matter." Please immediately withdraw your improper objection and provide responses to these requests.

Request Nos. 69-70:

Taza objected to these requests on the ground that the requests about whether Taza had obtained a trademark search report in connection with its TAZA A LEBANESE GRILL mark and/or any of its other TAZA-formative marks are purportedly "rendered incomprehensible by use of the term 'and/or.'" Starbucks instructions and definitions, however, provide that the "connectives 'and' and 'or' shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside its scope." (Definitions and Instructions to Applicant's First Set of Interrogatories to Opposer, which were explicitly incorporated into Definitions and Instructions to Applicant's First Set of Requests for Admission). These requests thus ask about trademark search reports in connection with either "TAZA A LEBANESE GRILL mark" or "any other Opposer's Marks" (or both, if applicable). Moreover, TBMP § 407.03(b) provides that "[a]n answer must admit the matter of which an admission is requested; deny the matter; or state in detail the reasons why the responding party cannot truthfully admit or deny the matter." Please immediately withdraw your improper objection and provide responses to these requests.

Request Nos. 72-74, 81-82, and 84-87:

These requests ask about Taza's awareness of one or more of Starbucks TAZO marks when Taza filed trademark applications to register its TAZA marks and whether Taza believed that Starbucks TAZO marks were similar to the TAZA marks. Taza objected to these requests on the ground that they seek "irrelevant and inadmissible information" and that Taza's "subjective belief at some distant point in the past has no bearing on this proceeding." Not so. The Board has already overruled these objections.

In its motion for a protective order, Taza argued that requests about “what Opposer was aware of or believed to be true” are purportedly improper. (Opposer’s Motion for Protective Order 4, Dkt. #30, July 17, 2014.)

In its opposition to Taza’s motion, Starbucks argued that requests regarding Starbucks TAZO marks were proper and highly relevant:

General Topic and Relevance:	Request Nos.:	Example(s):
Taza’s awareness of Starbucks’ TAZO marks that predate Taza’s alleged first use date; highly relevant to Starbucks’ affirmative defense of priority and the likelihood of confusion analysis	69-74, 79-87	<u>Request No. 80:</u> Admit that the U.S. Patent and Trademark Office erred in not citing any of Applicant’s TAZO Registrations as a bar to registration of Opposer’s Marks. <u>Request No. 85:</u> Admit that You were aware of TAZO Marks when You started using one or more of Opposer’s Marks.

(Applicant’s Opposition to Opposer’s Motion for Protective Order 7-8, Dkt. #33, Aug. 4, 2014.)

In ruling on the motion, the Board stated that “[w]hen considered individually, Opposer makes various objections to Applicant’s admission requests, e.g., seeks information already provided or a legal conclusion or exceeds the scope of pleadings,” but overruled all these individual objections, requiring Taza to provide “complete responses to Applicant’s Requests for Admission.” (Order 14) Taza’s refusal to now respond to these requests about the TAZO marks is in contempt of the Board’s order.

Taza’s relevancy objections are also improper because the requests seek information about the marks at issue in this proceeding. Taza opposes Starbucks application for the TAZO mark for “restaurant, cafe, cafeteria, snack bar, tea house, coffee bar and coffee house, carry out restaurant, and take out restaurant services; catering services; contract food services; food and beverage preparation” (among other products and services) on the ground of likelihood of confusion. Starbucks, however, owns trademark rights in the TAZO mark for tea (and related beverage food services) that predate the filing date(s) of Taza’s registrations and/or any first-use date asserted by Taza. It is thus critical whether, despite knowing of Starbucks pre-dating TAZO trademark rights, Taza nevertheless proceeded with registering its TAZA marks (because, presumably, it thought confusion was unlikely).

Further still, Taza’s objection that Request Nos. 73 and 74 “wrongly assume that Opposer had knowledge of TAZO Marks other than those which were subject of the TAZO registrations disclosed in the Search Report” also lacks merit. Request Nos. 73 and 74 make no such assumption. Request No. 73 asks: “Although Taza’s Search Report disclosed *one or more* of Applicant’s Registrations *and/or* TAZO Marks, You did not believe that *any* of Applicant’s

TAZO Registrations *and/or* TAZO Marks precluded You from using any of Opposer's Marks" (emphases added). Similarly, Request No. 74 asks: "Admit that although Taza's Search Report disclosed *one or more* of Applicant's TAZO Registrations *and/or* TAZO Marks, You did not believe *any* of Applicant's TAZO Registrations *and/or* TAZO Marks were so similar to Opposer's Marks as to result in consumers being confused" (emphases added).

Taza's objection to the wording in Request No. 81 on the ground that "registrations cannot be similar to marks; only marks can be similar to marks" is inexplicable. Taza cannot credibly argue that it does not understand that this request asks about Taza's belief as to confusing similarity between the marks depicted in Applicant's TAZO Registrations and Taza's marks.

Accordingly, please immediately withdraw your improper objections and provide complete responses to each and all of these requests.

Request Nos. 75-78, 91, 93, 95-96, 99-100, 105-113, 115-122, 124, 131-133, 135-139, 141-142, 149-150, 156-160, 166-167, 169-171, and 177-178:

Despite the Board's order to provide "complete responses" to Starbucks requests for admission, Taza refused to respond to the bulk of Starbucks requests about Taza's awareness of certain third-party registrations comprised of or containing TAZA or its variations (and whether such third-party marks are similar to Taza's asserted TAZA marks and/or preclude registration or use of Taza's marks) on the ground that the requests are "irrelevant and inadmissible."

Taza already objected on this ground in its motion for a protective order, and its objections were overruled. Specifically, in its motion, Taza complained:

Applicant's Requests for Admission consist entirely of:

Requests to Opposer to "admit" matters which are entirely within the scope of knowledge of non-parties or experts, such as the existence of, and status of use of, alleged third-party marks

Requests to Opposer to "admit" to purely legal conclusions, such as whether alleged third party marks are confusingly similar to Opposer's marks.

(Opposer's Motion for Protective Order 4, Dkt. #30, July 17, 2014.)

In its opposition to Taza's motion for a protective order, Starbucks responded that such requests regarding third parties are highly relevant and proper:

General Topic and Relevance:	Request Nos.:	Example(s):
Taza's awareness of specific third-party registrations, Taza's opinion on the similarity of its TAZA marks with those third-party marks, and whether Taza challenged those third-party marks; highly relevant to the likelihood of confusion analysis and Starbucks' defenses that Taza's marks are weak	99-183	<p><u>Request No. 106:</u> Admit that You did not think that the U.S. Registration No. 3467821 (filed February 10, 2005; registered July 15, 2008) for the mark TAAZA MEANS FRESH and Design for "food and dairy products, namely, butter, ghee, cream, yogurt, and cheese," precluded Your registration of Opposer's Marks.</p> <p><u>Request No. 116:</u> Admit that the mark TAZA CHOCOLATE and Design (U.S. Registration No. 3576257; first use date of October 18, 2005; registered February 17, 2009) and Opposer's Marks are similar.</p>

(Applicant's Opposition to Opposer's Motion for Protective Order 7-8, Dkt. #33, Aug. 4, 2014.)

As discussed above, the Board considered and overruled Taza's objections, requiring Taza to provide "complete responses" to Starbucks requests for admission.

Taza's awareness of third-party TAZA-formative marks and whether those marks are similar to Taza's asserted marks are critical to the issues of the weakness of Taza's asserted TAZA marks, of whether consumers are exposed to numerous TAZA-formative marks in connection with food/beverages, and whether confusion between the parties' marks is likely. *Palm Bay Imports, Inc. v. Veuve Clicquot Ponsardin Maison Fondée En 1772*, 396 F.3d 1369, 1373 (Fed. Cir. 2005) ("Evidence of third-party use of similar marks on similar goods is relevant to show that a mark is relatively weak and entitled to only a narrow scope of protection.").

Moreover, Taza's objection to certain requests about third-party marks on the ground that the "referenced Registration has been abandoned" or purportedly "will be cancelled for failure to file the necessary declarations" are not tenable. None of Starbucks requests ask about the current status of the registrations, and Taza is using this objection evasively to avoid responding to the requests. Please immediately withdraw your improper objections and respond to these requests.

Request Nos. 79-80:

These requests asked Taza to admit or deny whether the U.S. Patent and Trademark Office erred in not citing any of Applicant's TAZO Registrations as a bar to registration of Taza's Marks. Taza refused to respond on the ground that the requests call for a legal conclusion and "expert opinion." These objections were fully briefed by the parties and overruled by the

Board. In its motion for a protective order, Taza argued that Starbucks requests for admission are improper because they ask “to ‘admit’ purely legal conclusions, such as ... whether the USPTO erred in registering Opposer’s marks.” (Opposer’s Motion for Protective Order 4, Dkt. #30, July 17, 2014.) In its opposition, Starbucks argued that those requests were proper and highly relevant. (Applicant’s Opposition to Opposer’s Motion for Protective Order 7, Dkt. #33, Aug. 4, 2014.) The Board overruled Taza’s objections and directed it to provide “complete” responses to Starbucks requests for admission by March 13, 2015.

Moreover, Rule 36 provides that a “party may serve on any party a written request to admit ... relating to (A) facts, the *application of law* to facts, or *opinions* about either.” Fed. R. Civ. P. 36(a)(1)(A) (emphases added). Please immediately withdraw your improper objections and respond to these requests.

Request Nos. 88-89:

In response to these requests, Taza denied that it does not (and has never) offered franchising services in the U.S. Taza, however, produced no documents showing that it has ever offered any franchising services under its TAZA marks. Please either immediately identify by Bates Nos. any responsive documents in your client’s existing production, or supplement your production with responsive documents evidencing Taza’s franchising services in the U.S.

Supplemental Responses to Applicant’s Requests for Production and Interrogatories

Taza failed to withdraw its Federal Rule of Civil Procedure 34(b) objections, which the Board overruled. (Order 10, Dkt. #37, February 11, 2015). It is thus unclear whether Taza’s responses are still subject to this improper objection and whether Taza is withholding any documents on this ground. Please immediately withdraw your improper Rule 34(b) objections.

Further, despite the Board’s order mandating that Taza “provide *complete* responses to Interrogatory Nos. 6, 7, and 10 and Document Requests Nos. 4, 5, 6, 7, 8, and 22 within THIRTY DAYS of the mailing date of this order,” i.e., by March 13, 2015 (Order 12) (emphasis added), Starbucks received Taza’s belated supplemental document production Bates Nos. 740-947 only yesterday. While we are still reviewing this most recent production, even a cursory review revealed continued deficiencies, which we will address under separate cover.

Moreover, in the supplemental response to Interrogatory No. 10, Taza fails to identify “the geographic scope of [its] services.” Instead, it alludes to the origins of its customers. Please supplement your response to identify the geographic scope of the services.

Edward T. Saadi, Esq
Page 10

We request that Taza supplement its responses and withdraw all improper objections as detailed above as soon as possible, and in any event no later than **April 15, 2015**. Absent receipt of complete responses from Taza, including responsive documents, we will file a motion to compel and for sanctions with the Board.

Sincerely,

A handwritten signature in black ink, appearing to read "Julia Anne Matheson", with a long horizontal flourish extending to the right.

Julia Anne Matheson

JAM/ABN

Opposition No. 91207525
DECLARATION OF ANNA NAYDONOV IN SUPPORT OF APPLICANT'S
MOTION TO TEST SUFFICIENCY OF OPPOSER'S RESPONSES
TO REQUESTS FOR ADMISSION, FOR SANCTIONS, AND TO COMPEL

Exhibit 4

LAW OFFICE OF
EDWARD T. SAADI, LLC
970 WINDHAM COURT, SUITE 7
BOARDMAN, OHIO 44512
TEL: (330) 782-1954 FAX: (330) 266-7489
EMAIL: EDWARDSAADI@AOL.COM
ADMITTED TO PRACTICE IN OHIO, CALIFORNIA, & WASHINGTON, D.C.

April 15, 2015

RE: Taza Systems, LLC v. Starbucks Corporation DBA Starbucks Coffee Company
Opposition No.: 91207525

Julia Anne Matheson, Esq.
Finnegan, Henderson, Farabow, Garrett & Dunner, LLP
901 New York Avenue, NW
Washington, DC 20001-4413

Dear Julia:

This is responsive to your letter dated April 3, 2015.

As a preliminary matter, I have reviewed the Board's Order dated February 11, 2015 again, and I believe your characterization of that Order as overruling (before they have even been made) any particular objection(s) to any particular one of your numerous requests for admission is an incorrect reading of the Order. The basis of Taza's July 16, 2014 *Motion for Protective Order* was its assertion that Starbucks' submission of 183 requests for admission to Opposer was overbroad, unduly burdensome, and unreasonably cumulative, and that Taza required a protective order to shield it from annoyance, embarrassment, oppression, undue burden and expense. The Motion was not made in reference to any particular admission requests—rather, it was directed to the voluminous requests in general. The Board recognized this in the Order, stating that Taza's Motion “*fails to identify the specific requests to which a particular objection may apply or to articulate why a particular request is unduly burdensome.*” (pp. 13-14). The Board further stated that the Taza's objections were “*not well taken in the context of a motion for protective order...*” (p. 14). Nowhere in the Order does the Board rule specifically on any particular objection in relation to any specific request for admission; further, nowhere in the Order does the Board forbid Taza from interposing specific objections against specific admission requests. To the contrary, the language emphasized above indicates the Board's understanding that objections might be proper in other contexts—i.e., that particular objections might be appropriate vis-à-vis particular admission requests.

Stating that Taza has “refused to respond” to Starbucks' requests for admission is pure hogwash. Pursuant to TBMP §407.03(a), responses to requests for admission may include “a written answer or objection.” Taza either (1) admitted, (2) denied, (3) explained its inability

to admit or deny, or (4) objected to each and every admission request. Therefore, Taza did respond fully pursuant to the applicable Rules, and in compliance with the Board's Order.

Moreover, as you know, Taza did provide timely supplemental responses to Starbucks' document requests, as such supplemental responses were served upon you on March 13, 2015. As to the produced documents themselves, the Rules of Civil Procedure do not require parties to deliver documents produced in response to document requests into an opponent's possession; rather, Rule 34(b)(2)(B) only requires that parties state that "*inspection and related activities will be permitted as requested...*" and to make such documents available for inspection. Taza's supplemental responses served March 13, 2015 say exactly that, and the documents produced by Taza (save those which subsequently came into Taza's possession or which did not exist until recently) have been available for inspection and copying at my office from the date the Board issued the February 11, 2015 Order. As a courtesy, Taza went above and beyond its duty in burning such documents onto CD-ROMs and sending them to Starbucks.

In light of the above, your contention that Taza is in contempt of the Board's Order is not well-founded.

It bears noting that even if the Civil Rules did require Taza to actually deliver the documents to Starbucks, Starbucks' own production of documents in response to Taza's document requests has been far more delinquent than Taza's. While Taza's "delay" was only three weeks, Starbucks produced more than 5,000 pages of documents late—by as long as eight months, as shown below:

Event	Date
Taza's Service of Requests for Production of Documents to Starbucks	May 6, 2014
Starbucks' First Production (Bates 0001-3364)	June 16, 2014.
Starbucks' Second Production (Bates 3365-5875)	June 27, 2014
Starbucks' Third Production (Bates 5876-7459)	June 27, 2014
Starbucks' Fourth Production (Bates 7460-7579)	July 23, 2014
Starbucks' Fifth Production (Bates 7580-8579)	February 2, 2015
Starbucks' Sixth Production (Bates 8580-8841)	February 27, 2015

Responses to Applicant's First Set of Requests for Admission

As an initial matter, the reason that Taza was unable to comply with the Board's preference (per TBMP §407.03(b)) that each request be reproduced immediately preceding the answer or objection, is that my office never received from your office an editable electronic version of the requests for admission. Providing such editable versions of

discovery requests is common courtesy in all of the numerous state and federal courts in which I practice—particularly where, as here, they are voluminous. If there is any inconvenience to the Board resulting from the format of the responses, that is the source of the inconvenience.

Regarding the substance of responses, Taza's responds to your concerns below.

Request Nos. 3, 5, and 7:

The term "primarily" is, in this context, absolutely vague and ambiguous.

First, Taza cannot be expected to determine what percentage of the foods served in its restaurants must be "Lebanese," "Middle Eastern," or "Ethnic" to meet the threshold of "primarily," even if we were to agree that "primarily" means "for the most part" as you propose. What does "for the most part" mean? 50%? 75%? Your dictionary definition does not resolve this issue nor remove the vagueness and ambiguity from the admission request.

Second, assuming a threshold percentage could be agreed upon, Taza is left to guess as to whether it should be looking for a percentage of the foods listed on Taza's various menus, or rather a percentage which takes into account the popularity of each particular food item on the menus, and the number of times such foods are served to customers.

Finally, these requests are further rendered impossible to answer because foods cannot be easily categorized as "Lebanese," "Middle Eastern," or "Ethnic." Take hummus for example. Hummus is served in countries such as Morocco and Greece (which are neither Lebanese nor Middle Eastern). Shish kabob and shish tawook are simply meat and chicken on a stick. Meat on a stick and chicken on a stick is served all over the world. Other such examples on Taza's menu are replete.

As such, Taza's objections to these requests are proper, and Taza is on firm ground in responding with an inability to admit or deny. Taza will, however, submit amended responses which more clearly state the objection and the reasons for its inability to respond.

Request Nos. 9-12:

These requests refer to the "dishes offered" at Taza's restaurants and ask Taza to admit to the "origin" of the "dishes."

These requests are vague as to whether by "dishes" Starbucks means the *foods* served at Taza's restaurants, or the actual *physical dishes themselves*. It has throughout this case been Taza's contention that restaurant services cannot logically be "ethnic." Everywhere in

the world, when people go into restaurants, the services consist of people ordering food, being served such food. It is the services—not the foods—that Taza’s trademark registrations apply to. So, if in an effort to “ethnicize” Taza’s services, Starbucks certainly might be interested to know whether the actual dishes used at the restaurants, as opposed to the foods atop those dishes, are Lebanese or Middle-Eastern in origin. These admission requests do not make that clear. Therefore the term is indeed vague and ambiguous.

If, as your letter states, these requests refer to the food “dishes” served in Taza’s restaurants rather than the dishes themselves, then the requests are still impossible to answer without expertise in the “origins” of foods. Foods do not necessarily have their origin in the same country or region in which they are commonly eaten. According to legend, the origin of pasta is in China—even though China is not a country with which pasta is commonly associated. Shish kabob and shish tawook are simply meat and chicken on a stick, which is served all over the world. The “origin” of stuffed grape leaves and hummus could be in Greece. Without expertise in the “origins” of foods, Taza is unable to admit or deny these requests.

Taza will submit amended responses to these requests which more clearly state the objection and the reasons for its inability to admit or deny.

Request Nos. 13-14:

These two admission requests do not ask whether the foods served at Taza’s restaurants are “part of Lebanese/Middle Eastern cuisine” or that they “derive from Lebanese/Middle Eastern cuisine.” The requests ask whether the foods are Lebanese/Middle Eastern cuisine. Therefore, Taza’s reading of these requests is not only not unreasonable—it is not an interpretation at all. It is a simple reading of the requests. If Starbucks is not getting the response it desires, it is due to inartful drafting and not improper response.

Request No. 15:

Taza’s response to this request is perfectly adequate.

Your request that Taza “*immediately identify by Bates Nos. any responsive documents in [its] existing production, or supplement [its] production with responsive documents evidencing Taza’s advertising of food other than Lebanese food*” constitutes an additional discovery request (specifically, an interrogatory). Submission of additional discovery requests beyond the discovery cutoff in this case—which has long-since passed—is improper. Even if it were not untimely, submission of such a request in such an informal manner is not appropriate.

Request Nos. 18-19:

The issue you raised with regard to Taza's responses to these requests is inappropriate. Taza has every right to interpose objections to these requests. As described on the first page of this letter, Taza disputes that the Board has overruled any particular objection with regard to any particular admission request.

However, even if it were true that the Board already overruled these objections (before they were even raised), then the proper procedure is for Taza to answer the requests without waiving the objections. The mere fact that a party's objection has been overruled does not require that party to withdraw the objection; rather, it merely requires the party to answer the question despite its objection. That is precisely what Taza has done here.

Request Nos. 21-22:

As to Request No. 21, Taza will submit an amended response admitting this request.

As to Request No. 22, Taza will submit an amended response admitting this request.

Request No. 28:

Taza's response to this request is perfectly appropriate. Many languages are known to Taza; but this does not mean that Taza speaks any of those languages or that it knows whether "TAZO" has any meaning in any of those languages.

Request Nos. 29-30:

Taza's responses to these requests are perfectly appropriate. Civil Rule 36 does not require Taza to explain a flat denial of an admission request.

Request Nos. 31-45:

Your request that Taza "*identify by Bates Nos. the documents evidencing the advertising, offering for sale, or sale of carry-out tea and coffee beverages*" constitutes an additional discovery request (specifically, an interrogatory). Submission of additional discovery requests beyond the discovery cutoff in this case—which has long-since passed—is improper. Even if it were not untimely, submission of such a request in such an informal manner is not appropriate.

Request Nos. 55-61:

With regard to Request Nos. 55, 57, 58, 59, 60, and 61, Taza will submit an amended response admitting the requests.

With regard to Request No. 56, Rule 36 does not require parties to explain denials of admission requests.

Request No. 62:

Taza's objection to this request stands. See Lakehead Pipe Line Co. v American Home Assur. Co. (1997, DC Minn.) 177 FRD 454; Disability Rights Council v. Wash Metro. Area, 234 F.R.D. 1, 3 (D.D.C. 2006); Abbott v. United States, 177 F.R.D. 92, 93 (N.D.N.Y. 1997); English v. Cowell, 117 F.R.D. 132, 135 (C.D. Ill. 1986); Williams v. Krieger, 61 F.R.D. 142, 144 (S.D.N.Y. 1973); Utley v. Wray, Civ. No. 05-1356-MLB, 2007 WL 2703094, at *3 (D. Kan. 2007); 8B *Fed. Prac. & Proc. Civ.* § 2255 (3d ed.); Reichenbach v. City of Columbus, No. 2:03-CV-1132, 2006 WL 143552 at *2 (S.D. Ohio Jan. 19, 2006); Tulip Computers Intern., B.V. v. Dell Computer Corp., 210 F.R.D. 100, 108 (D. Del. 2002); Williamson v. Corr. Med. Serv., No. 06-379, 2009 WL 1364350, at *2 (D. Del. May 14, 2009). Phillip M. Adams & Assoc., LLC v. Dell, Inc., No. 05-64, 2007 WL 128962, at *2 (D. Utah Jan. 11, 2007).

Request Nos. 64-65:

Taza will serve amended responses admitting these requests.

Request Nos. 69-70:

Taza will serve an amended response to Request No. 69 admitting the request to the extent that Taza obtained a search report for TAZA A LEBANESE GRILL dated April 12, 2006, and otherwise denying the request.

Taza will serve an amended response to Request No. 70 admitting that the search report for TAZA A LEBANESE GRILL dated April 12, 2006 disclosed one or more of Starbucks' registrations, and otherwise denying the request.

Request Nos. 72-74, 81-82, and 84-87:

As discussed above on page 1 of this letter, the portion of the Board's February 11, 2015 Order pertaining to Taza's *Motion for Protective Order* (pp.12-14) makes no statement whatsoever overruling any specific objections as applied to any particular one of Starbucks' requests for admission. To the contrary, the Order specifically states that Taza's contentions "are not well taken in the context of a protective order." The Board is clearly suggesting that

in other contexts (i.e., as applied to specific admission requests) Taza's contentions may well be valid. Your overly-broad reading of the Board's Order is, we believe, erroneous. It is not possible for the Board to have overruled objections which Taza has not even made yet. Certainly, Taza has the right to make specific objections to specific admission requests.

In its opposition to Taza's *Motion for Protective Order*, Starbucks argued that these specific requests were "highly relevant to Starbucks' affirmative defense of priority." See Docket #33, pp. 7-8. But the Board has ruled that it will not entertain Starbucks' affirmative defense of priority, and it has stricken that defense from Starbucks' pleadings. Therefore the relevance of these admission requests is highly questionable.

Moreover, none of the Starbucks registrations disclosed in the search report cover the services listed in Taza's pleaded registrations (restaurant services and bar services), or any related services. Also, none of the Starbucks registrations disclosed in the search report list any of the services in Starbucks' application serial no. 85/439,878 which Taza is opposing herein (restaurant, café, cafeteria, snack bar, tea house, coffee house, carry out restaurant, take out restaurant, and contract food services, and franchising), nor any related services. Indeed, the Starbucks registrations disclosed in the search report list no services whatsoever. They are strictly limited to tea, coffee, and other specialty beverage products. So, while the disclosed registrations are for TAZO formative marks, the existence of these marks is not relevant at all, let alone Taza's knowledge (or lack of knowledge) of them, or its belief (if any) as to their import. This is particularly so considering that Starbucks' affirmative defense of priority has been stricken.

With regard to Request Nos. 73 and 74, these requests clearly do assume knowledge on the part of Taza. A close reading of these requests makes that undeniable. The second part of Request No. 73 states "*You did not believe any of Applicant's TAZO Registrations and/or TAZO Marks precluded You from using any of Opposer's Marks.*" It does not say "*You did not believe any of Applicant's TAZO Registrations and/or TAZO Marks disclosed by the search report precluded You from using any of Opposer's Marks.*"¹ This is a critical difference, as it does improperly presume that Taza had knowledge of TAZO marks other than those disclosed in the search report. Taza's objections to these requests will stand.

With regard to Request No. 81, if Starbucks intended to this request to apply to the mark shown in the TAZO Registrations, rather than the registrations themselves, then that should have been made clear in the admission request. It was not. Taza cannot be expected to admit or deny requests which by their own language are incomprehensible.

¹ Similarly, the "*disclosed by the search report*" language is omitted from Request No. 74 as well.

Request Nos. 75-78, 91, 93, 95-96, 99-100, 105-113, 115-122, 124, 131-133, 135-139, 141-142, 149-150, 156-160, 166-167, 169-171, and 177-178:

As discussed above on page 1 of this letter, the portion of the Board's February 11, 2015 Order pertaining to Taza's *Motion for Protective Order* (pp.12-14) makes no statement whatsoever overruling any specific objections as applied to any particular one of Starbucks' requests for admission. To the contrary, the Order specifically states that Taza's contentions "*are not well taken in the context of a protective order.*" The Board is clearly suggesting that in other contexts (i.e., as applied to specific admission requests) Taza's contentions may well be valid. Your overly-broad reading of the Board's Order is, we believe, erroneous. It is not possible for the Board to have overruled objections which Taza has not even made yet. Certainly, Taza has the right to make specific objections to specific admission requests.

Starbucks has taken the position that these requests are relevant because they go to the issue of the alleged weakness of Taza's pleaded marks. But in order to be even arguably relevant, third-party marks must be "similar marks" which are in use on "similar goods."

With regard to Request Nos. 99-100, 105-113, 115-122, 124, 149-150, 166-167, 169-171, and 177-178, none of the third-party marks referenced in these requests cover any of the services set forth in Taza's pleaded marks, nor any related goods or services. For that reason, they, and the admission requests pertaining to them, lend nothing to the issue of the alleged weakness of Taza's pleaded marks. They are not relevant.

With regard to Request Nos. 131-133, 135-139, and 141-142, these requests pertain to third-party registrations which either are, or will soon be, cancelled by the USPTO for failure to file the necessary declarations. Expired, abandoned, and cancelled third-party registrations are not admissible to demonstrate third-party use of a mark—and it is only marks that are in use that are even arguably relevant to show weakness of Taza's pleaded marks. So, while you are correct in stating that Starbucks' admission requests do not ask about the current status of the referenced registrations, the current status of the registrations is precisely what makes them—and the requests related to them—irrelevant and inadmissible.

Finally, even if one of more of the third-party marks referenced in these requests were "similar," and "in use" on "similar goods," Taza's awareness of these marks is still irrelevant. The evaluation of the strength of Taza's marks does not turn on Taza's awareness of the alleged third-party marks.

Request Nos. 79-80:

Taza's objections on the grounds that these requests call for legal conclusions stand. See Lakehead Pipe Line Co. v American Home Assur. Co. (1997, DC Minn.) 177 FRD 454; Disability Rights Council v. Wash Metro. Area, 234 F.R.D. 1, 3 (D.D.C. 2006); Abbott v. United States, 177 F.R.D. 92, 93 (N.D.N.Y. 1997); English v. Cowell, 117 F.R.D. 132, 135

(C.D. Ill. 1986); Williams v. Krieger, 61 F.R.D. 142, 144 (S.D.N.Y. 1973); Utley v. Wray, Civ. No. 05-1356-MLB, 2007 WL 2703094, at *3 (D. Kan. 2007); *8B Fed. Prac. & Proc. Civ.* § 2255 (3d ed.); Reichenbach v. City of Columbus, No. 2:03-CV-1132, 2006 WL 143552 at *2 (S.D. Ohio Jan. 19, 2006); Tulip Computers Intern., B.V. v. Dell Computer Corp., 210 F.R.D. 100, 108 (D. Del. 2002); Williamson v. Corr. Med. Serv., No. 06-379, 2009 WL 1364350, at *2 (D. Del. May 14, 2009); Phillip M. Adams & Assoc., LLC v. Dell, Inc., No. 05-64, 2007 WL 128962, at *2 (D. Utah Jan. 11, 2007).

Moreover, Taza's objections that these requests call for expert opinion also stand. Taza has no expertise as to the subject of these admission requests and cannot reasonably be expected to fabricate an opinion on this subject from whole cloth.

Request Nos. 88-89:

With regard to Request Nos. 88-89, Rule 36 does not require parties to explain denials of admission requests.

Your request that Taza "*identify by Bates Nos. any responsive documents in your client's existing production, or supplement your production with responsive documents*" constitutes an additional discovery request (specifically, an interrogatory). Submission of additional discovery requests beyond the discovery cutoff in this case—which has long-since passed—is improper. Even if it were not untimely, submission of such a request in such an informal manner is not appropriate.

Supplemental Responses to Applicant's Requests for Production and Interrogatories

When an objection is made to a discovery request, and a motion to compel a response is filed and ultimately granted, there is no resulting duty on the objecting party to *withdraw* the overruled objection. Rather, the objecting party must respond to the discovery request despite its objection. That is precisely what Taza has done in its ***Supplemental Responses to Applicant's Interrogatory Nos. 6, 7 & 10 to Opposer Pursuant to the Interlocutory Attorney's Order Dated February 11, 2015***, and its ***Supplemental Responses to Applicant's Requests for the Production of Documents and Things Nos. 4, 5, 6, 7, 8 and 22 Pursuant to the Interlocutory Attorney's Order Dated February 11, 2015***, both of which were served on you on March 13, 2015. Taza is not withholding any documents or information pertaining to these interrogatories and document requests.

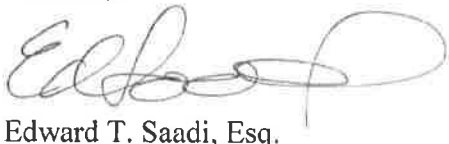
Further, as discussed above on page 2, Taza's supplemental document production was not late. Taza extended Starbucks the courtesy of delivering all of the documents produced in this case into your possession—which is not required by the Rule 36. And, even if delivery of

LAW OFFICE OF
EDWARD T. SAADI, LLC

such documents into Starbucks' possession was required by the Rule, Starbucks' own productions of more than 5,000 pages of documents was far more delinquent than Taza's.

Finally, with regard to Taza's response to Interrogatory No. 10, we fail to see what the issue is with this response. In May of 2014, Taza served a response to Starbucks' Interrogatory No. 9 clearly stating that the only two locations of Taza's restaurants are Cleveland, Ohio and Woodmere, Ohio, with an additional locations being scouted in Pittsburgh, Pennsylvania. Taza's response to request for admission no. 18 also states as much. Is this information, combined with Taza's Supplemental Response to Interrogatory No. 10 stating that such services are offered and sold to customers from through the United States, not sufficient to describe the geographic scope of Taza's services? If there is something more specific you are seeking on this point, please advise.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Edward T. Saadi', written in dark ink.

Edward T. Saadi, Esq.

Opposition No. 91207525
DECLARATION OF ANNA NAYDONOV IN SUPPORT OF APPLICANT'S
MOTION TO TEST SUFFICIENCY OF OPPOSER'S RESPONSES
TO REQUESTS FOR ADMISSION, FOR SANCTIONS, AND TO COMPEL

Exhibit 5

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

Taza Systems, LLC,)	
)	
Opposer,)	<u>AMENDED RESPONSES TO</u>
)	<u>APPLICANT'S FIRST SET OF</u>
vs.)	<u>REQUESTS FOR ADMISSION TO</u>
)	<u>OPPOSER</u>
Starbucks Corporation DBA Starbucks Coffee)	Opposition No.: 91207525
Company,)	
Applicant.)	Mark: TAZO
)	Ser. No.: 85/439,878
)	Filed: October 5, 2011

AMENDED RESPONSES

1. Admitted.
2. Denied.
3. Objection. The meaning of the term “primarily” is vague and ambiguous. This request is further vague and ambiguous because foods cannot easily and accurately be categorized as “Lebanese.” Opposer is unable to truthfully admit or deny this request because (1) the amount or percentage of foods served by Opposer which constitute “primarily” is unclear, (2) even if such an amount or percentage were known, it is unclear as to whether the amounts or percentages would be in comparison to the total number of different foods listed on Opposer’s menus, or rather whether such calculation should take into consideration the popularity of such foods and the frequency that such foods are served in Opposer’s restaurants, and (3) foods cannot be easily and accurately be categorized as “Lebanese.” To the extent a response is nevertheless required, Opposer denies this request.
4. Admitted.
5. Objection. The meaning of the term “primarily” is vague and ambiguous. This request is further vague and ambiguous because foods cannot easily and accurately be categorized as “Middle Eastern.” Opposer is unable to truthfully admit or deny this request because (1) the amount or percentage of foods served by Opposer which constitute “primarily” is unclear, (2) even if such an amount or percentage were known, it is unclear as to whether the amounts or percentages would be in comparison to the total number of different foods listed on Opposer’s menus, or rather whether such calculation should take into consideration the popularity of such foods and the frequency that such foods are served in Opposer’s restaurants, and (3) foods cannot be easily and accurately be categorized as “Middle Eastern.” To the extent a response is nevertheless required, Opposer denies this request.
6. Denied.

7. Objection. The meaning of the term "primarily" is vague and ambiguous. This request is further vague and ambiguous because foods cannot easily and accurately be categorized as "Ethnic." Opposer is unable to truthfully admit or deny this request because (1) the amount or percentage of foods which constitute "primarily" is unclear, (2) even if such an amount or percentage were known, it is unclear as to whether the amounts of percentages would be in comparison to the number of foods listed on Opposer's menus, or rather whether such calculation should take into consideration the popularity of such foods and the frequency that such foods are served in Opposer's restaurants, and (3) foods cannot be easily and accurately categorized as "Ethnic." To the extent a response is nevertheless required, Opposer denies this request.
8. Denied.
9. Objection. The meaning of the terms "dishes" and "origin" are vague and ambiguous. Calls for expert opinion as to the historic origins of foods.
10. Objection. The meaning of the terms "dishes" and "origin" are vague and ambiguous. Calls for expert opinion as to the historic origins of foods.
11. Objection. The meaning of the terms "dishes" and "origin" are vague and ambiguous. Calls for expert opinion as to the historic origins of foods.
12. Objection. The meaning of the term "dishes" and "origin" are vague and ambiguous. Calls for expert opinion as to the historic origins of foods.
13. Objection. The meaning of the phrase "are Lebanese cuisine" is vague and ambiguous. To the extent that this request is understood by Opposer, to mean that the entirety of Lebanese cuisine is encompassed within most of the dishes served at Opposer's restaurants, this request is denied, as there are many Lebanese dishes which are not served at Opposer's restaurants.
14. Objection. The meaning of the phrase "are Middle-Eastern cuisine" is vague and ambiguous. To the extent that this request is understood by Opposer, to mean that the entirety of Middle Eastern cuisine is encompassed within most of the dishes served at Opposer's restaurants, this request is denied, as there are many Middle Eastern dishes which are not served at Opposer's restaurants.
15. Admitted that some of Opposer's advertisements have referenced Lebanese food. Otherwise denied.
16. Denied.
17. Denied that the terms describe the services Opposer offers in its restaurants. Admitted that the terms describe some of the foods Opposer offers in its restaurants.

18. Objection. Irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving said objection, and subject thereto, admitted that Opposer presently has two operating restaurant locations, one in Cleveland and one in Woodmere.
19. Objection. Irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving said objection, and subject thereto, denied. Opposer is presently scouting locations in Pittsburgh not yet in operation.
20. Denied.
21. Admitted.
22. Admitted.
23. Admitted.
24. Admitted.
25. Opposer lacks information sufficient to truthfully admit or deny. Opposer has made a reasonable inquiry and the information known or readily obtainable by Opposer is insufficient to enable the party to admit or deny.
26. Opposer lacks information sufficient to truthfully admit or deny. Opposer has made a reasonable inquiry and the information known or readily obtainable by Opposer is insufficient to enable the party to admit or deny.
27. Opposer lacks information sufficient to truthfully admit or deny. Opposer has made a reasonable inquiry and the information known or readily obtainable by Opposer is insufficient to enable the party to admit or deny.
28. Opposer lacks information sufficient to truthfully admit or deny. Opposer has made a reasonable inquiry and the information known or readily obtainable by Opposer is insufficient to enable the party to admit or deny.
29. Denied.
30. Denied.
31. Denied.
32. Denied.
33. Denied.
34. Denied.

- 35. Denied.
- 36. Denied.
- 37. Denied.
- 38. Denied.
- 39. Denied.
- 40. Denied.
- 41. Denied.
- 42. Denied.
- 43. Denied.
- 44. Denied.
- 45. Denied.
- 46. Admitted.
- 47. Admitted.
- 48. Admitted.
- 49. Admitted.
- 50. Admitted.
- 51. Admitted.
- 52. Admitted.
- 53. Admitted.
- 54. Admitted.
- 55. Admitted.
- 56. Denied.

57. Admitted.
58. Admitted.
59. Admitted.
60. Admitted.
61. Admitted.
62. Objection. Calls for a legal conclusion.
63. Admitted that Exhibit 2 is one of the menus that has been used by Opposer.
64. Admitted.
65. Admitted.
66. Objection. The Exhibit speaks for itself. To the extent a response is required, Opposer admits that it serves Lebanese food, among other things, in its restaurants, which results in the terms "Lebanon" and "Lebanese" appearing on the menu.
67. Objection. This request is grammatically incomprehensible due to open quotation marks. The Exhibit speaks for itself. To the extent a response is required, Opposer admits that "Lebanese" partially describes some, but not all, of the foods served in its restaurants.
68. Objection. This request is grammatically incomprehensible due to open quotation marks. The Exhibit speaks for itself. Vague and ambiguous as to the meaning of the term "ethnic origin." To the extent a response is required, Opposer admits that "Lebanese" partially describes some, but not all, of the foods served in its restaurants.
69. Admitted that Opposer obtained a search report for TAZA A LEBANESE GRILL dated April 12, 2006. Otherwise, denied.
70. Admitted that the search report obtained by Opposer for TAZA A LEBANESE GRILL dated April 12, 2006 disclosed one or more trademark registrations owned by Applicant. Otherwise, denied.
71. Admitted.
72. Objection. Irrelevant and inadmissible. Opposer's subjective belief at some distant point in the past has no bearing on this proceeding.

73. Objection. Irrelevant and inadmissible. Opposer's subjective belief at some distant point in the past has no bearing on this proceeding. Further objecting, this request for admission wrongly assumes that Opposer had knowledge of TAZO Marks other than those which were subject of the TAZO Registrations disclosed in the Search Report, thereby making this request compound and unanswerable.
74. Objection. Irrelevant and inadmissible. Opposer's subjective belief at some distant point in the past has no bearing on this proceeding. Further objecting, this request for admission wrongly assumes that Opposer had knowledge of TAZO Marks other than those which were subject of the TAZO Registrations disclosed in the Search Report. Calls for a legal conclusion. Misstates the test for consumer confusion, which is not limited to similarity of marks, and therefore seeks admission of irrelevant facts. Argumentative.
75. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Overly broad and unduly burdensome. The search report speaks for itself.
76. Objection. Irrelevant and inadmissible. Opposer's subjective belief at some distant point in the past has no bearing on this proceeding.
77. Objection. Irrelevant and inadmissible. Opposer's subjective belief at some distant point in the past has no bearing on this proceeding.
78. Objection. Irrelevant and inadmissible. Opposer's subjective belief at some distant point in the past has no bearing on this proceeding.
79. Objection. Calls for a legal conclusion. Calls for expert opinion.
80. Objection. Calls for a legal conclusion. Calls for expert opinion.
81. Objection. This request for admission is incomprehensible because registrations cannot be similar to marks; only marks can be similar to marks. Moreover, this request is irrelevant and inadmissible, as the subjective belief of Opposer at some distant point in the past is not germane to this proceeding.
82. Objection. Irrelevant and inadmissible. Opposer's knowledge at some distant point in the past has no bearing on this proceeding.
83. Denied.
84. Objection. Irrelevant and inadmissible. Opposer's knowledge at some distant point in the past has no bearing on this proceeding.

85. Objection. Irrelevant and inadmissible. Opposer's awareness at some distant point in the past has no bearing on this proceeding. Without waiving said objection, and subject thereto, Opposer lacks information sufficient to truthfully admit or deny. Opposer has made a reasonable inquiry and the information known or readily obtainable by Opposer is insufficient to enable the party to admit or deny.
86. Objection. The opposed application is founded upon Applicant's purported "intent to use" the applied-for mark. But this request for admission states that Applicant used the applied-for mark prior to the application filing date, and prior to November 22, 2005. Opposer is unable to discern what restaurants Applicant is referring to because this is not a use-based application. Opposer therefore lacks information sufficient to truthfully admit or deny. Opposer has made a reasonable inquiry and the information known or readily obtainable by Opposer is insufficient to enable the party to admit or deny.
87. Objection. The opposed application is founded upon Applicant's purported "intent to use" the applied-for mark. But this request for admission states that Applicant used the applied-for mark prior to the application filing date, and prior to November 22, 2005. Opposer is unable to discern what restaurants Applicant is referring to, because this is not a use-based application. Opposer therefore lacks information sufficient to truthfully admit or deny. Opposer has made a reasonable inquiry and the information known or readily obtainable by Opposer is insufficient to enable the party to admit or deny.
88. Denied.
89. Denied.
90. Denied.
91. Objection. Irrelevant. Seeks admission of facts unrelated to this proceeding.
92. Admitted that there have been third-party uses of the term "taza" in connection with restaurants, and that the owners of most of these restaurants have either received a cease and desist letter from Opposer, or have been sued by Opposer, to cause the cessation of such use. Opposer lacks information sufficient to truthfully admit or deny that such marks are currently in use. Opposer has made a reasonable inquiry and the information known or readily obtainable by Opposer is insufficient to enable the party to admit or deny on this point.
93. Objection. Irrelevant and inadmissible. The awareness of Opposer of third party uses at some point in the distant past is not germane to this proceeding.
94. Admitted that Opposer was aware of certain third-party uses of the term "taza" in connection with restaurants, and either sent cease and desist letters to, or sued, most of these third parties. Opposer lacks information sufficient to truthfully admit or deny that such marks are currently in use. Opposer has made a reasonable inquiry and the information known or readily obtainable by Opposer is insufficient to enable the party to admit or deny on this point.

95. Objection. Irrelevant and inadmissible. The awareness of Opposer of third party uses at some point in the distant past is not germane to this proceeding.
96. Objection. Irrelevant and inadmissible. The awareness of Opposer of third party uses at some point in the distant past is not germane to this proceeding.
97. Admitted.
98. Admitted.
99. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned.
100. Objection. Irrelevant and inadmissible. Irrelevant and inadmissible. The awareness of Opposer of third party uses at some point in the distant past is not germane to this proceeding. The referenced Registration has been abandoned.
101. Denied.
102. Denied.
103. Admitted only to the extent that yogurt is an ingredient in a small number of the dishes served at Opposer's restaurants. Otherwise, denied.
104. Admitted only to the extent that cheese is an ingredient or topping in a small number of the dishes served at Opposer's restaurants. Otherwise, denied.
105. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned.
106. Objection. Irrelevant and inadmissible. Opposer's subjective beliefs at some point in the distant past is not germane to this proceeding. The referenced Registration has been abandoned.
107. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned.
108. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned. Calls for a legal conclusion.
109. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned. Calls for a legal conclusion.
110. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned. Calls for a legal conclusion. Call for expert opinion.

111. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned. Calls for a legal conclusion. Calls for expert opinion.
112. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned. Calls for a legal conclusion.
113. Objection. Irrelevant and inadmissible. Opposer's awareness of alleged third-party marks is not germane to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations.
114. Admitted only to the extent that chocolate is an ingredient in four of the desserts/smoothies served at Opposer's restaurants. Otherwise, denied.
115. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations.
116. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations. Calls for a legal conclusion.
117. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations. Calls for a legal conclusion.
118. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations. Calls for a legal conclusion. Calls for expert opinion.
119. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations. Calls for a legal conclusion.
120. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations. Calls for a legal conclusion.
121. Objection. Irrelevant and inadmissible. Opposer's awareness of alleged third-party marks is not germane to this proceeding.
122. Objection. Irrelevant and inadmissible. Opposer's knowledge at some distant point in the past has no bearing on this proceeding.
123. Admitted.

124. Objection. Irrelevant and inadmissible. Opposer's knowledge at some distant point in the past has no bearing on this proceeding.
125. Admitted.
126. Objection. Calls for a legal conclusion. Without waiving said objection, and subject thereto, denied.
127. Objection. Calls for a legal conclusion. Without waiving said objection, and subject thereto, denied.
128. Objection. Calls for a legal conclusion. Without waiving said objection, and subject thereto, denied.
129. Objection. Calls for a legal conclusion. Calls for expert opinion. Without waiving said objection, and subject thereto, denied.
130. Objection. Calls for a legal conclusion. Without waiving said objection, and subject thereto, denied.
131. Objection. Irrelevant and inadmissible. Opposer's knowledge of alleged third party marks has no bearing on this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations.
132. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations.
133. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations.
134. Admitted.
135. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations. Calls for a legal conclusion.
136. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations. Calls for a legal conclusion.

137. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations. Calls for a legal conclusion.
138. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations. Calls for a legal conclusion.
139. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations. Calls for a legal conclusion.
140. Objection. Irrelevant and inadmissible. Opposer's knowledge of alleged third-party marks has no bearing on this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations. Without waiving the foregoing objection, and subject thereto, Opposer denies this request for admission.
141. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations.
142. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations.
143. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations. Calls for a legal conclusion. Without waiving the foregoing objection, and subject thereto, Opposer denies this request for admission.
144. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations. Calls for a legal conclusion. Without waiving the foregoing objection, and subject thereto, Opposer denies this request for admission.
145. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations. Calls for a legal conclusion. Without waiving the foregoing objection, and subject thereto, Opposer denies this request for admission.

146. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations. Calls for a legal conclusion. Calls for expert opinion. Without waiving the foregoing objection, and subject thereto, Opposer denies this request for admission.
147. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations. Calls for a legal conclusion. Without waiving the foregoing objection, and subject thereto, Opposer denies this request for admission.
148. Objection. Irrelevant and inadmissible. Opposer's awareness of alleged third-party marks is not germane to this proceeding. Without waiving said objection, and subject thereto, denied.
149. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding.
150. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding.
151. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Without waiving the foregoing objection, and subject thereto, Opposer denies this request for admission.
152. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Without waiving the foregoing objection, and subject thereto, Opposer denies this request for admission.
153. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Without waiving the foregoing objection, and subject thereto, Opposer denies this request for admission.
154. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Calls for expert opinion. Without waiving the foregoing objection, and subject thereto, Opposer denies this request for admission.
155. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Without waiving the foregoing objection, and subject thereto, Opposer denies this request for admission.

156. Objection. Irrelevant and inadmissible. Opposer's awareness of alleged third-party marks is not germane to this proceeding.
157. Objection. Irrelevant and inadmissible. Opposer's awareness at some distant point in the past has no bearing on this proceeding.
158. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding.
159. Objection. Irrelevant and inadmissible. Opposer's awareness at some undefined point in the past has no bearing on this proceeding.
160. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding.
161. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Without waiving said objection, and subject thereto, denied.
162. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Without waiving said objection, and subject thereto, denied.
163. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Calls for expert opinion. Without waiving said objection, and subject thereto, denied.
164. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Calls for expert opinion. Without waiving said objection, and subject thereto, denied.
165. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Without waiving said objection, and subject thereto, denied.
166. Objection. Irrelevant and inadmissible. Opposer's awareness of alleged third-party marks is not germane to this proceeding.

167. Objection. Irrelevant and inadmissible. Opposer's awareness of purported third-party marks at some point in the distant past is not germane to these proceedings.
168. Admitted.
169. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding.
170. Objection. Irrelevant and inadmissible. Opposer's subjective beliefs held at some point in the distant past are not germane to these proceedings.
171. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding.
172. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Without waiving said objection, and subject thereto, denied.
173. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Without waiving said objection, and subject thereto, denied.
174. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Without waiving said objection, and subject thereto, denied.
175. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Without waiving said objection, and subject thereto, denied.
176. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Without waiving said objection, and subject thereto, denied.
177. Objection. Irrelevant and inadmissible. Opposer's awareness of alleged third-party marks is not germane to this proceeding.
178. Objection. Irrelevant and inadmissible. Opposer's awareness of alleged third-party marks at some point in the distant past is not germane to this proceeding.

179. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Without waiving said objection, and subject thereto, denied.
180. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Without waiving said objection, and subject thereto, denied.
181. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Calls for expert opinion. Without waiving said objection, and subject thereto, denied.
182. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Calls for expert opinion. Without waiving said objection, and subject thereto, denied.
183. Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Without waiving said objection, and subject thereto, denied.

Respectfully Submitted,

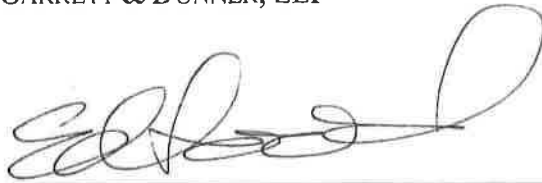


Edward T. Saadi, Esq.
EDWARD T. SAADI, LLC
(Ohio Sup. Ct. No. 0075775)
970 Windham Court, Suite 7
Boardman, OH 44512
☎ (330)782-1954 ☎ (330)266-7489
Attorney for Opposer

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing **AMENDED**
RESPONSES TO APPLICANT'S FIRST SET OF REQUESTS FOR ADMISSION TO
OPPOSER was served on the following parties via First Class U.S. Mail, postage prepaid, on the
15th day of April, 2015, properly addressed as follows:

JULIA ANNE MATHESON, ESQ.
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, LLP
901 NEW YORK AVENUE, NW
WASHINGTON, DC 20001-4413

A handwritten signature in black ink, appearing to read 'Edward T. Saadi', is written over a horizontal line.

Edward T. Saadi, Esq.
EDWARD T. SAADI, LLC
970 Windham Court, Suite 7
Boardman, OH 44512
(330) 782-1954
(330) 266-7489 (fax)
EdwardSaadi@aol.com
Attorney for Opposer Taza Systems, LLC.

Opposition No. 91207525
DECLARATION OF ANNA NAYDONOV IN SUPPORT OF APPLICANT'S
MOTION TO TEST SUFFICIENCY OF OPPOSER'S RESPONSES
TO REQUESTS FOR ADMISSION, FOR SANCTIONS, AND TO COMPEL

Exhibit 6

REQUESTS AND TAZA AMENDED RESPONSES

REQUEST NO. 1:

Admit that You serve Lebanese food in Your restaurants.

TAZA AMENDED RESPONSE TO REQUEST NO. 1:

Admitted.

REQUEST NO. 2:

Admit that You serve only Lebanese food in Your restaurants.

TAZA AMENDED RESPONSE TO REQUEST NO. 2:

Denied.

REQUEST NO. 3:

Admit that You serve primarily Lebanese food in Your restaurants.

TAZA AMENDED RESPONSE TO REQUEST NO. 3:

Objection. The meaning of the term "primarily" is vague and ambiguous. This request is further vague and ambiguous because foods cannot easily and accurately be categorized as "Lebanese." Opposer is unable to truthfully admit or deny this request because (1) the amount or percentage of foods served by Opposer which constitute "primarily" is unclear, (2) even if such an amount or percentage were known, it is unclear as to whether the amounts or percentages would be in comparison to the total number of different foods listed on Opposer's menus, or rather whether such calculation should take into consideration the popularity of such foods and the frequency that such foods are served in Opposer's restaurants, and (3) foods cannot be easily and accurately be categorized as "Lebanese." To the extent a response is nevertheless required, Opposer denies this request.

REQUEST NO. 4:

Admit that You serve Middle-Eastern food in Your restaurants.

TAZA AMENDED RESPONSE TO REQUEST NO. 4:

Admitted.

REQUEST NO. 5:

Admit that You serve primarily Middle-Eastern food in Your restaurants.

TAZA AMENDED RESPONSE TO REQUEST NO. 5:

Objection. The meaning of the term "primarily" is vague and ambiguous. This request is further vague and ambiguous because foods cannot easily and accurately be categorized as "Middle Eastern." Opposer is unable to truthfully admit or deny this request because (1) the amount or percentage of foods served by Opposer which constitute "primarily" is unclear, (2) even if such an amount or percentage were known, it is unclear as to whether the amounts or percentages would be in comparison to the total number of different foods listed on Opposer's menus, or rather whether such calculation should take into consideration the popularity of such foods and the frequency that such foods are served in Opposer's restaurants, and (3) foods cannot be easily and accurately be categorized as "Middle Eastern." To the extent a response is nevertheless required, Opposer denies this request.

REQUEST NO. 6:

Admit that You serve only Middle Eastern food in Your restaurants.

TAZA AMENDED RESPONSE TO REQUEST NO. 6:

Denied.

REQUEST NO. 7:

Admit that You serve primarily Ethnic food in Your restaurants.

TAZA AMENDED RESPONSE TO REQUEST NO. 7:

Objection. The meaning of the term "primarily" is vague and ambiguous. This request is further vague and ambiguous because foods cannot easily and accurately be categorized as "Ethnic." Opposer is unable to truthfully admit or deny this request because (1) the amount or percentage of foods which constitute "primarily" is unclear, (2) even if such an amount or percentage were known, it is unclear as to whether the amounts or percentages would be in comparison to the number of foods listed on Opposer's menus, or rather whether such calculation should take into consideration the popularity of such foods and the frequency that such foods are served in Opposer's restaurants, and (3) foods cannot be easily and accurately categorized as "Ethnic." To the extent a response is nevertheless required, Opposer denies this request.

REQUEST NO. 8:

Admit that You serve only Ethnic food in Your restaurants.

TAZA AMENDED RESPONSE TO REQUEST NO. 8:

Denied.

REQUEST NO. 9:

Admit that most of the dishes offered at Your restaurants are of Lebanese origin.

TAZA AMENDED RESPONSE TO REQUEST NO. 9:

Objection. The meaning of the terms "dishes" and "origin" are vague and ambiguous. Calls for expert opinion as to the historic origins of foods.

REQUEST NO. 10:

Admit that most of the dishes offered at Your restaurants are of Middle-Eastern origin.

TAZA AMENDED RESPONSE TO REQUEST NO. 10:

Objection. The meaning of the terms "dishes" and "origin" are vague and ambiguous. Calls for expert opinion as to the historic origins of foods.

REQUEST NO. 11:

Admit that most of the dishes sold at Your restaurants are of Lebanese origin.

TAZA AMENDED RESPONSE TO REQUEST NO. 11:

Objection. The meaning of the terms "dishes" and "origin" are vague and ambiguous. Calls for expert opinion as to the historic origins of foods.

REQUEST NO. 12:

Admit that most of the dishes sold at Your restaurants are of Middle-Eastern origin.

TAZA AMENDED RESPONSE TO REQUEST NO. 12:

Objection. The meaning of the term "dishes" and "origin" are vague and ambiguous. Calls for expert opinion as to the historic origins of foods.

REQUEST NO. 13:

Admit that most of the dishes offered at Your restaurants are Lebanese cuisine:

TAZA AMENDED RESPONSE TO REQUEST NO. 13:

Objection. The meaning of the phrase "are Lebanese cuisine" is vague and ambiguous. To the extent that this request is understood by Opposer, to mean that the entirety of Lebanese cuisine is encompassed within most of the dishes served at Opposer's restaurants, this request is denied, as there are many Lebanese dishes which are not served at Opposer's restaurants.

REQUEST NO. 14:

Admit that most of the dishes offered at Your restaurants are Middle-Eastern cuisine.

TAZA AMENDED RESPONSE TO REQUEST NO. 14:

Objection. The meaning of the phrase "are Middle-Eastern cuisine" is vague and ambiguous. To the extent that this request is understood by Opposer, to mean that the entirety of Middle Eastern cuisine is encompassed within most of the dishes served at Opposer's restaurants, this request is denied, as there are many Middle Eastern dishes which are not served at Opposer's restaurants.

REQUEST NO. 15:

Admit that You advertise Your restaurants as offering and/or serving Lebanese food.

TAZA AMENDED RESPONSE TO REQUEST NO. 15:

Admitted that some of Opposer's advertisements have referenced Lebanese food. Otherwise denied.

REQUEST NO. 16:

Admit that You selected the name TAZA A LEBANESE GRILL because You offer Lebanese food in Your restaurants.

TAZA AMENDED RESPONSE TO REQUEST NO. 16:

Denied.

REQUEST NO. 17:

Admit that the terms A LEBANESE GRILL in Your TAZA A LEBANESE GRILL mark describe the type of food/services You offer in Your restaurants.

TAZA AMENDED RESPONSE TO REQUEST NO. 17:

Denied that the terms describe the services Opposer offers in its restaurants. Admitted that the terms describe some of the foods Opposer offers in its restaurants.

REQUEST NO. 18:

Admit that You have two restaurant locations—in Woodmere and Cleveland, Ohio.

TAZA AMENDED RESPONSE TO REQUEST NO. 18:

Objection. Irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving said objection, and subject thereto, admitted that Opposer presently has two operating restaurant locations, one in Cleveland and one in Woodmere.

REQUEST NO. 19:

Admit that You have no restaurant locations outside of Ohio.

TAZA AMENDED RESPONSE TO REQUEST NO. 19:

Objection. Irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving said objection, and subject thereto, denied. Opposer is presently scouting locations in Pittsburgh not yet in operation.

REQUEST NO. 20:

Admit that You selected the name TAZA because it means “fresh” in Lebanese:

TAZA AMENDED RESPONSE TO REQUEST NO. 20:

Denied.

REQUEST NO. 21:

Admit that TAZA means “fresh” in Lebanese.

TAZA AMENDED RESPONSE TO REQUEST NO. 21:

Admitted.

REQUEST NO. 22:

Admit that TAZA means “cup” in Spanish.

TAZA AMENDED RESPONSE TO REQUEST NO. 22:

Admitted.

REQUEST NO. 23:

Admit that You did not coin the term TAZA.

TAZA AMENDED RESPONSE TO REQUEST NO. 23:

Admitted.

REQUEST NO. 24:

Admit that the term TAZA existed before You adopted and/or registered Opposer's Marks.

TAZA AMENDED RESPONSE TO REQUEST NO. 24:

Admitted.

REQUEST NO. 25:

Admit that TAZO has no meaning in English.

TAZA AMENDED RESPONSE TO REQUEST NO. 25:

Opposer lacks information sufficient to truthfully admit or deny. Opposer has made a reasonable inquiry and the information known or readily obtainable by Opposer is insufficient to enable the party to admit or deny.

REQUEST NO. 26:

Admit that TAZO has no meaning in Lebanese.

TAZA AMENDED RESPONSE TO REQUEST NO. 26:

Opposer lacks information sufficient to truthfully admit or deny. Opposer has made a reasonable inquiry and the information known or readily obtainable by Opposer is insufficient to enable the party to admit or deny.

REQUEST NO. 27:

Admit that TAZO has no meaning in Spanish.

TAZA AMENDED RESPONSE TO REQUEST NO. 27:

Opposer lacks information sufficient to truthfully admit or deny. Opposer has made a reasonable inquiry and the information known or readily obtainable by Opposer is insufficient to enable the party to admit or deny.

REQUEST NO. 28:

Admit that TAZO has no meaning in any language known to You.

TAZA AMENDED RESPONSE TO REQUEST NO. 28:

Opposer lacks information sufficient to truthfully admit or deny. Opposer has made a reasonable inquiry and the information known or readily obtainable by Opposer is insufficient to enable the party to admit or deny.

REQUEST NO. 29:

Admit that those who speak Lebanese will understand TAZA to mean “fresh.

TAZA AMENDED RESPONSE TO REQUEST NO. 29:

Denied.

REQUEST NO. 30:

“Admit that those who speak “Spanish” will understand TAZA to mean “cup.”

TAZA AMENDED RESPONSE TO REQUEST NO. 30

Denied.

REQUEST NO. 31:

Admit that You don’t offer Take-out tea beverages at Your restaurants.

TAZA AMENDED RESPONSE TO REQUEST NO. 31:

Denied.

REQUEST NO. 32:

Admit that You don’t sell Take-out tea beverages at Your restaurants:

TAZA AMENDED RESPONSE TO REQUEST NO. 32:

Denied.

REQUEST NO. 33:

Admit that You don’t advertise Take-out tea beverages at Your restaurants:

TAZA AMENDED RESPONSE TO REQUEST NO. 33:

Denied.

REQUEST NO. 34:

Admit that You don't offer Take-out coffee beverages at Your restaurants:

TAZA AMENDED RESPONSE TO REQUEST NO. 34:

Denied.

REQUEST NO. 35:

Admit that You don't sell Take-out coffee beverages at Your restaurants:

TAZA AMENDED RESPONSE TO REQUEST NO. 35:

Denied.

REQUEST NO. 36:

Admit that You don't advertise Take-out coffee beverages at Your restaurants.

TAZA AMENDED RESPONSE TO REQUEST NO. 36:

Denied.

REQUEST NO. 37:

Admit that You don't offer Take-out tea beverages under any of Opposer's Marks.

TAZA AMENDED RESPONSE TO REQUEST NO. 37:

Denied.

REQUEST NO. 38:

Admit that You don't sell Take-out tea beverages under any of Opposer's Marks.

TAZA AMENDED RESPONSE TO REQUEST NO. 38:

Denied.

REQUEST NO. 39:

Admit that You don't advertise Take-out tea beverages under any of Opposer's Marks.

TAZA AMENDED RESPONSE TO REQUEST NO. 39:

Denied.

REQUEST NO. 40:

Admit that You don't offer Take-out coffee beverages under any of Opposer's Marks.

TAZA AMENDED RESPONSE TO REQUEST NO. 40:

Denied.

REQUEST NO. 41:

Admit that You don't sell Take-out coffee beverages under any of Opposer's Marks.

TAZA AMENDED RESPONSE TO REQUEST NO. 41:

Denied.

REQUEST NO. 42:

Admit that You don't advertise Take-out coffee beverages under any of Opposer's Marks.

TAZA AMENDED RESPONSE TO REQUEST NO. 42:

Denied.

REQUEST NO. 43:

Admit that You never offered Take-out tea beverages under any of Opposer's Marks.

TAZA AMENDED RESPONSE TO REQUEST NO. 43:

Denied.

REQUEST NO. 44:

Admit that You never sold Take-out tea beverages under any of Opposer's Marks.

TAZA AMENDED RESPONSE TO REQUEST NO. 44:

Denied.

REQUEST NO. 45:

Admit that You never advertised Take-out tea beverages under any of Opposer's Marks.

TAZA AMENDED RESPONSE TO REQUEST NO. 45:

Denied.

REQUEST NO. 46:

Admit that You don't offer tea beverage catering services:

TAZA AMENDED RESPONSE TO REQUEST NO. 46:

Admitted.

REQUEST NO. 47:

Admit that You don't advertise tea beverage catering services:

TAZA AMENDED RESPONSE TO REQUEST NO. 47:

Admitted.

REQUEST NO. 48:

Admit that You don't provide tea beverage catering services:

TAZA AMENDED RESPONSE TO REQUEST NO. 48:

Admitted.

REQUEST NO. 49:

Admit that You don't offer coffee beverage catering services:

TAZA AMENDED RESPONSE TO REQUEST NO. 49:

Admitted.

REQUEST NO. 50:

Admit that You don't advertise coffee beverage catering services:

TAZA AMENDED RESPONSE TO REQUEST NO. 50:

Admitted.

REQUEST NO. 51:

Admit that You don't provide coffee beverage catering services.

TAZA AMENDED RESPONSE TO REQUEST NO. 51:

Admitted.

REQUEST NO. 52:

Admit that You never provided beverage catering services under Opposer's Marks.

TAZA AMENDED RESPONSE TO REQUEST NO. 52:

Admitted.

REQUEST NO. 53:

Admit that You never provided tea catering services under Opposer's Marks:

TAZA AMENDED RESPONSE TO REQUEST NO. 53:

Admitted.

REQUEST NO. 54:

Admit that You never provided coffee catering services under Opposer's Marks:

TAZA AMENDED RESPONSE TO REQUEST NO. 54:

Admitted.

REQUEST NO. 55:

Admit that Exhibit 1 is a true and correct copy of a catering menu from Your restaurants.

TAZA AMENDED RESPONSE TO REQUEST NO. 55:

Admitted.

REQUEST NO. 56:

Admit that Your catering menu in Exhibit 1 states that "[c]omitted to the meaning of Taza, we promise the freshest ingredients, inspired by traditional Lebanese home cooked meals."

TAZA AMENDED RESPONSE TO REQUEST NO. 56:

Denied.

REQUEST NO. 57:

Admit that Your catering menu in Exhibit 1 lists no tea or tea-based beverages.

TAZA AMENDED RESPONSE TO REQUEST NO. 57:

Admitted.

REQUEST NO. 58:

Admit that Your catering menu in Exhibit 1 lists no coffee or coffee-based beverages.

TAZA AMENDED RESPONSE TO REQUEST NO. 58:

Admitted.

REQUEST NO. 59:

Admit that Your catering menu in Exhibit 1 lists no beverages.

TAZA AMENDED RESPONSE TO REQUEST NO. 59:

Admitted.

REQUEST NO. 60:

Admit that Your catering menu in Exhibit 1 does not offer any beverages.

TAZA AMENDED RESPONSE TO REQUEST NO. 60:

Admitted.

REQUEST NO. 61:

Admit that Your catering menu in Exhibit 1 offers only food.

TAZA AMENDED RESPONSE TO REQUEST NO. 61:

Admitted.

REQUEST NO. 62:

Admit that Your catering services (described in Exhibit 1) are a natural expansion of
Your restaurant business.

TAZA AMENDED RESPONSE TO REQUEST NO. 62:

Objection. Calls for a legal conclusion.

REQUEST NO. 63:

Admit that Exhibit 2 is a true and correct copy of a menu from Your restaurants.

TAZA AMENDED RESPONSE TO REQUEST NO. 63:

Admitted that Exhibit 2 is one of the menus that has been used by Opposer.

REQUEST NO. 64:

Admit that Your menu in Exhibit 2 mentions “Lebanese” or “Lebanon” multiple times.

TAZA AMENDED RESPONSE TO REQUEST NO. 64:

Admitted.

REQUEST NO. 65:

Admit that Your menu in Exhibit 2 mentions “Lebanese” or “Lebanon” over 8 times.

TAZA AMENDED RESPONSE TO REQUEST NO. 65:

Admitted.

REQUEST NO. 66:

Admit that Your menu in Exhibit 2 mentions “Lebanese” or “Lebanon” multiple times because You offer Lebanese food in Your restaurants.

TAZA AMENDED RESPONSE TO REQUEST NO. 66:

Objection. The Exhibit speaks for itself. To the extent a response is required, Opposer admits that it serves Lebanese food, among other things, in its restaurants, which results in the terms “Lebanon” and “Lebanese” appearing on the menu.

REQUEST NO. 67:

Admit that Your menu in Exhibit 2 mentions Lebanese” or “Lebanon” multiple times because it describes the type of food You offer and/or sell at Your restaurants.

TAZA AMENDED RESPONSE TO REQUEST NO. 67:

Objection. This request is grammatically incomprehensible due to open quotation marks. The Exhibit speaks for itself. To the extent a response is required, Opposer admits that "Lebanese" partially describes some, but not all, of the foods served in its restaurants.

REQUEST NO. 68:

Admit that Your menu in Exhibit 2 mentions Lebanese" or "Lebanon" multiple times because it describes the ethnic origin of the food You offer and/or sell at Your restaurants.

TAZA AMENDED RESPONSE TO REQUEST NO. 68:

Objection. This request is grammatically incomprehensible due to open quotation marks. The Exhibit speaks for itself. Vague and ambiguous as to the meaning of the term "ethnic origin." To the extent a response is required, Opposer admits that "Lebanese" partially describes some, but not all, of the foods served in its restaurants.

REQUEST NO. 69:

Admit that You obtained or had obtained a trademark search report in connection with Your TAZA A LEBANESE GRILL mark and/or any other Opposer's Marks.

TAZA AMENDED RESPONSE TO REQUEST NO. 69:

Admitted that Opposer obtained a search report for TAZA A LEBANESE GRILL dated April 12, 2006. Otherwise, denied.

REQUEST NO. 70:

Admit that the search report You obtained or had obtained in connection with Your TAZA A LEBANESE GRILL mark and/or any other Opposer's Marks disclosed one or more of Applicant's TAZO Registrations.

TAZA AMENDED RESPONSE TO REQUEST NO. 70:

Admitted that the search report obtained by Opposer for TAZA A LEBANESE GRILL dated April 12, 2006 disclosed one or more trademark registrations owned by Applicant. Otherwise, denied.

REQUEST NO. 71:

Admit that “a search report for TAZA A LEBANESE GRILL dated April 12, 2006” referenced in Your TAZA AMENDED RESPONSE TO REQUEST to Interrogatory No. 3 (Responses to Applicant’s First Set of Interrogatories to Opposer, May 16, 2014) (“Taza’s Search Report”) disclosed one or more of Applicant’s TAZO Registrations and/or TAZO Marks.

TAZA AMENDED RESPONSE TO REQUEST NO. 71:

Admitted.

REQUEST NO. 72:

Admit that although Taza’s Search Report disclosed one or more of Applicant’s TAZO Registrations, You did not believe any of Applicant’s TAZO Registrations precluded You from registering any of Opposer’s Marks.

TAZA AMENDED RESPONSE TO REQUEST NO. 72:

Objection. Irrelevant and inadmissible. Opposer's subjective belief at some distant point in the past has no bearing on this proceeding.

REQUEST NO. 73:

Admit that although Taza’s Search Report disclosed one or more of Applicant’s TAZO Registrations and/or TAZO Marks, You did not believe any of Applicant’s TAZO Registrations and/or TAZO Marks precluded You from using any of Opposer’s Marks.

TAZA AMENDED RESPONSE TO REQUEST NO. 73:

Objection. Irrelevant and inadmissible. Opposer's subjective belief at some distant point in the past has no bearing on this proceeding. Further objecting, this request for admission wrongly assumes that Opposer had knowledge of TAZO Marks other than those which were subject of the TAZO Registrations disclosed in the Search Report, thereby making this request compound and unanswerable.

REQUEST NO. 74:

Admit that although Taza's Search Report disclosed one or more of Applicant's TAZO Registrations and/or TAZO Marks, You did not believe any of Applicant's TAZO Registrations and/or TAZO Marks were so similar to Opposer's Marks as to result in consumers being confused.

TAZA AMENDED RESPONSE TO REQUEST NO. 74:

Objection. Irrelevant and inadmissible. Opposer's subjective belief at some distant point in the past has no bearing on this proceeding. Further objecting, this request for admission wrongly assumes that Opposer had knowledge of TAZO Marks other than those which were subject of the TAZO Registrations disclosed in the Search Report. Calls for a legal conclusion. Misstates the test for consumer confusion, which is not limited to similarity of marks, and therefore seeks admission of irrelevant facts. Argumentative.

REQUEST NO. 75:

Admit that Taza's Search Report disclosed Third-Party marks and/or names containing TAZA, TAZ, and/or TAZZA.

TAZA AMENDED RESPONSE TO REQUEST NO. 75:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Overly broad and unduly burdensome. The search report speaks for itself.

REQUEST NO. 76:

Admit that Taza's Search Report disclosed Third-Party marks and/or names containing TAZA, TAZ and/or TAZZA, but You did not believe that these Third-Party marks/names precluded Your registration of Opposer's Marks.

TAZA AMENDED RESPONSE TO REQUEST NO. 76:

Objection. Irrelevant and inadmissible. Opposer's subjective belief at some distant point in the past has no bearing on this proceeding.

REQUEST NO. 77:

Admit that Taza's Search Report disclosed Third-Party marks and/or names containing TAZA, TAZ, and/or TAZZA, but You did not believe that these Third-Party marks/names precluded Your use of Opposer's Marks.

TAZA AMENDED RESPONSE TO REQUEST NO. 77:

Objection. Irrelevant and inadmissible. Opposer's subjective belief at some distant point in the past has no bearing on this proceeding.

REQUEST NO. 78:

Admit that Taza's Search Report disclosed Third-Party marks and/or names containing TAZA, TAZ, and/or TAZZA, but You did not believe that consumers would confuse those Third-Party names and/or marks with Opposer's Marks.

TAZA AMENDED RESPONSE TO REQUEST NO. 78:

Objection. Irrelevant and inadmissible. Opposer's subjective belief at some distant point in the past has no bearing on this proceeding.

REQUEST NO. 79:

Admit that the U.S. Patent and Trademark Office did not err in not citing any of Applicant's TAZO Registrations as a bar to registration of Opposer's Marks.

TAZA AMENDED RESPONSE TO REQUEST NO. 79:

Objection. Calls for a legal conclusion. Calls for expert opinion.

REQUEST NO. 80:

Admit that the U.S. Patent and Trademark Office erred in not citing any of Applicant's TAZO Registrations as a bar to registration of Opposer's Marks.

TAZA AMENDED RESPONSE TO REQUEST NO. 80:

Objection. Calls for a legal conclusion. Calls for expert opinion.

REQUEST NO. 81:

Admit that You did not believe that Applicant's TAZO Registrations were confusingly similar to Opposer's Marks when You filed trademark applications for Opposer's Marks.

TAZA AMENDED RESPONSE TO REQUEST NO. 81:

Objection. This request for admission is incomprehensible because registrations cannot be similar to marks; only marks can be similar to marks. Moreover, this request is irrelevant and inadmissible, as the subjective belief of Opposer at some distant point in the past is not germane to this proceeding.

REQUEST NO. 82:

Admit that You were aware of Applicant's TAZO Registrations when You filed trademark applications to register one or more of Opposer's Marks.

TAZA AMENDED RESPONSE TO REQUEST NO. 82:

Objection. Irrelevant and inadmissible. Opposer's knowledge at some distant point in the past has no bearing on this proceeding.

REQUEST NO. 83:

Admit that You were aware of Applicant's TAZO Registrations when You started using Opposer's Marks.

TAZA AMENDED RESPONSE TO REQUEST NO. 83:

Denied.

REQUEST NO. 84:

Admit that You were aware of TAZO Marks when You filed applications to register one or more of Opposer's Marks.

TAZA AMENDED RESPONSE TO REQUEST NO. 84:

Objection. Irrelevant and inadmissible. Opposer's knowledge at some distant point in the past has no bearing on this proceeding.

REQUEST NO. 85:

Admit that You were aware of TAZO Marks when You started using one or more of Opposer's Marks.

TAZA AMENDED RESPONSE TO REQUEST NO. 85:

Objection. Irrelevant and inadmissible. Opposer's awareness at some distant point in the past has no bearing on this proceeding. Without waiving said objection, and subject thereto, Opposer lacks information sufficient to truthfully admit or deny. Opposer has made a reasonable inquiry and the information known or readily obtainable by Opposer is insufficient to enable the party to admit or deny.

REQUEST NO. 86:

Admit that You had visited Applicant's restaurants on or before November 22, 2005.

TAZA AMENDED RESPONSE TO REQUEST NO. 86:

Objection. The opposed application is founded upon Applicant's purported "intent to use" the applied-for mark. But this request for admission states that Applicant used the applied-for mark prior to the application filing date, and prior to November 22, 2005. Opposer is unable to discern what restaurants Applicant is referring to because this is not a use-based application. Opposer therefore lacks information sufficient to truthfully admit or deny. Opposer has made a reasonable inquiry and the information known or readily obtainable by Opposer is insufficient to enable the party to admit or deny.

REQUEST NO. 87:

Admit that You had purchased food and/or beverages at Applicant's restaurants on or before November 22, 2005.

TAZA AMENDED RESPONSE TO REQUEST NO. 87:

Objection. The opposed application is founded upon Applicant's purported "intent to use" the applied-for mark. But this request for admission states that Applicant used the applied-for mark prior to the application filing date, and prior to November 22, 2005. Opposer is unable to discern what restaurants Applicant is referring to, because this is not a use-based application. Opposer therefore lacks information sufficient to truthfully admit or deny. Opposer has made a reasonable inquiry and the information known or readily obtainable by Opposer is insufficient to enable the party to admit or deny.

REQUEST NO. 88:

Admit that You don't offer Franchising services in the U.S.

TAZA AMENDED RESPONSE TO REQUEST NO. 88:

Denied.

REQUEST NO. 89:

Admit that You never offered Franchising services in the U.S.

TAZA AMENDED RESPONSE TO REQUEST NO. 89:

Denied.

REQUEST NO. 90:

Admit that You have no plans to offer Franchising services in the U.S.

TAZA AMENDED RESPONSE TO REQUEST NO. 90:

Denied.

REQUEST NO. 91:

Admit that Third Parties used the term TAZA, TAZ, and/or TAZZA as part of restaurant, café, and/or bar names before November 22, 2005 in the U.S.

TAZA AMENDED RESPONSE TO REQUEST NO. 91:

Objection. Irrelevant. Seeks admission of facts unrelated to this proceeding.

REQUEST NO. 92:

Admit that Third Parties use the term TAZA, TAZ, and/or TAZZA as part of restaurant, café, and/or bar names in the U.S.

TAZA AMENDED RESPONSE TO REQUEST NO. 92:

Admitted that there have been third-party uses of the term "taza" in connection with restaurants, and that the owners of most of these restaurants have either received a cease and desist letter from Opposer, or have been sued by Opposer, to cause the cessation of such use. Opposer lacks information sufficient to truthfully admit or deny that such marks are currently in use. Opposer has made a reasonable inquiry and the information known or readily obtainable by Opposer is insufficient to enable the party to admit or deny on this point.

REQUEST NO. 93:

Admit that You are aware of Third Parties that used the term TAZA, TAZ, and/or TAZZA as part of restaurant, café, and/or bar names before November 22, 2005 in the U.S.

TAZA AMENDED RESPONSE TO REQUEST NO. 93:

Objection. Irrelevant and inadmissible. The awareness of Opposer of third party uses at some point in the distant past is not germane to this proceeding.

REQUEST NO. 94:

Admit that You are aware of Third Parties that use the term TAZA, TAZ, and/or TAZZA as part of restaurant, café, and/or bar names in the U.S.

TAZA AMENDED RESPONSE TO REQUEST NO. 94:

Admitted that Opposer was aware of certain third-party uses of the term "taza" in connection with restaurants, and either sent cease and desist letters to, or sued, most of these third parties. Opposer lacks information sufficient to truthfully admit or deny that such marks are currently in use. Opposer has made a reasonable inquiry and the information known or readily obtainable by Opposer is insufficient to enable the party to admit or deny on this point.

REQUEST NO. 95:

Admit that You were aware of Third Parties that used the term TAZA, TAZ, and/or TAZZA as part of restaurant, café, and/or bar names in the U.S. when You adopted Opposer's Marks.

TAZA AMENDED RESPONSE TO REQUEST NO. 95:

Objection. Irrelevant and inadmissible. The awareness of Opposer of third party uses at some point in the distant past is not germane to this proceeding.

REQUEST NO. 96:

Admit that You were aware of Third Parties that used the term TAZA, TAZ, and/or TAZZA as part of restaurant, café, and/or bar names in the U.S. when You started using Opposer's Marks.

TAZA AMENDED RESPONSE TO REQUEST NO. 96:

Objection. Irrelevant and inadmissible. The awareness of Opposer of third party uses at some point in the distant past is not germane to this proceeding.

REQUEST NO. 97:

Admit that You are not aware of any instances when someone confused Your restaurants and/or Opposer's Marks, on the one hand, with Applicant and/or its TAZO Marks, on the other hand.

TAZA AMENDED RESPONSE TO REQUEST NO. 97:

Admitted.

REQUEST NO. 98:

Admit that You are not aware of any instances when someone thought that Your restaurants and/or Opposer's Marks, on the one hand, and Applicant and/or its TAZO Marks, on the other hand, were in any way related.

TAZA AMENDED RESPONSE TO REQUEST NO. 98:

Admitted.

REQUEST NO. 99:

Admit that You are aware of the U.S. Registration No. 3467821 (filed February 10, 2005; registered July 15, 2008) for the mark TAAZA MEANS FRESH and Design for "food and dairy products, namely, butter, ghee, cream, yogurt, and cheese."

TAZA AMENDED RESPONSE TO REQUEST NO. 99:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned.

REQUEST NO. 100:

Admit that You were aware of the U.S. Registration No. 3467821 (filed February 10, 2005; registered July 15, 2008) for the mark TAAZA MEANS FRESH and Design for "food and

dairy products, namely, butter, ghee, cream, yogurt, and cheese” when You filed trademark applications to register Opposer’s Marks.

TAZA AMENDED RESPONSE TO REQUEST NO. 100:

Objection. Irrelevant and inadmissible. Irrelevant and inadmissible. The awareness of Opposer of third party uses at some point in the distant past is not germane to this proceeding. The referenced Registration has been abandoned.

REQUEST NO. 101:

Admit that You serve butter at Your restaurants:

TAZA AMENDED RESPONSE TO REQUEST NO. 101:

Denied.

REQUEST NO. 102:

Admit that You serve ghee at Your restaurants.

TAZA AMENDED RESPONSE TO REQUEST NO. 102:

Denied.

REQUEST NO. 103:

Admit that You serve yogurt at Your restaurants.

TAZA AMENDED RESPONSE TO REQUEST NO. 103:

Admitted only to the extent that yogurt is an ingredient in a small number of the dishes served at Opposer's restaurants. Otherwise, denied.

REQUEST NO. 104:

Admit that You serve cheese at Your restaurants.

TAZA AMENDED RESPONSE TO REQUEST NO. 104:

Admitted only to the extent that cheese is an ingredient or topping in a small number of the dishes served at Opposer's restaurants. Otherwise, denied.

REQUEST NO. 105:

Admit that the U.S. Registration No. 3467821 (filed February 10, 2005; registered July 15, 2008) for the mark TAAZA MEANS FRESH and Design for “food and dairy products, namely, butter, ghee, cream, yogurt, and cheese” did not preclude Your registration of Opposer’s Marks.

TAZA AMENDED RESPONSE TO REQUEST NO. 105:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned.

REQUEST NO. 106:

Admit that you did not think the U.S. Registration No. 3467821 (filed February 10, 2005; registered July 15, 2008) for the mark TAAZA MEANS FRESH and Design for “food and dairy products, namely, butter, ghee, cream, yogurt, and cheese” precluded Your registration of Opposer’s Marks.

TAZA AMENDED RESPONSE TO REQUEST NO. 106:

Objection. Irrelevant and inadmissible. Opposer's subjective beliefs at some point in the distant past is not germane to this proceeding. The referenced Registration has been abandoned.

REQUEST NO. 107:

Admit that the U.S. Registration No. 3467821 (filed February 10, 2005; registered July 15, 2008) for the mark TAAZA MEANS FRESH and Design for “food and dairy products, namely, butter, ghee, cream, yogurt, and cheese” has not precluded Your use of Opposer’s Marks.

TAZA AMENDED RESPONSE TO REQUEST NO. 107:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned.

REQUEST NO. 108:

Admit that the mark TAAZA MEANS FRESH (U.S. Registration No. 3467821; filed February 10, 2005; registered July 15, 2008) and Opposer's Marks are similar.

TAZA AMENDED RESPONSE TO REQUEST NO. 108:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned. Calls for a legal conclusion.

REQUEST NO. 109:

Admit that the mark TAAZA MEANS FRESH (U.S. Registration No. 3467821; filed February 10, 2005; registered July 15, 2008) and Opposer's Marks are similar in sight.

TAZA AMENDED RESPONSE TO REQUEST NO. 109:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned. Calls for a legal conclusion.

REQUEST NO. 110:

Admit that the mark TAAZA MEANS FRESH (U.S. Registration No. 3467821; filed February 10, 2005; registered July 15, 2008) and Opposer's Marks are similar in sound.

TAZA AMENDED RESPONSE TO REQUEST NO. 110:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned. Calls for a legal conclusion. Call for expert opinion.

REQUEST NO. 111:

Admit that the mark TAAZA MEANS FRESH (U.S. Registration No. 3467821; filed February 10, 2005; registered July 15, 2008) and Opposer's Marks are similar in meaning.

TAZA AMENDED RESPONSE TO REQUEST NO. 111:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned. Calls for a legal conclusion. Calls for expert opinion.

REQUEST NO. 112:

Admit that the mark TAAZA MEANS FRESH (U.S. Registration No. 3467821; filed February 10, 2005; registered July 15, 2008) and Opposer's Marks are similar in overall commercial impression.

TAZA AMENDED RESPONSE TO REQUEST NO. 112:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned. Calls for a legal conclusion.

REQUEST NO. 113:

Admit that You are aware of the U.S. Registration No. 3576257 (first use date October 18, 2005; registered February 17, 2009) for the mark TAZA CHOCOLATE and Design for "chocolate."

TAZA AMENDED RESPONSE TO REQUEST NO. 113:

Objection. Irrelevant and inadmissible. Opposer's awareness of alleged third-party marks is not germane to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations.

REQUEST NO. 114:

Admit that You serve chocolate at Your restaurants.

TAZA AMENDED RESPONSE TO REQUEST NO. 114:

Admitted only to the extent that chocolate is an ingredient in four of the desserts/smoothies served at Opposer's restaurants. Otherwise, denied.

REQUEST NO. 115.

Admit that the U.S. Registration No. 3576257 (first use date October 18, 2005; registered February 17, 2009) for the mark TAZA CHOCOLATE and Design for "chocolate" has not precluded Your use of Opposer's Marks.

TAZA AMENDED RESPONSE TO REQUEST NO. 115:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations.

REQUEST NO. 116.

Admit that the mark TAZA CHOCOLATE and Design (U.S. Registration No. 3576257; first use date October 18, 2005; registered February 17, 2009) and Opposer's Marks are similar.

TAZA AMENDED RESPONSE TO REQUEST NO. 116:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations. Calls for a legal conclusion.

REQUEST NO. 117:

Admit that the mark TAZA CHOCOLATE and Design (U.S. Registration No. 3576257; first use date October 18, 2005; registered February 17, 2009) and Opposer's Marks are similar in sight.

TAZA AMENDED RESPONSE TO REQUEST NO. 117:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations. Calls for a legal conclusion.

REQUEST NO. 118:

Admit that the mark TAZA CHOCOLATE and Design (U.S. Registration No. 3576257; first use date October 18, 2005; registered February 17, 2009) and Opposer's Marks are similar in sound.

TAZA AMENDED RESPONSE TO REQUEST NO. 118:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations. Calls for a legal conclusion. Calls for expert opinion.

REQUEST NO. 119:

Admit that the mark TAZA CHOCOLATE and Design (U.S. Registration No. 3576257; first use date October 18, 2005; registered February 17, 2009) and Opposer's Marks are similar in meaning.

TAZA AMENDED RESPONSE TO REQUEST NO. 119:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations. Calls for a legal conclusion.

REQUEST NO. 120:

Admit that the mark TAZA CHOCOLATE and Design (U.S. Registration No. 3576257; first use date October 18, 2005; registered February 17, 2009) and Opposer's Marks are similar in overall commercial impression.

TAZA AMENDED RESPONSE TO REQUEST NO. 120:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations. Calls for a legal conclusion.

REQUEST NO. 121:

Admit that You are aware of the U.S. Registration No. 2609343 (first use date March 20, 2001; registered February August 20, 2002) for the mark TAZZA RICA and Design for "coffee, coffee beans."

TAZA AMENDED RESPONSE TO REQUEST NO. 121:

Objection. Irrelevant and inadmissible. Opposer's awareness of alleged third-party marks is not germane to this proceeding.

REQUEST NO. 122:

Admit that You were aware of the U.S. Registration No. 2609343 (first use date March 20, 2001; registered February August 20, 2002) for the mark TAZZA RICA and Design for “coffee, coffee beans” when You filed trademark applications to register Opposer’s Marks.

TAZA AMENDED RESPONSE TO REQUEST NO. 122:

Objection. Irrelevant and inadmissible. Opposer's knowledge at some distant point in the past has no bearing on this proceeding.

REQUEST NO. 123:

Admit that the U.S. Registration No. 2609343 (first use date March 20, 2001; registered February August 20, 2002) for the mark TAZZA RICA and Design for “coffee, coffee beans” did not preclude Your registration of Opposer’s Marks.

TAZA AMENDED RESPONSE TO REQUEST NO. 123:

Admitted.

REQUEST NO. 124:

Admit that you did not believe the U.S. Registration No. 2609343 (first use date March 20, 2001; registered February August 20, 2002) for the mark TAZZA RICA and Design for “coffee, coffee beans” precluded Your registration of Opposer’s Marks.

TAZA AMENDED RESPONSE TO REQUEST NO. 124:

Objection. Irrelevant and inadmissible. Opposer’s knowledge at some distant point in the past has no bearing on this proceeding.

REQUEST NO. 125:

Admit that the U.S. Registration No. 2609343 (first use date March 20, 2001; registered February August 20, 2002) for the mark TAZZA RICA and Design for “coffee, coffee beans” has not precluded Your use of Opposer’s Marks.

TAZA AMENDED RESPONSE TO REQUEST NO. 125:

Admitted.

REQUEST NO. 126:

Admit that the mark TAZZA RICA (U.S. Registration No. 2609343; first use date March 20, 2001; registered February August 20, 2002) and Opposer's Marks are similar.

TAZA AMENDED RESPONSE TO REQUEST NO. 126:

Objection. Calls for a legal conclusion. Without waiving said objection, and subject thereto, denied.

REQUEST NO. 127:

Admit that the mark TAZZA RICA (U.S. Registration No. 2609343; first use date March 20, 2001; registered February August 20, 2002) and Opposer's Marks are similar in sight.

TAZA AMENDED RESPONSE TO REQUEST NO. 127:

Objection. Calls for a legal conclusion. Without waiving said objection, and subject thereto, denied.

REQUEST NO. 128:

Admit that the mark TAZZA RICA (U.S. Registration No. 2609343; first use date March 20, 2001; registered February August 20, 2002) and Opposer's Marks are similar in sound.

TAZA AMENDED RESPONSE TO REQUEST NO. 128:

Objection. Calls for a legal conclusion. Without waiving said objection, and subject thereto, denied.

REQUEST NO. 129:

Admit that the mark TAZZA RICA (U.S. Registration No. 2609343; first use date March 20, 2001; registered February August 20, 2002) and Opposer's Marks are similar in meaning.

TAZA AMENDED RESPONSE TO REQUEST NO. 129:

Objection. Calls for a legal conclusion. Calls for expert opinion. Without waiving said objection, and subject thereto, denied.

REQUEST NO. 130:

Admit that the mark TAZZA RICA (U.S. Registration No. 2609343; first use date March 20, 2001; registered February August 20, 2002) and Opposer's Marks are similar in overall commercial impression.

TAZA AMENDED RESPONSE TO REQUEST NO. 130:

Objection. Calls for a legal conclusion. Without waiving said objection, and subject thereto, denied.

REQUEST NO. 131:

Admit that You are aware of the U.S. Registration No. 3588140 for the mark CAFFE TAZZA and Design (filed September 19, 2007; registered March 10, 2009) for "coffee shop services."

TAZA AMENDED RESPONSE TO REQUEST NO. 131:

Objection. Irrelevant and inadmissible. Opposer's knowledge of alleged third party marks has no bearing on this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations.

REQUEST NO. 132:

Admit that You did not initiate an opposition proceeding before the Trademark Trial and Appeal Board against the mark CAFFE TAZZA and Design (U.S. Registration No. 3588140; filed September 19, 2007; registered March 10, 2009) for "coffee shop services."

TAZA AMENDED RESPONSE TO REQUEST NO. 132:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations.

REQUEST NO. 133:

Admit that You did not petition to cancel before the Trademark Trial and Appeal Board the U.S. Registration No. 3588140 for the mark CAFFE TAZZA and Design (filed September 19, 2007; registered March 10, 2009) for “coffee shop services.”

TAZA AMENDED RESPONSE TO REQUEST NO. 133:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations.

REQUEST NO. 134:

Admit that You serve coffee at Your restaurants.

TAZA AMENDED RESPONSE TO REQUEST NO. 134:

Admitted.

REQUEST NO. 135:

Admit that the mark CAFFE TAZZA and Design (U.S. Registration No. 3588140; filed September 19, 2007; registered March 10, 2009) for “coffee shop services” and Opposer’s Marks are similar.

TAZA AMENDED RESPONSE TO REQUEST NO. 135:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations. Calls for a legal conclusion.

REQUEST NO. 136:

Admit that the mark CAFFE TAZZA and Design (U.S. Registration No. 3588140; filed September 19, 2007; registered March 10, 2009) for “coffee shop services” and Opposer’s Marks are similar in sight.

TAZA AMENDED RESPONSE TO REQUEST NO. 136:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations. Calls for a legal conclusion.

REQUEST NO. 137:

Admit that the mark CAFFE TAZZA and Design (U.S. Registration No. 3588140; filed September 19, 2007; registered March 10, 2009) for “coffee shop services” and Opposer’s Marks are similar in sound.

TAZA AMENDED RESPONSE TO REQUEST NO. 137:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations. Calls for a legal conclusion.

REQUEST NO. 138:

Admit that the mark CAFFE TAZZA and Design (U.S. Registration No. 3588140; filed September 19, 2007; registered March 10, 2009) for “coffee shop services” and Opposer’s Marks are similar in meaning.

TAZA AMENDED RESPONSE TO REQUEST NO. 138:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations. Calls for a legal conclusion.

REQUEST NO. 139:

Admit that the mark CAFFE TAZZA and Design (U.S. Registration No. 3588140; filed September 19, 2007; registered March 10, 2009) for “coffee shop services” and Opposer’s Marks are similar in overall commercial impression.

TAZA AMENDED RESPONSE TO REQUEST NO. 139:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations. Calls for a legal conclusion.

REQUEST NO. 140.

Admit that You are aware of U.S. Registration No. 3588675 for the mark TAZZA D'AMORE and Design (filed March 3, 2008; registered March 10, 2009) for "coffee shop services."

TAZA AMENDED RESPONSE TO REQUEST NO. 140:

Objection. Irrelevant and inadmissible. Opposer's knowledge of alleged third-party marks has no bearing on this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations. Without waiving the foregoing objection, and subject thereto, Opposer denies this request for admission.

REQUEST NO. 141:

Admit that You did not initiate an opposition proceeding before the Trademark Trial and Appeal Board against the mark TAZZA D'AMORE and Design (U.S. Registration No. 3588675; filed March 3, 2008; registered March 10, 2009) for "coffee shop services."

TAZA AMENDED RESPONSE TO REQUEST NO. 141:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations.

REQUEST NO. 142.

Admit that You did not petition to cancel before the Trademark Trial and Appeal Board the U.S. Registration No. 3588675 for the mark TAZZA D'AMORE and Design (filed March 3, 2008; registered March 10, 2009) for "coffee shop services."

TAZA AMENDED RESPONSE TO REQUEST NO. 142:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations.

REQUEST NO. 143:

Admit that the mark TAZZA D'AMORE and Design (U.S. Registration No. 3588675; filed March 3, 2008; registered March 10, 2009) and Opposer's Marks are similar.

TAZA AMENDED RESPONSE TO REQUEST NO. 143:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations. Calls for a legal conclusion. Without waiving the foregoing objection, and subject thereto, Opposer denies this request for admission.

REQUEST NO. 144.

Admit that the mark TAZZA D'AMORE and Design (U.S. Registration No. 3588675; filed March 3, 2008; registered March 10, 2009) and Opposer's Marks are similar in sight.

TAZA AMENDED RESPONSE TO REQUEST NO. 144:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations. Calls for a legal conclusion. Without waiving the foregoing objection, and subject thereto, Opposer denies this request for admission.

REQUEST NO. 145.

Admit that the mark TAZZA D'AMORE and Design (U.S. Registration No. 3588675; filed March 3, 2008; registered March 10, 2009) and Opposer's Marks are similar in sound.

TAZA AMENDED RESPONSE TO REQUEST NO. 145:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations. Calls for a legal conclusion. Without waiving the foregoing objection, and subject thereto, Opposer denies this request for admission.

REQUEST NO. 146.

Admit that the mark TAZZA D'AMORE and Design (U.S. Registration No. 3588675; filed March 3, 2008; registered March 10, 2009) and Opposer's Marks are similar in meaning.

TAZA AMENDED RESPONSE TO REQUEST NO. 146:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations. Calls for a legal conclusion. Calls for expert opinion. Without waiving the foregoing objection, and subject thereto, Opposer denies this request for admission.

REQUEST NO. 147.

Admit that the mark TAZZA D'AMORE and Design (U.S. Registration No. 3588675; filed March 3, 2008; registered March 10, 2009) and Opposer's Marks are similar in overall commercial impression.

TAZA AMENDED RESPONSE TO REQUEST NO. 147:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. The referenced Registration has been abandoned and will be cancelled for failure to file the necessary declarations. Calls for a legal conclusion. Without waiving the foregoing objection, and subject thereto, Opposer denies this request for admission.

REQUEST NO. 148.

Admit that You are aware of the U.S. Registration No. 3911916 for the mark TAZZA ITALIA (filed September 1, 2009; registered January 25, 2011) for "coffee."

TAZA AMENDED RESPONSE TO REQUEST NO. 148:

Objection. Irrelevant and inadmissible. Opposer's awareness of alleged third-party marks is not germane to this proceeding. Without waiving said objection, and subject thereto, denied.

REQUEST NO. 149.

Admit that You did not initiate an opposition proceeding before the Trademark Trial and Appeal Board against the mark TAZZA ITALIA (U.S. Registration No. 3911916; filed September 1, 2009; registered January 25, 2011) for "coffee."

TAZA AMENDED RESPONSE TO REQUEST NO. 149:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding.

REQUEST NO. 150.

Admit that You did not petition to cancel before the Trademark Trial and Appeal Board the U.S. Registration No. 3911916 for the mark TAZZA ITALIA (filed September 1, 2009; registered January 25, 2011) for “coffee.”

TAZA AMENDED RESPONSE TO REQUEST NO. 150:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding.

REQUEST NO. 151.

Admit that mark TAZZA ITALIA (U.S. Registration No. 3911916; filed September 1, 2009; registered January 25, 2011) for “coffee” and Opposer’s Marks are similar.

TAZA AMENDED RESPONSE TO REQUEST NO. 151:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Without waiving the foregoing objection, and subject thereto, Opposer denies this request for admission.

REQUEST NO. 152.

Admit that mark TAZZA ITALIA (U.S. Registration No. 3911916; filed September 1, 2009; registered January 25, 2011) for “coffee” and Opposer’s Marks are similar in sight.

TAZA AMENDED RESPONSE TO REQUEST NO. 152:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Without waiving the foregoing objection, and subject thereto, Opposer denies this request for admission.

REQUEST NO. 153.

Admit that mark TAZZA ITALIA (U.S. Registration No. 3911916; filed September 1, 2009; registered January 25, 2011) for “coffee” and Opposer’s Marks are similar in sound.

TAZA AMENDED RESPONSE TO REQUEST NO. 153:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Without waiving the foregoing objection, and subject thereto, Opposer denies this request for admission.

REQUEST NO. 154:

Admit that mark TAZZA ITALIA (U.S. Registration No. 3911916; filed September 1, 2009; registered January 25, 2011) for “coffee” and Opposer’s Marks are similar in meaning.

TAZA AMENDED RESPONSE TO REQUEST NO. 154:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Calls for expert opinion. Without waiving the foregoing objection, and subject thereto, Opposer denies this request for admission.

REQUEST NO. 155.

Admit that mark TAZZA ITALIA (U.S. Registration No. 3911916; filed September 1, 2009; registered January 25, 2011) for “coffee” and Opposer’s Marks are similar in overall commercial impression.

TAZA AMENDED RESPONSE TO REQUEST NO. 155:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Without waiving the foregoing objection, and subject thereto, Opposer denies this request for admission.

REQUEST NO. 156.

Admit that You are aware of the U.S. Registration No. 3240350 for the mark TAZZA MIA (filed February 13, 2004; registered May 8, 2007) for “coffee houses, cafes.”

TAZA AMENDED RESPONSE TO REQUEST NO. 156:

Objection. Irrelevant and inadmissible. Opposer's awareness of alleged third-party marks is not germane to this proceeding.

REQUEST NO. 157.

Admit that You were aware of the TAZZA MIA mark depicted in the U.S. Registration No. 3240350 (filed February 13, 2004; registered May 8, 2007) when You filed trademark applications for Opposer's Marks.

TAZA AMENDED RESPONSE TO REQUEST NO. 157:

Objection. Irrelevant and inadmissible. Opposer's awareness at some distant point in the past has no bearing on this proceeding.

REQUEST NO. 158.

Admit that the U.S. Registration No. 3240350 for the mark TAZZA MIA (filed February 13, 2004; registered May 8, 2007) for "coffee houses, cafes" did not preclude registration of Opposer's Marks for restaurant and bar services.

TAZA AMENDED RESPONSE TO REQUEST NO. 158:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding.

REQUEST NO. 159:

Admit that you did not believe the U.S. Registration No. 3240350 for the mark TAZZA MIA (filed February 13, 2004; registered May 8, 2007) for "coffee houses, cafes" precluded registration of Opposer's Marks for restaurant and/or bar services.

TAZA AMENDED RESPONSE TO REQUEST NO. 159:

Objection. Irrelevant and inadmissible. Opposer's awareness at some undefined point in the past has no bearing on this proceeding.

REQUEST NO. 160:

Admit that the U.S. Registration No. 3240350 for the mark TAZZA MIA (filed February 13, 2004; registered May 8, 2007) for "coffee houses, cafes" has not precluded Your use of Opposer's Marks for restaurant and/or bar services.

TAZA AMENDED RESPONSE TO REQUEST NO. 160:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding.

REQUEST NO. 161:

Admit that the mark TAZZA MIA (U.S. Registration No. 3240350; filed February 13, 2004; registered May 8, 2007) for “coffee houses, cafes” and Opposer’s Marks are similar.

TAZA AMENDED RESPONSE TO REQUEST NO. 161:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Without waiving said objection, and subject thereto, denied.

REQUEST NO. 162:

Admit that the mark TAZZA MIA (U.S. Registration No. 3240350; filed February 13, 2004; registered May 8, 2007) for “coffee houses, cafes” and Opposer’s Marks are similar in sight.

TAZA AMENDED RESPONSE TO REQUEST NO. 162:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Without waiving said objection, and subject thereto, denied.

REQUEST NO. 163:

Admit that the mark TAZZA MIA (U.S. Registration No. 3240350; filed February 13, 2004; registered May 8, 2007) for “coffee houses, cafes” and Opposer’s Marks are similar in sound.

TAZA AMENDED RESPONSE TO REQUEST NO. 163:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Calls for expert opinion. Without waiving said objection, and subject thereto, denied.

REQUEST NO. 164:

Admit that the mark TAZZA MIA (U.S. Registration No. 3240350; filed February 13, 2004; registered May 8, 2007) for “coffee houses, cafes” and Opposer’s Marks are similar in meaning.

TAZA AMENDED RESPONSE TO REQUEST NO. 164:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Calls for expert opinion. Without waiving said objection, and subject thereto, denied.

REQUEST NO. 165:

Admit that the mark TAZZA MIA (U.S. Registration No. 3240350; filed February 13, 2004; registered May 8, 2007) for “coffee houses, cafes” and Opposer’s Marks are similar in overall commercial impression.

TAZA AMENDED RESPONSE TO REQUEST NO. 165:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Without waiving said objection, and subject thereto, denied.

REQUEST NO. 166:

Admit that You are aware of the U.S. Registration No. 3684509 for the mark CHOCOLATE TAZZA (filed September 16, 2005; registered September 15, 2009) for “desserts, namely, flavored dessert soufflés.”

TAZA AMENDED RESPONSE TO REQUEST NO. 166:

Objection. Irrelevant and inadmissible. Opposer's awareness of alleged third-party marks is not germane to this proceeding.

REQUEST NO. 167.

Admit that You were aware of the U.S. Registration No. 3684509 for the mark CHOCOLATE TAZZA (filed September 16, 2005; registered September 15, 2009) for “desserts,

namely, flavored dessert soufflés” when You filed Your trademark applications for Opposer’s Marks.

TAZA AMENDED RESPONSE TO REQUEST NO. 167:

Objection. Irrelevant and inadmissible. Opposer's awareness of purported third-party marks at some point in the distant past is not germane to these proceedings.

REQUEST NO. 168.

Admit that You serve desserts at Your restaurants.

TAZA AMENDED RESPONSE TO REQUEST NO. 168:

Admitted.

REQUEST NO. 169:

Admit that the U.S. Registration No. 3684509 for the mark CHOCOLATE TAZZA (filed September 16, 2005; registered September 15, 2009) did not preclude registration of Opposer’s Marks.

TAZA AMENDED RESPONSE TO REQUEST NO. 169:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding.

REQUEST NO. 170:

Admit that you did not believe the U.S. Registration No. 3684509 for the mark CHOCOLATE TAZZA (filed September 16, 2005; registered September 15, 2009) precluded Your registration of Opposer’s Marks.

TAZA AMENDED RESPONSE TO REQUEST NO. 170:

Objection. Irrelevant and inadmissible. Opposer's subjective beliefs held at some point in the distant past are not germane to these proceedings.

REQUEST NO. 171:

Admit that the U.S. Registration No. 3684509 for the mark CHOCOLATE TAZZA (filed September 16, 2005; registered September 15, 2009) has not precluded use of Opposer's Marks.

TAZA AMENDED RESPONSE TO REQUEST NO. 171:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding.

REQUEST NO. 172:

Admit that the mark CHOCOLATE TAZZA (U.S. Registration No. 3684509; filed September 16, 2005; registered September 15, 2009) and Opposer's Marks are similar.

TAZA AMENDED RESPONSE TO REQUEST NO. 172:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Without waiving said objection, and subject thereto, denied.

REQUEST NO. 173:

Admit that the mark CHOCOLATE TAZZA (U.S. Registration No. 3684509; filed September 16, 2005; registered September 15, 2009) and Opposer's Marks are similar in sight.

TAZA AMENDED RESPONSE TO REQUEST NO. 173:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Without waiving said objection, and subject thereto, denied.

REQUEST NO. 174:

Admit that the mark CHOCOLATE TAZZA (U.S. Registration No. 3684509; filed September 16, 2005; registered September 15, 2009) and Opposer's Marks are similar in sound.

TAZA AMENDED RESPONSE TO REQUEST NO. 174:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Without waiving said objection, and subject thereto, denied.

REQUEST NO. 175:

Admit that the mark CHOCOLATE TAZZA (U.S. Registration No. 3684509; filed September 16, 2005; registered September 15, 2009) and Opposer's Marks are similar in meaning.

TAZA AMENDED RESPONSE TO REQUEST NO. 175:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Without waiving said objection, and subject thereto, denied.

REQUEST NO. 176:

Admit that the mark CHOCOLATE TAZZA (U.S. Registration No. 3684509; filed September 16, 2005; registered September 15, 2009) and Opposer's Marks are similar in overall commercial impression.

TAZA AMENDED RESPONSE TO REQUEST NO. 176:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Without waiving said objection, and subject thereto, denied.

REQUEST NO. 177:

Admit that You are aware of the U.S. Registration No. 3759349 for the mark CHEESECAKE TAZZA (filed September 16, 2005; registered March 9, 2010) for "bakery desserts.

TAZA AMENDED RESPONSE TO REQUEST NO. 177:

Objection. Irrelevant and inadmissible. Opposer's awareness of alleged third-party marks is not germane to this proceeding.

REQUEST NO. 178:

Admit that You were aware of the U.S. Registration No. 3759349 for the mark CHEESECAKE TAZZA (filed September 16, 2005; registered March 9, 2010) for “bakery desserts” when You filed Your trademark applications for Opposer’s Marks.

TAZA AMENDED RESPONSE TO REQUEST NO. 178:

Objection. Irrelevant and inadmissible. Opposer's awareness of alleged third-party marks at some point in the distant past is not germane to this proceeding.

REQUEST NO. 179:

Admit that the mark CHEESECAKE TAZZA (U.S. Registration No. 3759349; filed September 16, 2005; registered March 9, 2010) and Opposer’s Marks are similar.

TAZA AMENDED RESPONSE TO REQUEST NO. 179:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Without waiving said objection, and subject thereto, denied.

REQUEST NO. 180:

Admit that the mark CHEESECAKE TAZZA (U.S. Registration No. 3759349; filed September 16, 2005; registered March 9, 2010) and Opposer’s Marks are similar in sight.

TAZA AMENDED RESPONSE TO REQUEST NO. 180:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Without waiving said objection, and subject thereto, denied.

REQUEST NO. 181:

Admit that the mark CHEESECAKE TAZZA (U.S. Registration No. 3759349; filed September 16, 2005; registered March 9, 2010) and Opposer’s Marks are similar in sound.

TAZA AMENDED RESPONSE TO REQUEST NO. 181:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Calls for expert opinion. Without waiving said objection, and subject thereto, denied.

REQUEST NO. 182:

Admit that the mark CHEESECAKE TAZZA (U.S. Registration No. 3759349; filed September 16, 2005; registered March 9, 2010) and Opposer's Marks are similar in meaning.

TAZA AMENDED RESPONSE TO REQUEST NO. 182:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Calls for expert opinion. Without waiving said objection, and subject thereto, denied.

REQUEST NO. 183:

Admit that the mark CHEESECAKE TAZZA (U.S. Registration No. 3759349; filed September 16, 2005; registered March 9, 2010) and Opposer's Marks are similar in overall commercial impression.

TAZA AMENDED RESPONSE TO REQUEST NO. 183:

Objection. Irrelevant and inadmissible. Seeks admission of facts unrelated to this proceeding. Calls for a legal conclusion. Without waiving said objection, and subject thereto, denied.

Opposition No. 91207525
DECLARATION OF ANNA NAYDONOV IN SUPPORT OF APPLICANT'S
MOTION TO TEST SUFFICIENCY OF OPPOSER'S RESPONSES
TO REQUESTS FOR ADMISSION, FOR SANCTIONS, AND TO COMPEL

Exhibit 7

LAW OFFICE OF
EDWARD T. SAADI, LLC

970 WINDHAM COURT, SUITE 7
BOARDMAN, OHIO 44512

TEL: (330) 782-1954 FAX: (330) 266-7489

EMAIL: EDWARDSAADI@AOL.COM

ADMITTED TO PRACTICE IN OHIO, CALIFORNIA, & WASHINGTON, D.C.

April 2, 2015

VIA CERTIFIED MAIL

RE: Infringement of TAZA, TAZA A LEBANESE GRILL &  trademarks

The Taza Truck
1 E. Juniata St.
Allentown, PA 18103

To Whom It May Concern:

This office represents Taza Systems, LLC ("Taza Systems") of Lakewood, Ohio, with regard to its trademark and intellectual property matters.

Taza Systems is the owner of U.S. trademark registrations for the standard-character marks **TAZA** (Reg. No. 3,439,240) and **TAZA A LEBANESE GRILL** (Reg. No. 3,213,261)



and for the composite mark **TAZA A LEBANESE GRILL** (Reg. No. 3,213,262), all for use in connection with "*Restaurant and bar services*" (collectively the "Taza Marks"). Print-outs of my client's registration certificates are enclosed.

My client's marks have been in use since 2005. Due to its efforts to create a distinctive source of services and brand identity, including but not limited to the expenditure of substantial sums on promotional efforts, my client has established these marks as strong, well-known marks.

It has recently come to our attention that you are using the mark **THE TAZA TRUCK** in connection with restaurant services in Allentown, and on the internet at www.thetazatruck.com.

Your mark is confusingly similar to the Taza Marks, and the services with which the marks are associated are identical. Taza Systems has not, at any time, licensed, assigned or otherwise conveyed to you in any way, in whole or in part, for any purpose, the right to make use of its distinctive Taza Marks, or any confusingly similar mark. Be advised that you have had, and have, no right whatsoever to use or otherwise exploit these marks or any confusingly similar mark. Moreover, you had no right to generate, and have no right to retain, whatever revenues have been earned by you as a result of your unauthorized and wrongful exploitation of such marks. Taza Systems has every reason to believe that, unless enjoined and restrained

TAZA SYSTEMS -0948

LAW OFFICE OF
EDWARD T. SAADI, LLC

by binding mutual agreement or order of a court, you will continue to attempt to exploit the Taza Marks, trading upon the value and goodwill inherent therein, for your own financial benefit. Under applicable federal and state law governing trademarks, you, and anyone acting for, under, in concert, or in combination with you, are liable for money damages, injunctive relief, and other equitable relief, as well as for the payment of Taza Systems' attorney's fees and costs of suit should it be forced to file a lawsuit to protect its rights.

Demand is hereby made that you cease and desist, immediately, making any use whatsoever of any materials constituting, embodying, utilizing or depicting the mark **THE TAZA TRUCK**, or any other mark which is confusingly similar to the Taza Marks, and that all such materials which are in your possession or custody or under your control be delivered to Taza Systems, in care of this office, immediately. Demand is further made for the immediate removal of the website at www.thetazatruck.com from public view. We further expect that ownership of the domain name thetazatruck.com will be transferred to Taza Systems, and we will expect your full cooperation therewith.

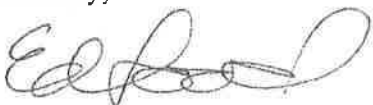
Demand is further made that you provide, within 10 days, a complete accounting of all revenues received and/or earned by you as a result of any use or exploitation of your mark, or any other mark which is confusingly similar to the Taza Marks; such accounting should incorporate any and all expenses or costs paid or incurred by you in connection therewith which are directly attributable solely to such uses. On receiving the accounting, we will inform you of our position regarding rectification of the financial aspects of this matter.

Any further activities on your part in continued derogation and wrongful exploitation of Taza Systems' rights will be presumed knowing, willful, intentional and malicious, and all individuals and entities involved will be held responsible to the full extent of the law.

This letter is not intended as a final or comprehensive statement of the position of Taza Systems regarding any of the matters or issues of fact or law referred to herein, and nothing set forth herein or omitted herefrom is intended as, or shall be construed as, a waiver, relinquishment or limitation, in whole or in part, of any of Taza Systems' rights, claims, interests, remedies or positions, at law or in equity, all of which are hereby expressly reserved.

If you have any questions or need to make arrangements for full compliance with the foregoing demands, please do not hesitate to contact me directly.

Sincerely,



Edward T. Saadi, Esq.

Enclosures (As Stated)

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,439,240

Registered June 3, 2008

**SERVICE MARK
PRINCIPAL REGISTER**

TAZA

TAZA FRESH, LLC (OHIO LTD LIAB CO)
14518 DETROIT AVENUE
LAKEWOOD, OH 44107

OWNER OF U.S. REG. NOS. 3,213,261 AND
3,213,262.

FOR: RESTAURANT AND BAR SERVICES, IN
CLASS 43 (U.S. CLS. 100 AND 101).

THE ENGLISH TRANSLATION OF "TAZA" IS
"FRESH".

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

SER. NO. 77-144,660, FILED 3-30-2007.

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

LINDA ESTRADA, EXAMINING ATTORNEY

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,213,261

Registered Feb. 27, 2007

**SERVICE MARK
PRINCIPAL REGISTER**

TAZA A LEBANESE GRILL

CHAMOUN, FADY (UNITED STATES INDIVIDUAL)
4149 W. VALLEY DRIVE
FAIRVIEW PARK, OH 44126

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE LEBANESE GRILL, APART FROM
THE MARK AS SHOWN.

FOR: RESTAURANT AND BAR SERVICES, IN
CLASS 43 (U.S. CLS. 100 AND 101).

THE ENGLISH TRANSLATION OF TAZA IS
FRESH.

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

SER. NO. 78-878,164, FILED 5-5-2006.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

JOHN HWANG, EXAMINING ATTORNEY

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,213,262

Registered Feb. 27, 2007

SERVICE MARK
PRINCIPAL REGISTER



CHAMOUN, FADY (UNITED STATES INDIVIDUAL)

4149 W. VALLEY DRIVE

FAIRVIEW PARK, OH 44126

FOR: RESTAURANT AND BAR SERVICES, IN CLASS 43 (U.S. CLS. 100 AND 101).

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE LEBANESE GRILL, APART FROM THE MARK AS SHOWN.

THE ENGLISH TRANSLATION OF TAZA IS FRESH.

SER. NO. 78-878,171, FILED 5-5-2006.

JOHN HWANG, EXAMINING ATTORNEY

LAW OFFICE OF
EDWARD T. SAADI, LLC

970 WINDHAM COURT, SUITE 7
BOARDMAN, OHIO 44512

TEL: (330) 782-1954 FAX: (330) 266-7489
EMAIL: EDWARDSAADI@AOL.COM

ADMITTED TO PRACTICE IN OHIO, CALIFORNIA, & WASHINGTON, D.C.

April 2, 2015

VIA CERTIFIED MAIL

RE: Infringement of TAZA, TAZA A LEBANESE GRILL &  trademarks

Taza Mediterranean Bar & Restaurant
169 East St.
Methuen, MA 01844

To Whom It May Concern:

This office represents Taza Systems, LLC ("Taza Systems") of Lakewood, Ohio, with regard to its trademark and intellectual property matters.

Taza Systems is the owner of U.S. trademark registrations for the standard-character marks **TAZA** (Reg. No. 3,439,240) and **TAZA A LEBANESE GRILL** (Reg. No. 3,213,261)



and for the composite mark **A LEBANESE GRILL** (Reg. No. 3,213,262), all for use in connection with "*Restaurant and bar services*" (collectively the "Taza Marks"). Print-outs of my client's registration certificates are enclosed.

My client's marks have been in use since 2005. Due to its efforts to create a distinctive source of services and brand identity, including but not limited to the expenditure of substantial sums on promotional efforts, my client has established these marks as strong, well-known marks.

It has recently come to our attention that you are using the mark **TAZA MEDITERRANEAN BAR & RESTAURANT** in connection with restaurant services in Methuen, and on the internet at www.tazamethuen.com.

Your mark is confusingly similar to the Taza Marks, and the services with which the marks are associated are identical. Taza Systems has not, at any time, licensed, assigned or otherwise conveyed to you in any way, in whole or in part, for any purpose, the right to make use of its distinctive Taza Marks, or any confusingly similar mark. Be advised that you have had, and have, no right whatsoever to use or otherwise exploit these marks or any confusingly similar mark. Moreover, you had no right to generate, and have no right to retain, whatever revenues have been earned by you as a result of your unauthorized and wrongful exploitation of such marks. Taza Systems has every reason to believe that, unless enjoined and restrained

TAZA SYSTEMS -0953

LAW OFFICE OF
EDWARD T. SAADI, LLC

by binding mutual agreement or order of a court, you will continue to attempt to exploit the Taza Marks, trading upon the value and goodwill inherent therein, for your own financial benefit. Under applicable federal and state law governing trademarks, you, and anyone acting for, under, in concert, or in combination with you, are liable for money damages, injunctive relief, and other equitable relief, as well as for the payment of Taza Systems' attorney's fees and costs of suit should it be forced to file a lawsuit to protect its rights.

Demand is hereby made that you cease and desist, immediately, making any use whatsoever of any materials constituting, embodying, utilizing or depicting the mark **TAZA MEDITERRANEAN BAR & RESTAURANT**, or any other mark which is confusingly similar to the Taza Marks, and that all such materials which are in your possession or custody or under your control be delivered to Taza Systems, in care of this office, immediately. Demand is further made for the immediate removal of the website at www.tazamethuen.com from public view. We further expect that ownership of the domain name tazamethuen.com will be transferred to Taza Systems, and we will expect your full cooperation therewith.

Demand is further made that you provide, within 10 days, a complete accounting of all revenues received and/or earned by you as a result of any use or exploitation of your mark, or any other mark which is confusingly similar to the Taza Marks; such accounting should incorporate any and all expenses or costs paid or incurred by you in connection therewith which are directly attributable solely to such uses. On receiving the accounting, we will inform you of our position regarding rectification of the financial aspects of this matter.

Any further activities on your part in continued derogation and wrongful exploitation of Taza Systems' rights will be presumed knowing, willful, intentional and malicious, and all individuals and entities involved will be held responsible to the full extent of the law.

This letter is not intended as a final or comprehensive statement of the position of Taza Systems regarding any of the matters or issues of fact or law referred to herein, and nothing set forth herein or omitted herefrom is intended as, or shall be construed as, a waiver, relinquishment or limitation, in whole or in part, of any of Taza Systems' rights, claims, interests, remedies or positions, at law or in equity, all of which are hereby expressly reserved.

If you have any questions or need to make arrangements for full compliance with the foregoing demands, please do not hesitate to contact me directly.

Sincerely,



Edward T. Saadi, Esq.

Enclosures (As Stated)

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,439,240

Registered June 3, 2008

SERVICE MARK
PRINCIPAL REGISTER

TAZA

TAZA FRESH, LLC (OHIO LTD LIAB CO)
14518 DETROIT AVENUE
LAKEWOOD, OH 44107

OWNER OF U.S. REG. NOS. 3,213,261 AND
3,213,262.

FOR: RESTAURANT AND BAR SERVICES, IN
CLASS 43 (U.S. CLS. 100 AND 101).

THE ENGLISH TRANSLATION OF "TAZA" IS
"FRESH".

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

SER. NO. 77-144,660, FILED 3-30-2007.

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

LINDA ESTRADA, EXAMINING ATTORNEY

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,213,261

Registered Feb. 27, 2007

**SERVICE MARK
PRINCIPAL REGISTER**

TAZA A LEBANESE GRILL

CHAMOUN, FADY (UNITED STATES INDIVIDUAL)
4149 W. VALLEY DRIVE
FAIRVIEW PARK, OH 44126

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE LEBANESE GRILL, APART FROM
THE MARK AS SHOWN.

FOR: RESTAURANT AND BAR SERVICES, IN
CLASS 43 (U.S. CLS. 100 AND 101).

THE ENGLISH TRANSLATION OF TAZA IS
FRESH.

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

SER. NO. 78-878,164, FILED 5-5-2006.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

JOHN HWANG, EXAMINING ATTORNEY

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,213,262

Registered Feb. 27, 2007

SERVICE MARK
PRINCIPAL REGISTER



CHAMOUN, FADY (UNITED STATES INDIVIDUAL)

4149 W. VALLEY DRIVE

FAIRVIEW PARK, OH 44126

FOR: RESTAURANT AND BAR SERVICES, IN CLASS 43 (U.S. CLS. 100 AND 101).

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

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THE ENGLISH TRANSLATION OF TAZA IS FRESH.

SER. NO. 78-878,171, FILED 5-5-2006.

JOHN HWANG, EXAMINING ATTORNEY

LAW OFFICE OF
EDWARD T. SAADI, LLC

970 WINDHAM COURT, SUITE 7
BOARDMAN, OHIO 44512

TEL: (330) 782-1954 FAX: (330) 266-7489
EMAIL: EDWARDSAADI@AOL.COM

ADMITTED TO PRACTICE IN OHIO, CALIFORNIA, & WASHINGTON, D.C.

April 2, 2015

VIA CERTIFIED MAIL

RE: Infringement of TAZA, TAZA A LEBANESE GRILL &  trademarks

Café Taza
100 Elmwood Ave.
Buffalo, NY 14201

To Whom It May Concern:

This office represents Taza Systems, LLC ("Taza Systems") of Lakewood, Ohio, with regard to its trademark and intellectual property matters.

Taza Systems is the owner of U.S. trademark registrations for the standard-character marks **TAZA** (Reg. No. 3,439,240) and **TAZA A LEBANESE GRILL** (Reg. No. 3,213,261)



and for the composite mark **TAZA A LEBANESE GRILL** (Reg. No. 3,213,262), all for use in connection with "*Restaurant and bar services*" (collectively the "Taza Marks"). Print-outs of my client's registration certificates are enclosed.

My client's marks have been in use since 2005. Due to its efforts to create a distinctive source of services and brand identity, including but not limited to the expenditure of substantial sums on promotional efforts, my client has established these marks as strong, well-known marks.

It has recently come to our attention that you are using the mark **CAFÉ TAZA** in connection with restaurant services in Buffalo, and on the internet at www.cafetaza.com.

Your mark is confusingly similar to the Taza Marks, and the services with which the marks are associated are identical. Taza Systems has not, at any time, licensed, assigned or otherwise conveyed to you in any way, in whole or in part, for any purpose, the right to make use of its distinctive Taza Marks, or any confusingly similar mark. Be advised that you have had, and have, no right whatsoever to use or otherwise exploit these marks or any confusingly similar mark. Moreover, you had no right to generate, and have no right to retain, whatever revenues have been earned by you as a result of your unauthorized and wrongful exploitation of such marks. Taza Systems has every reason to believe that, unless enjoined and restrained by binding mutual agreement or order of a court, you will continue to attempt to exploit the

TAZA SYSTEMS -0958

LAW OFFICE OF
EDWARD T. SAADI, LLC

Taza Marks, trading upon the value and goodwill inherent therein, for your own financial benefit. Under applicable federal and state law governing trademarks, you, and anyone acting for, under, in concert, or in combination with you, are liable for money damages, injunctive relief, and other equitable relief, as well as for the payment of Taza Systems' attorney's fees and costs of suit should it be forced to file a lawsuit to protect its rights.

Demand is hereby made that you cease and desist, immediately, making any use whatsoever of any materials constituting, embodying, utilizing or depicting the mark **CAFÉ TAZA**, or any other mark which is confusingly similar to the Taza Marks, and that all such materials which are in your possession or custody or under your control be delivered to Taza Systems, in care of this office, immediately. Demand is further made for the immediate removal of the website at www.cafetaza.com from public view. We further expect that ownership of the domain name cafetaza.com will be transferred to Taza Systems, and we will expect your full cooperation therewith.

Demand is further made that you provide, within 10 days, a complete accounting of all revenues received and/or earned by you as a result of any use or exploitation of your mark, or any other mark which is confusingly similar to the Taza Marks; such accounting should incorporate any and all expenses or costs paid or incurred by you in connection therewith which are directly attributable solely to such uses. On receiving the accounting, we will inform you of our position regarding rectification of the financial aspects of this matter.

Any further activities on your part in continued derogation and wrongful exploitation of Taza Systems' rights will be presumed knowing, willful, intentional and malicious, and all individuals and entities involved will be held responsible to the full extent of the law.

This letter is not intended as a final or comprehensive statement of the position of Taza Systems regarding any of the matters or issues of fact or law referred to herein, and nothing set forth herein or omitted herefrom is intended as, or shall be construed as, a waiver, relinquishment or limitation, in whole or in part, of any of Taza Systems' rights, claims, interests, remedies or positions, at law or in equity, all of which are hereby expressly reserved.

If you have any questions or need to make arrangements for full compliance with the foregoing demands, please do not hesitate to contact me directly.

Sincerely,



Edward T. Saadi, Esq.

Enclosures (As Stated)

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,439,240

Registered June 3, 2008

SERVICE MARK
PRINCIPAL REGISTER

TAZA

TAZA FRESH, LLC (OHIO LTD LIAB CO)
14518 DETROIT AVENUE
LAKEWOOD, OH 44107

OWNER OF U.S. REG. NOS. 3,213,261 AND
3,213,262.

FOR: RESTAURANT AND BAR SERVICES, IN
CLASS 43 (U.S. CLS. 100 AND 101).

THE ENGLISH TRANSLATION OF "TAZA" IS
"FRESH".

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

SER. NO. 77-144,660, FILED 3-30-2007.

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

LINDA ESTRADA, EXAMINING ATTORNEY

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,213,261

Registered Feb. 27, 2007

**SERVICE MARK
PRINCIPAL REGISTER**

TAZA A LEBANESE GRILL

CHAMOUN, FADY (UNITED STATES INDIVIDUAL)
4149 W. VALLEY DRIVE
FAIRVIEW PARK, OH 44126

FOR: RESTAURANT AND BAR SERVICES, IN
CLASS 43 (U.S. CLS. 100 AND 101).

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE LEBANESE GRILL, APART FROM THE MARK AS SHOWN.

THE ENGLISH TRANSLATION OF TAZA IS FRESH.

SER. NO. 78-878,164, FILED 5-5-2006.

JOHN HWANG, EXAMINING ATTORNEY

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,213,262

Registered Feb. 27, 2007

SERVICE MARK
PRINCIPAL REGISTER



CHAMOUN, FADY (UNITED STATES INDIVIDUAL)

4149 W. VALLEY DRIVE

FAIRVIEW PARK, OH 44126

FOR: RESTAURANT AND BAR SERVICES, IN CLASS 43 (U.S. CLS. 100 AND 101).

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE LEBANESE GRILL, APART FROM THE MARK AS SHOWN.

THE ENGLISH TRANSLATION OF TAZA IS FRESH.

SER. NO. 78-878,171, FILED 5-5-2006.

JOHN HWANG, EXAMINING ATTORNEY

LAW OFFICE OF
EDWARD T. SAADI, LLC
970 WINDHAM COURT, SUITE 7
BOARDMAN, OHIO 44512

TEL: (330) 782-1954 FAX: (330) 266-7489
EMAIL: EDWARDSAADI@AOL.COM

ADMITTED TO PRACTICE IN OHIO, CALIFORNIA, & WASHINGTON, D.C.

April 2, 2015

VIA CERTIFIED MAIL

RE: Infringement of TAZA, TAZA A LEBANESE GRILL &  trademarks

Taza Smoothies & Wraps
750 Font Blvd.
San Francisco, CA 94132

To Whom It May Concern:

This office represents Taza Systems, LLC ("Taza Systems") of Lakewood, Ohio, with regard to its trademark and intellectual property matters.

Taza Systems is the owner of U.S. trademark registrations for the standard-character marks **TAZA** (Reg. No. 3,439,240) and **TAZA A LEBANESE GRILL** (Reg. No. 3,213,261)



and for the composite mark **A LEBANESE GRILL** (Reg. No. 3,213,262), all for use in connection with "*Restaurant and bar services*" (collectively the "Taza Marks"). Print-outs of my client's registration certificates are enclosed.

My client's marks have been in use since 2005. Due to its efforts to create a distinctive source of services and brand identity, including but not limited to the expenditure of substantial sums on promotional efforts, my client has established these marks as strong, well-known marks.

It has recently come to our attention that you are using the mark **TAZA SMOOTHIES & WRAPS** in connection with restaurant services in San Francisco.

Your mark is confusingly similar to the Taza Marks, and the services with which the marks are associated are identical. Taza Systems has not, at any time, licensed, assigned or otherwise conveyed to you in any way, in whole or in part, for any purpose, the right to make use of its distinctive Taza Marks, or any confusingly similar mark. Be advised that you have had, and have, no right whatsoever to use or otherwise exploit these marks or any confusingly similar mark. Moreover, you had no right to generate, and have no right to retain, whatever revenues have been earned by you as a result of your unauthorized and wrongful exploitation of such marks. Taza Systems has every reason to believe that, unless enjoined and restrained by binding mutual agreement or order of a court, you will continue to attempt to exploit the

TAZA SYSTEMS -0963

LAW OFFICE OF
EDWARD T. SAADI, LLC

Taza Marks, trading upon the value and goodwill inherent therein, for your own financial benefit. Under applicable federal and state law governing trademarks, you, and anyone acting for, under, in concert, or in combination with you, are liable for money damages, injunctive relief, and other equitable relief, as well as for the payment of Taza Systems' attorney's fees and costs of suit should it be forced to file a lawsuit to protect its rights.

Demand is hereby made that you cease and desist, immediately, making any use whatsoever of any materials constituting, embodying, utilizing or depicting the mark **TAZA SMOOTHIES & WRAPS**, or any other mark which is confusingly similar to the Taza Marks, and that all such materials which are in your possession or custody or under your control be delivered to Taza Systems, in care of this office, immediately.

Demand is further made that you provide, within 10 days, a complete accounting of all revenues received and/or earned by you as a result of any use or exploitation of your mark, or any other mark which is confusingly similar to the Taza Marks; such accounting should incorporate any and all expenses or costs paid or incurred by you in connection therewith which are directly attributable solely to such uses. On receiving the accounting, we will inform you of our position regarding rectification of the financial aspects of this matter.

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If you have any questions or need to make arrangements for full compliance with the foregoing demands, please do not hesitate to contact me directly.

Sincerely,



Edward T. Saadi, Esq.

Enclosures (As Stated)

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,439,240

Registered June 3, 2008

**SERVICE MARK
PRINCIPAL REGISTER**

TAZA

TAZA FRESH, LLC (OHIO LTD LIAB CO)
14518 DETROIT AVENUE
LAKEWOOD, OH 44107

OWNER OF U.S. REG. NOS. 3,213,261 AND
3,213,262.

FOR: RESTAURANT AND BAR SERVICES, IN
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THE ENGLISH TRANSLATION OF "TAZA" IS
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FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

SER. NO. 77-144,660, FILED 3-30-2007.

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

LINDA ESTRADA, EXAMINING ATTORNEY

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,213,261

Registered Feb. 27, 2007

**SERVICE MARK
PRINCIPAL REGISTER**

TAZA A LEBANESE GRILL

CHAMOUN, FADY (UNITED STATES INDIVIDUAL)
4149 W. VALLEY DRIVE
FAIRVIEW PARK, OH 44126

FOR: RESTAURANT AND BAR SERVICES, IN
CLASS 43 (U.S. CLS. 100 AND 101).

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE LEBANESE GRILL, APART FROM THE MARK AS SHOWN.

THE ENGLISH TRANSLATION OF TAZA IS FRESH.

SER. NO. 78-878,164, FILED 5-5-2006.

JOHN HWANG, EXAMINING ATTORNEY

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,213,262

Registered Feb. 27, 2007

SERVICE MARK
PRINCIPAL REGISTER



CHAMOUN, FADY (UNITED STATES INDIVIDUAL)

4149 W. VALLEY DRIVE

FAIRVIEW PARK, OH 44126

FOR: RESTAURANT AND BAR SERVICES, IN CLASS 43 (U.S. CLS. 100 AND 101).

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE LEBANESE GRILL, APART FROM THE MARK AS SHOWN.

THE ENGLISH TRANSLATION OF TAZA IS FRESH.

SER. NO. 78-878,171, FILED 5-5-2006.

JOHN HWANG, EXAMINING ATTORNEY

LAW OFFICE OF
EDWARD T. SAADI, LLC
970 WINDHAM COURT, SUITE 7
BOARDMAN, OHIO 44512
TEL: (330) 782-1954 FAX: (330) 266-7489
EMAIL: EDWARDSAADI@AOL.COM
ADMITTED TO PRACTICE IN OHIO, CALIFORNIA, & WASHINGTON, D.C.

April 2, 2015

VIA CERTIFIED MAIL

RE: Infringement of TAZA, TAZA A LEBANESE GRILL &  trademarks

Taza Cafe
825 Broad Ripple Ave.
Indianapolis, IN 46220

To Whom It May Concern:

This office represents Taza Systems, LLC ("Taza Systems") of Lakewood, Ohio, with regard to its trademark and intellectual property matters.

Taza Systems is the owner of U.S. trademark registrations for the standard-character marks **TAZA** (Reg. No. 3,439,240) and **TAZA A LEBANESE GRILL** (Reg. No. 3,213,261)



and for the composite mark **A LEBANESE GRILL** (Reg. No. 3,213,262), all for use in connection with "*Restaurant and bar services*" (collectively the "Taza Marks"). Print-outs of my client's registration certificates are enclosed.

My client's marks have been in use since 2005. Due to its efforts to create a distinctive source of services and brand identity, including but not limited to the expenditure of substantial sums on promotional efforts, my client has established these marks as strong, well-known marks.

It has recently come to our attention that you are using the mark **TAZA CAFE** in connection with restaurant services in Indianapolis.

Your mark is confusingly similar to the Taza Marks, and the services with which the marks are associated are identical. Taza Systems has not, at any time, licensed, assigned or otherwise conveyed to you in any way, in whole or in part, for any purpose, the right to make use of its distinctive Taza Marks, or any confusingly similar mark. Be advised that you have had, and have, no right whatsoever to use or otherwise exploit these marks or any confusingly similar mark. Moreover, you had no right to generate, and have no right to retain, whatever revenues have been earned by you as a result of your unauthorized and wrongful exploitation of such marks. Taza Systems has every reason to believe that, unless enjoined and restrained by binding mutual agreement or order of a court, you will continue to attempt to exploit the

TAZA SYSTEMS -0968

LAW OFFICE OF
EDWARD T. SAADI, LLC

Taza Marks, trading upon the value and goodwill inherent therein, for your own financial benefit. Under applicable federal and state law governing trademarks, you, and anyone acting for, under, in concert, or in combination with you, are liable for money damages, injunctive relief, and other equitable relief, as well as for the payment of Taza Systems' attorney's fees and costs of suit should it be forced to file a lawsuit to protect its rights.

Demand is hereby made that you cease and desist, immediately, making any use whatsoever of any materials constituting, embodying, utilizing or depicting the mark **TAZA CAFE**, or any other mark which is confusingly similar to the Taza Marks, and that all such materials which are in your possession or custody or under your control be delivered to Taza Systems, in care of this office, immediately.

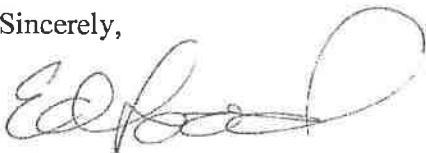
Demand is further made that you provide, within 10 days, a complete accounting of all revenues received and/or earned by you as a result of any use or exploitation of your mark, or any other mark which is confusingly similar to the Taza Marks; such accounting should incorporate any and all expenses or costs paid or incurred by you in connection therewith which are directly attributable solely to such uses. On receiving the accounting, we will inform you of our position regarding rectification of the financial aspects of this matter.

Any further activities on your part in continued derogation and wrongful exploitation of Taza Systems' rights will be presumed knowing, willful, intentional and malicious, and all individuals and entities involved will be held responsible to the full extent of the law.

This letter is not intended as a final or comprehensive statement of the position of Taza Systems regarding any of the matters or issues of fact or law referred to herein, and nothing set forth herein or omitted herefrom is intended as, or shall be construed as, a waiver, relinquishment or limitation, in whole or in part, of any of Taza Systems' rights, claims, interests, remedies or positions, at law or in equity, all of which are hereby expressly reserved.

If you have any questions or need to make arrangements for full compliance with the foregoing demands, please do not hesitate to contact me directly.

Sincerely,



Edward T. Saadi, Esq.

Enclosures (As Stated)

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,439,240

Registered June 3, 2008

**SERVICE MARK
PRINCIPAL REGISTER**

TAZA

TAZA FRESH, LLC (OHIO LTD LIAB CO)
14518 DETROIT AVENUE
LAKEWOOD, OH 44107

OWNER OF U.S. REG. NOS. 3,213,261 AND
3,213,262.

FOR: RESTAURANT AND BAR SERVICES, IN
CLASS 43 (U.S. CLS. 100 AND 101).

THE ENGLISH TRANSLATION OF "TAZA" IS
"FRESH".

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

SER. NO. 77-144,660, FILED 3-30-2007.

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

LINDA ESTRADA, EXAMINING ATTORNEY

TAZA SYSTEMS -0970

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,213,261

Registered Feb. 27, 2007

SERVICE MARK
PRINCIPAL REGISTER

TAZA A LEBANESE GRILL

CHAMOUN, FADY (UNITED STATES INDIVIDUAL)
4149 W. VALLEY DRIVE
FAIRVIEW PARK, OH 44126

FOR: RESTAURANT AND BAR SERVICES, IN
CLASS 43 (U.S. CLS. 100 AND 101).

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE LEBANESE GRILL, APART FROM THE MARK AS SHOWN.

THE ENGLISH TRANSLATION OF TAZA IS FRESH.

SER. NO. 78-878,164, FILED 5-5-2006.

JOHN HWANG, EXAMINING ATTORNEY

TAZA SYSTEMS -0971

Int. CL: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,213,262

Registered Feb. 27, 2007

SERVICE MARK
PRINCIPAL REGISTER



CHAMOUN, FADY (UNITED STATES INDIVIDUAL)

4149 W. VALLEY DRIVE

FAIRVIEW PARK, OH 44126

FOR: RESTAURANT AND BAR SERVICES, IN CLASS 43 (U.S. CLS. 100 AND 101).

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE LEBANESE GRILL, APART FROM THE MARK AS SHOWN.

THE ENGLISH TRANSLATION OF TAZA IS FRESH.

SER. NO. 78-878,171, FILED 5-5-2006.

JOHN HWANG, EXAMINING ATTORNEY

LAW OFFICE OF
EDWARD T. SAADI, LLC
970 WINDHAM COURT, SUITE 7
BOARDMAN, OHIO 44512

TEL: (330) 782-1954 FAX: (330) 266-7489
EMAIL: EDWARDSAADI@AOL.COM

ADMITTED TO PRACTICE IN OHIO, CALIFORNIA, & WASHINGTON, D.C.

April 2, 2015

VIA CERTIFIED MAIL

RE: Infringement of TAZA, TAZA A LEBANESE GRILL &  trademarks

Taza Hookah Lounge
1507 Farnham St.
Omaha, NE 68102

To Whom It May Concern:

This office represents Taza Systems, LLC ("Taza Systems") of Lakewood, Ohio, with regard to its trademark and intellectual property matters.

Taza Systems is the owner of U.S. trademark registrations for the standard-character marks **TAZA** (Reg. No. 3,439,240) and **TAZA A LEBANESE GRILL** (Reg. No. 3,213,261)



and for the composite mark **A LEBANESE GRILL** (Reg. No. 3,213,262), all for use in connection with "*Restaurant and bar services*" (collectively the "Taza Marks"). Print-outs of my client's registration certificates are enclosed.

My client's marks have been in use since 2005. Due to its efforts to create a distinctive source of services and brand identity, including but not limited to the expenditure of substantial sums on promotional efforts, my client has established these marks as strong, well-known marks.

It has recently come to our attention that you are using the mark **TAZA HOOKAH LOUNGE** in connection with restaurant and bar services in Omaha.

Your mark is confusingly similar to the Taza Marks, and the services with which the marks are associated are identical. Taza Systems has not, at any time, licensed, assigned or otherwise conveyed to you in any way, in whole or in part, for any purpose, the right to make use of its distinctive Taza Marks, or any confusingly similar mark. Be advised that you have had, and have, no right whatsoever to use or otherwise exploit these marks or any confusingly similar mark. Moreover, you had no right to generate, and have no right to retain, whatever revenues have been earned by you as a result of your unauthorized and wrongful exploitation of such marks. Taza Systems has every reason to believe that, unless enjoined and restrained by binding mutual agreement or order of a court, you will continue to attempt to exploit the

TAZA SYSTEMS -0973

LAW OFFICE OF
EDWARD T. SAADI, LLC

Taza Marks, trading upon the value and goodwill inherent therein, for your own financial benefit. Under applicable federal and state law governing trademarks, you, and anyone acting for, under, in concert, or in combination with you, are liable for money damages, injunctive relief, and other equitable relief, as well as for the payment of Taza Systems' attorney's fees and costs of suit should it be forced to file a lawsuit to protect its rights.

Demand is hereby made that you cease and desist, immediately, making any use whatsoever of any materials constituting, embodying, utilizing or depicting the mark **TAZA HOOKAH LOUNGE**, or any other mark which is confusingly similar to the Taza Marks, and that all such materials which are in your possession or custody or under your control be delivered to Taza Systems, in care of this office, immediately.

Demand is further made that you provide, within 10 days, a complete accounting of all revenues received and/or earned by you as a result of any use or exploitation of your mark, or any other mark which is confusingly similar to the Taza Marks; such accounting should incorporate any and all expenses or costs paid or incurred by you in connection therewith which are directly attributable solely to such uses. On receiving the accounting, we will inform you of our position regarding rectification of the financial aspects of this matter.

Any further activities on your part in continued derogation and wrongful exploitation of Taza Systems' rights will be presumed knowing, willful, intentional and malicious, and all individuals and entities involved will be held responsible to the full extent of the law.

This letter is not intended as a final or comprehensive statement of the position of Taza Systems regarding any of the matters or issues of fact or law referred to herein, and nothing set forth herein or omitted herefrom is intended as, or shall be construed as, a waiver, relinquishment or limitation, in whole or in part, of any of Taza Systems' rights, claims, interests, remedies or positions, at law or in equity, all of which are hereby expressly reserved.

If you have any questions or need to make arrangements for full compliance with the foregoing demands, please do not hesitate to contact me directly.

Sincerely,



Edward T. Saadi, Esq.

Enclosures (As Stated)

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,439,240

Registered June 3, 2008

**SERVICE MARK
PRINCIPAL REGISTER**

TAZA

TAZA FRESH, LLC (OHIO LTD LIAB CO)
14518 DETROIT AVENUE
LAKEWOOD, OH 44107

OWNER OF U.S. REG. NOS. 3,213,261 AND
3,213,262.

FOR: RESTAURANT AND BAR SERVICES, IN
CLASS 43 (U.S. CLS. 100 AND 101).

THE ENGLISH TRANSLATION OF "TAZA" IS
"FRESH".

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

SER. NO. 77-144,660, FILED 3-30-2007.

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

LINDA ESTRADA, EXAMINING ATTORNEY

TAZA SYSTEMS -0975

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,213,261

Registered Feb. 27, 2007

**SERVICE MARK
PRINCIPAL REGISTER**

TAZA A LEBANESE GRILL

CHAMOUN, FADY (UNITED STATES INDIVIDUAL)
4149 W. VALLEY DRIVE
FAIRVIEW PARK, OH 44126

FOR: RESTAURANT AND BAR SERVICES, IN
CLASS 43 (U.S. CLS. 100 AND 101).

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE LEBANESE GRILL, APART FROM THE MARK AS SHOWN.

THE ENGLISH TRANSLATION OF TAZA IS FRESH.

SER. NO. 78-878,164, FILED 5-5-2006.

JOHN HWANG, EXAMINING ATTORNEY

TAZA SYSTEMS -0976

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,213,262

Registered Feb. 27, 2007

SERVICE MARK
PRINCIPAL REGISTER



CHAMOUN, FADY (UNITED STATES INDIVIDUAL)

4149 W. VALLEY DRIVE

FAIRVIEW PARK, OH 44126

FOR: RESTAURANT AND BAR SERVICES, IN CLASS 43 (U.S. CLS. 100 AND 101).

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE LEBANESE GRILL, APART FROM THE MARK AS SHOWN.

THE ENGLISH TRANSLATION OF TAZA IS FRESH.

SER. NO. 78-878,171. FILED 5-5-2006.

JOHN HWANG, EXAMINING ATTORNEY

LAW OFFICE OF
EDWARD T. SAADI, LLC

970 WINDHAM COURT, SUITE 7
BOARDMAN, OHIO 44512

TEL: (330) 782-1954 FAX: (330) 266-7489
EMAIL: EDWARDSAADI@AOL.COM

ADMITTED TO PRACTICE IN OHIO, CALIFORNIA, & WASHINGTON, D.C.

April 2, 2015

VIA CERTIFIED MAIL

RE: Infringement of TAZA, TAZA A LEBANESE GRILL &  trademarks

Taza
11 W. Huntington Dr.
Arcadia, CA 91007

To Whom It May Concern:

This office represents Taza Systems, LLC ("Taza Systems") of Lakewood, Ohio, with regard to its trademark and intellectual property matters.

Taza Systems is the owner of U.S. trademark registrations for the standard-character marks **TAZA** (Reg. No. 3,439,240) and **TAZA A LEBANESE GRILL** (Reg. No. 3,213,261)



and for the composite mark **TAZA A LEBANESE GRILL** (Reg. No. 3,213,262), all for use in connection with "*Restaurant and bar services*" (collectively the "Taza Marks"). Print-outs of my client's registration certificates are enclosed.

My client's marks have been in use since 2005. Due to its efforts to create a distinctive source of services and brand identity, including but not limited to the expenditure of substantial sums on promotional efforts, my client has established these marks as strong, well-known marks.

It has recently come to our attention that you are using the mark **TAZA** in connection with restaurant services in Arcadia, and on the internet at www.tazacoffee.com.

Your mark is confusingly similar to the Taza Marks, and the services with which the marks are associated are identical. Taza Systems has not, at any time, licensed, assigned or otherwise conveyed to you in any way, in whole or in part, for any purpose, the right to make use of its distinctive Taza Marks, or any confusingly similar mark. Be advised that you have had, and have, no right whatsoever to use or otherwise exploit these marks or any confusingly similar mark. Moreover, you had no right to generate, and have no right to retain, whatever revenues have been earned by you as a result of your unauthorized and wrongful exploitation of such marks. Taza Systems has every reason to believe that, unless enjoined and restrained by binding mutual agreement or order of a court, you will continue to attempt to exploit the

TAZA SYSTEMS -0978

LAW OFFICE OF
EDWARD T. SAADI, LLC

Taza Marks, trading upon the value and goodwill inherent therein, for your own financial benefit. Under applicable federal and state law governing trademarks, you, and anyone acting for, under, in concert, or in combination with you, are liable for money damages, injunctive relief, and other equitable relief, as well as for the payment of Taza Systems' attorney's fees and costs of suit should it be forced to file a lawsuit to protect its rights.

Demand is hereby made that you cease and desist, immediately, making any use whatsoever of any materials constituting, embodying, utilizing or depicting the mark **TAZA**, or any other mark which is confusingly similar to the Taza Marks, and that all such materials which are in your possession or custody or under your control be delivered to Taza Systems, in care of this office, immediately. Demand is further made for the immediate removal of the website at www.tazacoffee.com from public view. We further expect that ownership of the domain name thetazacoffee.com will be transferred to Taza Systems, and we will expect your full cooperation therewith.


Demand is further made that you provide, within 10 days, a complete accounting of all revenues received and/or earned by you as a result of any use or exploitation of your mark, or any other mark which is confusingly similar to the Taza Marks; such accounting should incorporate any and all expenses or costs paid or incurred by you in connection therewith which are directly attributable solely to such uses. On receiving the accounting, we will inform you of our position regarding rectification of the financial aspects of this matter.

Any further activities on your part in continued derogation and wrongful exploitation of Taza Systems' rights will be presumed knowing, willful, intentional and malicious, and all individuals and entities involved will be held responsible to the full extent of the law.

This letter is not intended as a final or comprehensive statement of the position of Taza Systems regarding any of the matters or issues of fact or law referred to herein, and nothing set forth herein or omitted herefrom is intended as, or shall be construed as, a waiver, relinquishment or limitation, in whole or in part, of any of Taza Systems' rights, claims, interests, remedies or positions, at law or in equity, all of which are hereby expressly reserved.

If you have any questions or need to make arrangements for full compliance with the foregoing demands, please do not hesitate to contact me directly.

Sincerely,



Edward T. Saadi, Esq.

Enclosures (As Stated)

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,439,240

Registered June 3, 2008

**SERVICE MARK
PRINCIPAL REGISTER**

TAZA

TAZA FRESH, LLC (OHIO LTD LIAB CO)
14518 DETROIT AVENUE
LAKEWOOD, OH 44107

OWNER OF U.S. REG. NOS. 3,213,261 AND
3,213,262.

FOR: RESTAURANT AND BAR SERVICES, IN
CLASS 43 (U.S. CLS. 100 AND 101).

THE ENGLISH TRANSLATION OF "TAZA" IS
"FRESH".

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

SER. NO. 77-144,660, FILED 3-30-2007.

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

LINDA ESTRADA, EXAMINING ATTORNEY

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,213,261

Registered Feb. 27, 2007

**SERVICE MARK
PRINCIPAL REGISTER**

TAZA A LEBANESE GRILL

CHAMOUN, FADY (UNITED STATES INDIVIDUAL)
4149 W. VALLEY DRIVE
FAIRVIEW PARK, OH 44126

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE LEBANESE GRILL, APART FROM
THE MARK AS SHOWN.

FOR: RESTAURANT AND BAR SERVICES, IN
CLASS 43 (U.S. CLS. 100 AND 101).

THE ENGLISH TRANSLATION OF TAZA IS
FRESH.

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

SER. NO. 78-878,164, FILED 5-5-2006.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

JOHN HWANG, EXAMINING ATTORNEY

TAZA SYSTEMS -0981

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,213,262

Registered Feb. 27, 2007

**SERVICE MARK
PRINCIPAL REGISTER**



CHAMOUN, FADY (UNITED STATES INDIVIDUAL)

4149 W. VALLEY DRIVE

FAIRVIEW PARK, OH 44126

FOR: RESTAURANT AND BAR SERVICES, IN CLASS 43 (U.S. CLS. 100 AND 101).

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE LEBANESE GRILL, APART FROM THE MARK AS SHOWN.

THE ENGLISH TRANSLATION OF TAZA IS FRESH.

SER. NO. 78-878,171, FILED 5-5-2006.

JOHN HWANG, EXAMINING ATTORNEY

LAW OFFICE OF
EDWARD T. SAADI, LLC

970 WINDHAM COURT, SUITE 7
BOARDMAN, OHIO 44512

TEL: (330) 782-1954 FAX: (330) 266-7489
EMAIL: EDWARDSAADI@AOL.COM

ADMITTED TO PRACTICE IN OHIO, CALIFORNIA, & WASHINGTON, D.C.

April 2, 2015

VIA CERTIFIED MAIL

RE: Infringement of TAZA, TAZA A LEBANESE GRILL &  trademarks


La Taza Coffee House
15060 San Pedro Ave.
San Antonio, TX 78232

To Whom It May Concern:

This office represents Taza Systems, LLC ("Taza Systems") of Lakewood, Ohio, with regard to its trademark and intellectual property matters.

Taza Systems is the owner of U.S. trademark registrations for the standard-character marks **TAZA** (Reg. No. 3,439,240) and **TAZA A LEBANESE GRILL** (Reg. No. 3,213,261)



and for the composite mark  (Reg. No. 3,213,262), all for use in connection with "*Restaurant and bar services*" (collectively the "Taza Marks"). Print-outs of my client's registration certificates are enclosed.

My client's marks have been in use since 2005. Due to its efforts to create a distinctive source of services and brand identity, including but not limited to the expenditure of substantial sums on promotional efforts, my client has established these marks as strong, well-known marks.

It has recently come to our attention that you are using the mark **LA TAZA** in connection with restaurant services in San Antonio, and on the internet at www.lataza.biz.

Your mark is confusingly similar to the Taza Marks, and the services with which the marks are associated are identical. Taza Systems has not, at any time, licensed, assigned or otherwise conveyed to you in any way, in whole or in part, for any purpose, the right to make use of its distinctive Taza Marks, or any confusingly similar mark. Be advised that you have had, and have, no right whatsoever to use or otherwise exploit these marks or any confusingly similar mark. Moreover, you had no right to generate, and have no right to retain, whatever revenues have been earned by you as a result of your unauthorized and wrongful exploitation of such marks. Taza Systems has every reason to believe that, unless enjoined and restrained by binding mutual agreement or order of a court, you will continue to attempt to exploit the

TAZA SYSTEMS -0983

LAW OFFICE OF
EDWARD T. SAADI, LLC

Taza Marks, trading upon the value and goodwill inherent therein, for your own financial benefit. Under applicable federal and state law governing trademarks, you, and anyone acting for, under, in concert, or in combination with you, are liable for money damages, injunctive relief, and other equitable relief, as well as for the payment of Taza Systems' attorney's fees and costs of suit should it be forced to file a lawsuit to protect its rights.

Demand is hereby made that you cease and desist, immediately, making any use whatsoever of any materials constituting, embodying, utilizing or depicting the mark **TAZA**, or any other mark which is confusingly similar to the Taza Marks, and that all such materials which are in your possession or custody or under your control be delivered to Taza Systems, in care of this office, immediately. Demand is further made for the immediate removal of the website at www.lataza.biz from public view. We further expect that ownership of the domain name lataza.biz will be transferred to Taza Systems, and we will expect your full cooperation therewith.

Demand is further made that you provide, within 10 days, a complete accounting of all revenues received and/or earned by you as a result of any use or exploitation of your mark, or any other mark which is confusingly similar to the Taza Marks; such accounting should incorporate any and all expenses or costs paid or incurred by you in connection therewith which are directly attributable solely to such uses. On receiving the accounting, we will inform you of our position regarding rectification of the financial aspects of this matter.

Any further activities on your part in continued derogation and wrongful exploitation of Taza Systems' rights will be presumed knowing, willful, intentional and malicious, and all individuals and entities involved will be held responsible to the full extent of the law.

This letter is not intended as a final or comprehensive statement of the position of Taza Systems regarding any of the matters or issues of fact or law referred to herein, and nothing set forth herein or omitted herefrom is intended as, or shall be construed as, a waiver, relinquishment or limitation, in whole or in part, of any of Taza Systems' rights, claims, interests, remedies or positions, at law or in equity, all of which are hereby expressly reserved.

If you have any questions or need to make arrangements for full compliance with the foregoing demands, please do not hesitate to contact me directly.

Sincerely,



Edward T. Saadi, Esq.

Enclosures (As Stated)

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,439,240

Registered June 3, 2008

**SERVICE MARK
PRINCIPAL REGISTER**

TAZA

TAZA FRESH, LLC (OHIO LTD LIAB CO)
14518 DETROIT AVENUE
LAKEWOOD, OH 44107

OWNER OF U.S. REG. NOS. 3,213,261 AND
3,213,262.

FOR: RESTAURANT AND BAR SERVICES, IN
CLASS 43 (U.S. CLS. 100 AND 101).

THE ENGLISH TRANSLATION OF "TAZA" IS
"FRESH".

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

SER. NO. 77-144,660, FILED 3-30-2007.

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

LINDA ESTRADA, EXAMINING ATTORNEY

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,213,261

Registered Feb. 27, 2007

SERVICE MARK
PRINCIPAL REGISTER

TAZA A LEBANESE GRILL

CHAMOUN, FADY (UNITED STATES INDIVIDUAL)
4149 W. VALLEY DRIVE
FAIRVIEW PARK, OH 44126

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE LEBANESE GRILL, APART FROM
THE MARK AS SHOWN.

FOR: RESTAURANT AND BAR SERVICES, IN
CLASS 43 (U.S. CLS. 100 AND 101).

THE ENGLISH TRANSLATION OF TAZA IS
FRESH.

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

SER. NO. 78-878,164, FILED 5-5-2006.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

JOHN HWANG, EXAMINING ATTORNEY

TAZA SYSTEMS -0986

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,213,262

Registered Feb. 27, 2007

SERVICE MARK
PRINCIPAL REGISTER



CHAMOUN, FADY (UNITED STATES INDIVIDUAL)

4149 W. VALLEY DRIVE

FAIRVIEW PARK, OH 44126

FOR: RESTAURANT AND BAR SERVICES, IN CLASS 43 (U.S. CLS. 100 AND 101).

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE LEBANESE GRILL, APART FROM THE MARK AS SHOWN.

THE ENGLISH TRANSLATION OF TAZA IS FRESH.

SER. NO. 78-878,171, FILED 5-5-2006.

JOHN HWANG, EXAMINING ATTORNEY

LAW OFFICE OF
EDWARD T. SAADI, LLC

970 WINDHAM COURT, SUITE 7
BOARDMAN, OHIO 44512

TEL: (330) 782-1954 FAX: (330) 266-7489
EMAIL: EDWARDSAADI@AOL.COM

ADMITTED TO PRACTICE IN OHIO, CALIFORNIA, & WASHINGTON, D.C.

April 2, 2015

VIA CERTIFIED MAIL

RE: Infringement of TAZA, TAZA A LEBANESE GRILL &  trademarks

Taza Coffee & Creme
5047 Forest Hill Ave.
Richmond, VA 23225

To Whom It May Concern:

This office represents Taza Systems, LLC ("Taza Systems") of Lakewood, Ohio, with regard to its trademark and intellectual property matters.

Taza Systems is the owner of U.S. trademark registrations for the standard-character marks **TAZA** (Reg. No. 3,439,240) and **TAZA A LEBANESE GRILL** (Reg. No. 3,213,261)



and for the composite mark **TAZA A LEBANESE GRILL** (Reg. No. 3,213,262), all for use in connection with "*Restaurant and bar services*" (collectively the "Taza Marks"). Print-outs of my client's registration certificates are enclosed.

My client's marks have been in use since 2005. Due to its efforts to create a distinctive source of services and brand identity, including but not limited to the expenditure of substantial sums on promotional efforts, my client has established these marks as strong, well-known marks.

It has recently come to our attention that you are using the mark **TAZA COFFEE & CREME** in connection with restaurant services in Richmond.

Your mark is confusingly similar to the Taza Marks, and the services with which the marks are associated are identical. Taza Systems has not, at any time, licensed, assigned or otherwise conveyed to you in any way, in whole or in part, for any purpose, the right to make use of its distinctive Taza Marks, or any confusingly similar mark. Be advised that you have had, and have, no right whatsoever to use or otherwise exploit these marks or any confusingly similar mark. Moreover, you had no right to generate, and have no right to retain, whatever revenues have been earned by you as a result of your unauthorized and wrongful exploitation of such marks. Taza Systems has every reason to believe that, unless enjoined and restrained by binding mutual agreement or order of a court, you will continue to attempt to exploit the

TAZA SYSTEMS -0988

LAW OFFICE OF
EDWARD T. SAADI, LLC

Taza Marks, trading upon the value and goodwill inherent therein, for your own financial benefit. Under applicable federal and state law governing trademarks, you, and anyone acting for, under, in concert, or in combination with you, are liable for money damages, injunctive relief, and other equitable relief, as well as for the payment of Taza Systems' attorney's fees and costs of suit should it be forced to file a lawsuit to protect its rights.

Demand is hereby made that you cease and desist, immediately, making any use whatsoever of any materials constituting, embodying, utilizing or depicting the mark **TAZA COFFEE & CREME**, or any other mark which is confusingly similar to the Taza Marks, and that all such materials which are in your possession or custody or under your control be delivered to Taza Systems, in care of this office, immediately.

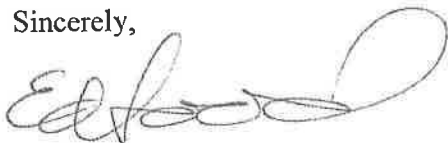
Demand is further made that you provide, within 10 days, a complete accounting of all revenues received and/or earned by you as a result of any use or exploitation of your mark, or any other mark which is confusingly similar to the Taza Marks; such accounting should incorporate any and all expenses or costs paid or incurred by you in connection therewith which are directly attributable solely to such uses. On receiving the accounting, we will inform you of our position regarding rectification of the financial aspects of this matter.

Any further activities on your part in continued derogation and wrongful exploitation of Taza Systems' rights will be presumed knowing, willful, intentional and malicious, and all individuals and entities involved will be held responsible to the full extent of the law.

This letter is not intended as a final or comprehensive statement of the position of Taza Systems regarding any of the matters or issues of fact or law referred to herein, and nothing set forth herein or omitted herefrom is intended as, or shall be construed as, a waiver, relinquishment or limitation, in whole or in part, of any of Taza Systems' rights, claims, interests, remedies or positions, at law or in equity, all of which are hereby expressly reserved.

If you have any questions or need to make arrangements for full compliance with the foregoing demands, please do not hesitate to contact me directly.

Sincerely,



Edward T. Saadi, Esq.

Enclosures (As Stated)

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,439,240

Registered June 3, 2008

**SERVICE MARK
PRINCIPAL REGISTER**

TAZA

TAZA FRESH, LLC (OHIO LTD LIAB CO)
14518 DETROIT AVENUE
LAKEWOOD, OH 44107

OWNER OF U.S. REG. NOS. 3,213,261 AND
3,213,262.

FOR: RESTAURANT AND BAR SERVICES, IN
CLASS 43 (U.S. CLS. 100 AND 101).

THE ENGLISH TRANSLATION OF "TAZA" IS
"FRESH".

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

SER. NO. 77-144,660, FILED 3-30-2007.

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

LINDA ESTRADA, EXAMINING ATTORNEY

TAZA SYSTEMS -0990

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,213,261

Registered Feb. 27, 2007

**SERVICE MARK
PRINCIPAL REGISTER**

TAZA A LEBANESE GRILL

CHAMOUN, FADY (UNITED STATES INDIVIDUAL)
4149 W. VALLEY DRIVE
FAIRVIEW PARK, OH 44126

FOR: RESTAURANT AND BAR SERVICES, IN CLASS 43 (U.S. CLS. 100 AND 101).

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

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THE ENGLISH TRANSLATION OF TAZA IS FRESH.

SER. NO. 78-878,164, FILED 5-5-2006.

JOHN HWANG, EXAMINING ATTORNEY

TAZA SYSTEMS -0991

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,213,262

Registered Feb. 27, 2007

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SER. NO. 78-878,171, FILED 5-5-2006.

JOHN HWANG, EXAMINING ATTORNEY

TAZA SYSTEMS -0992

LAW OFFICE OF
EDWARD T. SAADI, LLC
970 WINDHAM COURT, SUITE 7
BOARDMAN, OHIO 44512

TEL: (330) 782-1954 FAX: (330) 266-7489
EMAIL: EDWARDSAADI@AOL.COM

ADMITTED TO PRACTICE IN OHIO, CALIFORNIA, & WASHINGTON, D.C.

April 2, 2015

VIA CERTIFIED MAIL

RE: Infringement of TAZA, TAZA A LEBANESE GRILL &  trademarks

Taza Coffee & Deli
350 Park Ave. S.
New York, NY 10010

To Whom It May Concern:

This office represents Taza Systems, LLC ("Taza Systems") of Lakewood, Ohio, with regard to its trademark and intellectual property matters.

Taza Systems is the owner of U.S. trademark registrations for the standard-character marks **TAZA** (Reg. No. 3,439,240) and **TAZA A LEBANESE GRILL** (Reg. No. 3,213,261)



and for the composite mark **TAZA A LEBANESE GRILL** (Reg. No. 3,213,262), all for use in connection with "*Restaurant and bar services*" (collectively the "Taza Marks"). Print-outs of my client's registration certificates are enclosed.

My client's marks have been in use since 2005. Due to its efforts to create a distinctive source of services and brand identity, including but not limited to the expenditure of substantial sums on promotional efforts, my client has established these marks as strong, well-known marks.

It has recently come to our attention that you are using the mark **TAZA COFFEE & DELI** in connection with restaurant services in New York.

Your mark is confusingly similar to the Taza Marks, and the services with which the marks are associated are identical. Taza Systems has not, at any time, licensed, assigned or otherwise conveyed to you in any way, in whole or in part, for any purpose, the right to make use of its distinctive Taza Marks, or any confusingly similar mark. Be advised that you have had, and have, no right whatsoever to use or otherwise exploit these marks or any confusingly similar mark. Moreover, you had no right to generate, and have no right to retain, whatever revenues have been earned by you as a result of your unauthorized and wrongful exploitation of such marks. Taza Systems has every reason to believe that, unless enjoined and restrained by binding mutual agreement or order of a court, you will continue to attempt to exploit the

TAZA SYSTEMS -0993

LAW OFFICE OF
EDWARD T. SAADI, LLC

Taza Marks, trading upon the value and goodwill inherent therein, for your own financial benefit. Under applicable federal and state law governing trademarks, you, and anyone acting for, under, in concert, or in combination with you, are liable for money damages, injunctive relief, and other equitable relief, as well as for the payment of Taza Systems' attorney's fees and costs of suit should it be forced to file a lawsuit to protect its rights.

Demand is hereby made that you cease and desist, immediately, making any use whatsoever of any materials constituting, embodying, utilizing or depicting the mark **TAZA COFFEE & DELI**, or any other mark which is confusingly similar to the Taza Marks, and that all such materials which are in your possession or custody or under your control be delivered to Taza Systems, in care of this office, immediately.

Demand is further made that you provide, within 10 days, a complete accounting of all revenues received and/or earned by you as a result of any use or exploitation of your mark, or any other mark which is confusingly similar to the Taza Marks; such accounting should incorporate any and all expenses or costs paid or incurred by you in connection therewith which are directly attributable solely to such uses. On receiving the accounting, we will inform you of our position regarding rectification of the financial aspects of this matter.

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Sincerely,



Edward T. Saadi, Esq.

Enclosures (As Stated)

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,439,240

Registered June 3, 2008

**SERVICE MARK
PRINCIPAL REGISTER**

TAZA

TAZA FRESH, LLC (OHIO LTD LIAB CO)
14518 DETROIT AVENUE
LAKEWOOD, OH 44107

OWNER OF U.S. REG. NOS. 3,213,261 AND
3,213,262.

FOR: RESTAURANT AND BAR SERVICES, IN
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LINDA ESTRADA, EXAMINING ATTORNEY

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,213,261

Registered Feb. 27, 2007

**SERVICE MARK
PRINCIPAL REGISTER**

TAZA A LEBANESE GRILL

CHAMOUN, FADY (UNITED STATES INDIVIDUAL)
4149 W. VALLEY DRIVE
FAIRVIEW PARK, OH 44126

FOR: RESTAURANT AND BAR SERVICES, IN
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FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

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SER. NO. 78-878,164, FILED 5-5-2006.

JOHN HWANG, EXAMINING ATTORNEY

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

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Reg. No. 3,213,262

Registered Feb. 27, 2007

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PRINCIPAL REGISTER



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SER. NO. 78-878,171, FILED 5-5-2006.

JOHN HWANG, EXAMINING ATTORNEY

TAZA SYSTEMS -0997

LAW OFFICE OF
EDWARD T. SAADI, LLC
970 WINDHAM COURT, SUITE 7
BOARDMAN, OHIO 44512

TEL: (330) 782-1954 FAX: (330) 266-7489
EMAIL: EDWARDSAADI@AOL.COM

ADMITTED TO PRACTICE IN OHIO, CALIFORNIA, & WASHINGTON, D.C.

April 2, 2015

VIA CERTIFIED MAIL

RE: Infringement of TAZA, TAZA A LEBANESE GRILL &  trademarks


La Taza
407 Monticello Rd.
Charlottesville, VA 22902

To Whom It May Concern:

This office represents Taza Systems, LLC ("Taza Systems") of Lakewood, Ohio, with regard to its trademark and intellectual property matters.

Taza Systems is the owner of U.S. trademark registrations for the standard-character marks **TAZA** (Reg. No. 3,439,240) and **TAZA A LEBANESE GRILL** (Reg. No. 3,213,261)



and for the composite mark  (Reg. No. 3,213,262), all for use in connection with "*Restaurant and bar services*" (collectively the "Taza Marks"). Print-outs of my client's registration certificates are enclosed.

My client's marks have been in use since 2005. Due to its efforts to create a distinctive source of services and brand identity, including but not limited to the expenditure of substantial sums on promotional efforts, my client has established these marks as strong, well-known marks.

It has recently come to our attention that you are using the mark **LA TAZA** in connection with restaurant services in Charlottesville.

Your mark is confusingly similar to the Taza Marks, and the services with which the marks are associated are identical. Taza Systems has not, at any time, licensed, assigned or otherwise conveyed to you in any way, in whole or in part, for any purpose, the right to make use of its distinctive Taza Marks, or any confusingly similar mark. Be advised that you have had, and have, no right whatsoever to use or otherwise exploit these marks or any confusingly similar mark. Moreover, you had no right to generate, and have no right to retain, whatever revenues have been earned by you as a result of your unauthorized and wrongful exploitation of such marks. Taza Systems has every reason to believe that, unless enjoined and restrained by binding mutual agreement or order of a court, you will continue to attempt to exploit the

TAZA SYSTEMS -0998

LAW OFFICE OF
EDWARD T. SAADI, LLC

Taza Marks, trading upon the value and goodwill inherent therein, for your own financial benefit. Under applicable federal and state law governing trademarks, you, and anyone acting for, under, in concert, or in combination with you, are liable for money damages, injunctive relief, and other equitable relief, as well as for the payment of Taza Systems' attorney's fees and costs of suit should it be forced to file a lawsuit to protect its rights.

Demand is hereby made that you cease and desist, immediately, making any use whatsoever of any materials constituting, embodying, utilizing or depicting the mark **LA TAZA**, or any other mark which is confusingly similar to the Taza Marks, and that all such materials which are in your possession or custody or under your control be delivered to Taza Systems, in care of this office, immediately.

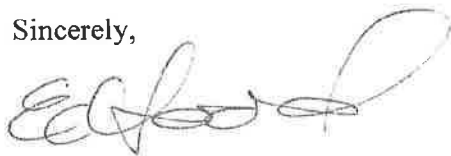
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Sincerely,



Edward T. Saadi, Esq.

Enclosures (As Stated)

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,439,240

Registered June 3, 2008

**SERVICE MARK
PRINCIPAL REGISTER**

TAZA

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14518 DETROIT AVENUE
LAKEWOOD, OH 44107

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United States Patent and Trademark Office

Reg. No. 3,213,261

Registered Feb. 27, 2007

**SERVICE MARK
PRINCIPAL REGISTER**

TAZA A LEBANESE GRILL

CHAMOUN, FADY (UNITED STATES INDIVIDUAL)
4149 W. VALLEY DRIVE
FAIRVIEW PARK, OH 44126

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE LEBANESE GRILL, APART FROM THE MARK AS SHOWN.

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THE ENGLISH TRANSLATION OF TAZA IS FRESH.

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

SER. NO. 78-878,164, FILED 5-5-2006.

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JOHN HWANG, EXAMINING ATTORNEY

Int. CL: 43

Prior U.S. Cls.: 100 and 101

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PRINCIPAL REGISTER**



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JOHN HWANG, EXAMINING ATTORNEY

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EDWARD T. SAADI, LLC
970 WINDHAM COURT, SUITE 7
BOARDMAN, OHIO 44512

TEL: (330) 782-1954 FAX: (330) 266-7489
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ADMITTED TO PRACTICE IN OHIO, CALIFORNIA, & WASHINGTON, D.C.

April 2, 2015

VIA CERTIFIED MAIL

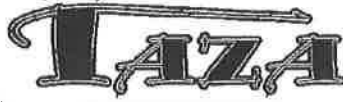
RE: Infringement of TAZA, TAZA A LEBANESE GRILL &  trademarks

Tazo Fresh Pizza
13346 Minnieville Rd.
Woodbridge, VA 22192

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It has recently come to our attention that you are using the mark **TAZO FRESH PIZZA** in connection with restaurant services in Woodbridge.

Your mark is confusingly similar to the Taza Marks, and the services with which the marks are associated are identical. Taza Systems has not, at any time, licensed, assigned or otherwise conveyed to you in any way, in whole or in part, for any purpose, the right to make use of its distinctive Taza Marks, or any confusingly similar mark. Be advised that you have had, and have, no right whatsoever to use or otherwise exploit these marks or any confusingly similar mark. Moreover, you had no right to generate, and have no right to retain, whatever revenues have been earned by you as a result of your unauthorized and wrongful exploitation of such marks. Taza Systems has every reason to believe that, unless enjoined and restrained by binding mutual agreement or order of a court, you will continue to attempt to exploit the

TAZA SYSTEMS -1003

LAW OFFICE OF
EDWARD T. SAADI, LLC

Taza Marks, trading upon the value and goodwill inherent therein, for your own financial benefit. Under applicable federal and state law governing trademarks, you, and anyone acting for, under, in concert, or in combination with you, are liable for money damages, injunctive relief, and other equitable relief, as well as for the payment of Taza Systems' attorney's fees and costs of suit should it be forced to file a lawsuit to protect its rights.

Demand is hereby made that you cease and desist, immediately, making any use whatsoever of any materials constituting, embodying, utilizing or depicting the mark **TAZO FRESH PIZZA**, or any other mark which is confusingly similar to the Taza Marks, and that all such materials which are in your possession or custody or under your control be delivered to Taza Systems, in care of this office, immediately.

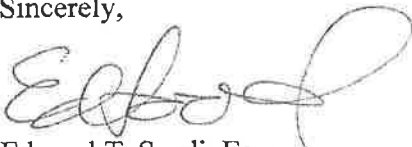
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Sincerely,



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THE ENGLISH TRANSLATION OF TAZA IS FRESH.

SER. NO. 78-878,171, FILED 5-5-2006.

JOHN HWANG, EXAMINING ATTORNEY

LAW OFFICE OF
EDWARD T. SAADI, LLC
970 WINDHAM COURT, SUITE 7
BOARDMAN, OHIO 44512

TEL: (330) 782-1954 FAX: (330) 266-7489
EMAIL: EDWARDSAADI@AOL.COM

ADMITTED TO PRACTICE IN OHIO, CALIFORNIA, & WASHINGTON, D.C.

April 2, 2015

VIA CERTIFIED MAIL

RE: Infringement of TAZA, TAZA A LEBANESE GRILL &  trademarks

Tazza Cafe
400 Main St.
Armonk, NY 10504-1837

To Whom It May Concern:

This office represents Taza Systems, LLC ("Taza Systems") of Lakewood, Ohio, with regard to its trademark and intellectual property matters.

Taza Systems is the owner of U.S. trademark registrations for the standard-character marks **TAZA** (Reg. No. 3,439,240) and **TAZA A LEBANESE GRILL** (Reg. No. 3,213,261)



and for the composite mark **A LEBANESE GRILL** (Reg. No. 3,213,262), all for use in connection with "*Restaurant and bar services*" (collectively the "Taza Marks"). Print-outs of my client's registration certificates are enclosed.

My client's marks have been in use since 2005. Due to its efforts to create a distinctive source of services and brand identity, including but not limited to the expenditure of substantial sums on promotional efforts, my client has established these marks as strong, well-known marks.

It has recently come to our attention that you are using the mark **TAZZA CAFE** in connection with restaurant services in Woodbridge.

Your mark is confusingly similar to the Taza Marks, and the services with which the marks are associated are identical. Taza Systems has not, at any time, licensed, assigned or otherwise conveyed to you in any way, in whole or in part, for any purpose, the right to make use of its distinctive Taza Marks, or any confusingly similar mark. Be advised that you have had, and have, no right whatsoever to use or otherwise exploit these marks or any confusingly similar mark. Moreover, you had no right to generate, and have no right to retain, whatever revenues have been earned by you as a result of your unauthorized and wrongful exploitation of such marks. Taza Systems has every reason to believe that, unless enjoined and restrained by binding mutual agreement or order of a court, you will continue to attempt to exploit the

TAZA SYSTEMS -1008

LAW OFFICE OF
EDWARD T. SAADI, LLC

Taza Marks, trading upon the value and goodwill inherent therein, for your own financial benefit. Under applicable federal and state law governing trademarks, you, and anyone acting for, under, in concert, or in combination with you, are liable for money damages, injunctive relief, and other equitable relief, as well as for the payment of Taza Systems' attorney's fees and costs of suit should it be forced to file a lawsuit to protect its rights.

Demand is hereby made that you cease and desist, immediately, making any use whatsoever of any materials constituting, embodying, utilizing or depicting the mark **TAZZA CAFE**, or any other mark which is confusingly similar to the Taza Marks, and that all such materials which are in your possession or custody or under your control be delivered to Taza Systems, in care of this office, immediately.

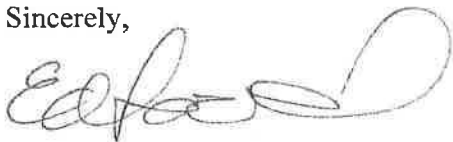
Demand is further made that you provide, within 10 days, a complete accounting of all revenues received and/or earned by you as a result of any use or exploitation of your mark, or any other mark which is confusingly similar to the Taza Marks; such accounting should incorporate any and all expenses or costs paid or incurred by you in connection therewith which are directly attributable solely to such uses. On receiving the accounting, we will inform you of our position regarding rectification of the financial aspects of this matter.

Any further activities on your part in continued derogation and wrongful exploitation of Taza Systems' rights will be presumed knowing, willful, intentional and malicious, and all individuals and entities involved will be held responsible to the full extent of the law.

This letter is not intended as a final or comprehensive statement of the position of Taza Systems regarding any of the matters or issues of fact or law referred to herein, and nothing set forth herein or omitted herefrom is intended as, or shall be construed as, a waiver, relinquishment or limitation, in whole or in part, of any of Taza Systems' rights, claims, interests, remedies or positions, at law or in equity, all of which are hereby expressly reserved.

If you have any questions or need to make arrangements for full compliance with the foregoing demands, please do not hesitate to contact me directly.

Sincerely,



Edward T. Saadi, Esq.

Enclosures (As Stated)

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,439,240

Registered June 3, 2008

**SERVICE MARK
PRINCIPAL REGISTER**

TAZA

TAZA FRESH, LLC (OHIO LTD LIAB CO)
14518 DETROIT AVENUE
LAKEWOOD, OH 44107

OWNER OF U.S. REG. NOS. 3,213,261 AND
3,213,262.

FOR: RESTAURANT AND BAR SERVICES, IN
CLASS 43 (U.S. CLS. 100 AND 101).

THE ENGLISH TRANSLATION OF "TAZA" IS
"FRESH".

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

SER. NO. 77-144,660, FILED 3-30-2007.

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

LINDA ESTRADA, EXAMINING ATTORNEY

TAZA SYSTEMS -1010

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,213,261

Registered Feb. 27, 2007

**SERVICE MARK
PRINCIPAL REGISTER**

TAZA A LEBANESE GRILL

CHAMOUN, FADY (UNITED STATES INDIVIDUAL)
4149 W. VALLEY DRIVE
FAIRVIEW PARK, OH 44126

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE LEBANESE GRILL, APART FROM THE MARK AS SHOWN.

FOR: RESTAURANT AND BAR SERVICES, IN CLASS 43 (U.S. CLS. 100 AND 101).

THE ENGLISH TRANSLATION OF TAZA IS FRESH.

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

SER. NO. 78-878,164, FILED 5-5-2006.

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JOHN HWANG, EXAMINING ATTORNEY

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,213,262

Registered Feb. 27, 2007

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PRINCIPAL REGISTER**



CHAMOUN, FADY (UNITED STATES INDIVIDUAL)
4149 W. VALLEY DRIVE
FAIRVIEW PARK, OH 44126

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SER. NO. 78-878,171, FILED 5-5-2006.

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EMAIL: EDWARDSAADI@AOL.COM

ADMITTED TO PRACTICE IN OHIO, CALIFORNIA, & WASHINGTON, D.C.

April 2, 2015

VIA CERTIFIED MAIL

RE: Infringement of TAZA, TAZA A LEBANESE GRILL &  trademarks

Café Tazza
2100 Pacific Ave.
Atlantic City, NJ 08401

To Whom It May Concern:

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and for the composite mark **TAZA A LEBANESE GRILL** (Reg. No. 3,213,262), all for use in connection with "*Restaurant and bar services*" (collectively the "Taza Marks"). Print-outs of my client's registration certificates are enclosed.

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It has recently come to our attention that you are using the mark **CAFÉ TAZZA** in connection with restaurant services in Woodbridge.

Your mark is confusingly similar to the Taza Marks, and the services with which the marks are associated are identical. Taza Systems has not, at any time, licensed, assigned or otherwise conveyed to you in any way, in whole or in part, for any purpose, the right to make use of its distinctive Taza Marks, or any confusingly similar mark. Be advised that you have had, and have, no right whatsoever to use or otherwise exploit these marks or any confusingly similar mark. Moreover, you had no right to generate, and have no right to retain, whatever revenues have been earned by you as a result of your unauthorized and wrongful exploitation of such marks. Taza Systems has every reason to believe that, unless enjoined and restrained by binding mutual agreement or order of a court, you will continue to attempt to exploit the

TAZA SYSTEMS -1013

LAW OFFICE OF
EDWARD T. SAADI, LLC

Taza Marks, trading upon the value and goodwill inherent therein, for your own financial benefit. Under applicable federal and state law governing trademarks, you, and anyone acting for, under, in concert, or in combination with you, are liable for money damages, injunctive relief, and other equitable relief, as well as for the payment of Taza Systems' attorney's fees and costs of suit should it be forced to file a lawsuit to protect its rights.

Demand is hereby made that you cease and desist, immediately, making any use whatsoever of any materials constituting, embodying, utilizing or depicting the mark **CAFÉ TAZZA**, or any other mark which is confusingly similar to the Taza Marks, and that all such materials which are in your possession or custody or under your control be delivered to Taza Systems, in care of this office, immediately.

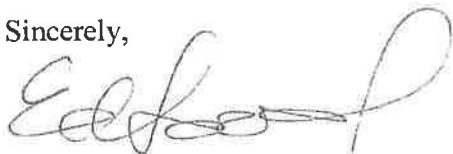
Demand is further made that you provide, within 10 days, a complete accounting of all revenues received and/or earned by you as a result of any use or exploitation of your mark, or any other mark which is confusingly similar to the Taza Marks; such accounting should incorporate any and all expenses or costs paid or incurred by you in connection therewith which are directly attributable solely to such uses. On receiving the accounting, we will inform you of our position regarding rectification of the financial aspects of this matter.

Any further activities on your part in continued derogation and wrongful exploitation of Taza Systems' rights will be presumed knowing, willful, intentional and malicious, and all individuals and entities involved will be held responsible to the full extent of the law.

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If you have any questions or need to make arrangements for full compliance with the foregoing demands, please do not hesitate to contact me directly.

Sincerely,



Edward T. Saadi, Esq.

Enclosures (As Stated)

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,439,240

Registered June 3, 2008

SERVICE MARK
PRINCIPAL REGISTER

TAZA

TAZA FRESH, LLC (OHIO LTD LIAB CO)
14518 DETROIT AVENUE
LAKEWOOD, OH 44107

OWNER OF U.S. REG. NOS. 3,213,261 AND
3,213,262.

FOR: RESTAURANT AND BAR SERVICES, IN
CLASS 43 (U.S. CLS. 100 AND 101).

THE ENGLISH TRANSLATION OF "TAZA" IS
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FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

SER. NO. 77-144,660, FILED 3-30-2007.

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LINDA ESTRADA, EXAMINING ATTORNEY

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,213,261

Registered Feb. 27, 2007

**SERVICE MARK
PRINCIPAL REGISTER**

TAZA A LEBANESE GRILL

CHAMOUN, FADY (UNITED STATES INDIVIDUAL)
4149 W. VALLEY DRIVE
FAIRVIEW PARK, OH 44126

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE LEBANESE GRILL, APART FROM
THE MARK AS SHOWN.

FOR: RESTAURANT AND BAR SERVICES, IN
CLASS 43 (U.S. CLS. 100 AND 101).

THE ENGLISH TRANSLATION OF TAZA IS
FRESH.

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

SER. NO. 78-878,164, FILED 5-5-2006.

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JOHN HWANG, EXAMINING ATTORNEY

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,213,262

Registered Feb. 27, 2007

**SERVICE MARK
PRINCIPAL REGISTER**



CHAMOUN, FADY (UNITED STATES INDIVIDUAL)

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FAIRVIEW PARK, OH 44126

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SER. NO. 78-878,171. FILED 5-5-2006.

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970 WINDHAM COURT, SUITE 7
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TEL: (330) 782-1954 FAX: (330) 266-7489
EMAIL: EDWARDSAADI@AOL.COM

ADMITTED TO PRACTICE IN OHIO, CALIFORNIA, & WASHINGTON, D.C.

April 2, 2015

VIA CERTIFIED MAIL

RE: Infringement of TAZA, TAZA A LEBANESE GRILL &  trademarks

Café Tazza
4584 Dublin Blvd.
Dublin, CA 94568

To Whom It May Concern:

This office represents Taza Systems, LLC ("Taza Systems") of Lakewood, Ohio, with regard to its trademark and intellectual property matters.

Taza Systems is the owner of U.S. trademark registrations for the standard-character marks **TAZA** (Reg. No. 3,439,240) and **TAZA A LEBANESE GRILL** (Reg. No. 3,213,261)



and for the composite mark **TAZA A LEBANESE GRILL** (Reg. No. 3,213,262), all for use in connection with "*Restaurant and bar services*" (collectively the "Taza Marks"). Print-outs of my client's registration certificates are enclosed.

My client's marks have been in use since 2005. Due to its efforts to create a distinctive source of services and brand identity, including but not limited to the expenditure of substantial sums on promotional efforts, my client has established these marks as strong, well-known marks.

It has recently come to our attention that you are using the mark **CAFE TAZZA TRUCK** in connection with restaurant services in Dublin, and on the internet at www.caffe-tazza.com.

Your mark is confusingly similar to the Taza Marks, and the services with which the marks are associated are identical. Taza Systems has not, at any time, licensed, assigned or otherwise conveyed to you in any way, in whole or in part, for any purpose, the right to make use of its distinctive Taza Marks, or any confusingly similar mark. Be advised that you have had, and have, no right whatsoever to use or otherwise exploit these marks or any confusingly similar mark. Moreover, you had no right to generate, and have no right to retain, whatever revenues have been earned by you as a result of your unauthorized and wrongful exploitation of such marks. Taza Systems has every reason to believe that, unless enjoined and restrained

TAZA SYSTEMS -1018

LAW OFFICE OF
EDWARD T. SAADI, LLC

by binding mutual agreement or order of a court, you will continue to attempt to exploit the Taza Marks, trading upon the value and goodwill inherent therein, for your own financial benefit. Under applicable federal and state law governing trademarks, you, and anyone acting for, under, in concert, or in combination with you, are liable for money damages, injunctive relief, and other equitable relief, as well as for the payment of Taza Systems' attorney's fees and costs of suit should it be forced to file a lawsuit to protect its rights.

Demand is hereby made that you cease and desist, immediately, making any use whatsoever of any materials constituting, embodying, utilizing or depicting the mark **CAFÉ TAZZA**, or any other mark which is confusingly similar to the Taza Marks, and that all such materials which are in your possession or custody or under your control be delivered to Taza Systems, in care of this office, immediately. Demand is further made for the immediate removal of the website at www.cafe-tazza.com from public view. We further expect that ownership of the domain name cafe-tazza.com will be transferred to Taza Systems, and we will expect your full cooperation therewith.

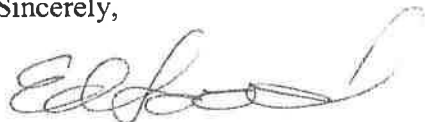
Demand is further made that you provide, within 10 days, a complete accounting of all revenues received and/or earned by you as a result of any use or exploitation of your mark, or any other mark which is confusingly similar to the Taza Marks; such accounting should incorporate any and all expenses or costs paid or incurred by you in connection therewith which are directly attributable solely to such uses. On receiving the accounting, we will inform you of our position regarding rectification of the financial aspects of this matter.

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Sincerely,



Edward T. Saadi, Esq.

Enclosures (As Stated)

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,439,240

Registered June 3, 2008

**SERVICE MARK
PRINCIPAL REGISTER**

TAZA

TAZA FRESH, LLC (OHIO LTD LIAB CO)
14518 DETROIT AVENUE
LAKEWOOD, OH 44107

OWNER OF U.S. REG. NOS. 3,213,261 AND
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FOR: RESTAURANT AND BAR SERVICES, IN
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FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

SER. NO. 77-144,660, FILED 3-30-2007.

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LINDA ESTRADA, EXAMINING ATTORNEY

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,213,261

Registered Feb. 27, 2007

**SERVICE MARK
PRINCIPAL REGISTER**

TAZA A LEBANESE GRILL

CHAMOUN, FADY (UNITED STATES INDIVIDUAL)
4149 W. VALLEY DRIVE
FAIRVIEW PARK, OH 44126

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE LEBANESE GRILL, APART FROM
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FOR: RESTAURANT AND BAR SERVICES, IN
CLASS 43 (U.S. CLS. 100 AND 101).

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FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

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JOHN HWANG, EXAMINING ATTORNEY

Int. CL: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,213,262

Registered Feb. 27, 2007

SERVICE MARK
PRINCIPAL REGISTER



CHAMOUN, FADY (UNITED STATES INDIVIDUAL)

4149 W. VALLEY DRIVE

FAIRVIEW PARK, OH 44126

FOR: RESTAURANT AND BAR SERVICES, IN CLASS 43 (U.S. CLS. 100 AND 101).

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SER. NO. 78-878,171, FILED 5-5-2006.

JOHN HWANG, EXAMINING ATTORNEY

LAW OFFICE OF
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970 WINDHAM COURT, SUITE 7
BOARDMAN, OHIO 44512

TEL: (330) 782-1954 FAX: (330) 266-7489
EMAIL: EDWARDSAADI@AOL.COM
ADMITTED TO PRACTICE IN OHIO, CALIFORNIA, & WASHINGTON, D.C.

April 2, 2015

VIA CERTIFIED MAIL

RE: Infringement of TAZA, TAZA A LEBANESE GRILL &  trademarks

Caffe Tazza
117 Main Street
Dansville, NY 14437

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It has recently come to our attention that you are using the mark **CAFFE TAZZA TRUCK** in connection with restaurant services in Dansville, and on the internet at www.coffeecupinc.com.

Your mark is confusingly similar to the Taza Marks, and the services with which the marks are associated are identical. Taza Systems has not, at any time, licensed, assigned or otherwise conveyed to you in any way, in whole or in part, for any purpose, the right to make use of its distinctive Taza Marks, or any confusingly similar mark. Be advised that you have had, and have, no right whatsoever to use or otherwise exploit these marks or any confusingly similar mark. Moreover, you had no right to generate, and have no right to retain, whatever revenues have been earned by you as a result of your unauthorized and wrongful exploitation of such marks. Taza Systems has every reason to believe that, unless enjoined and restrained

TAZA SYSTEMS -1023

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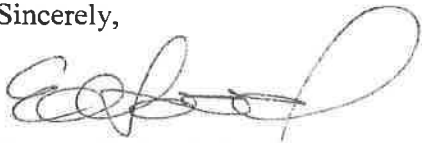
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Edward T. Saadi, Esq.

Enclosures (As Stated)

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Registered June 3, 2008

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Prior U.S. Cls.: 100 and 101

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Registered Feb. 27, 2007

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PRINCIPAL REGISTER**

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FAIRVIEW PARK, OH 44126

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LAW OFFICE OF
EDWARD T. SAADI, LLC
970 WINDHAM COURT, SUITE 7
BOARDMAN, OHIO 44512

TEL: (330) 782-1954 FAX: (330) 266-7489
EMAIL: EDWARDSAADI@AOL.COM

ADMITTED TO PRACTICE IN OHIO, CALIFORNIA, & WASHINGTON, D.C.

April 2, 2015

VIA CERTIFIED MAIL

RE: Infringement of TAZA, TAZA A LEBANESE GRILL &  trademarks


Caffe Tazza
374 East H St. #1705
Chula Vista, CA 91910

To Whom It May Concern:

This office represents Taza Systems, LLC ("Taza Systems") of Lakewood, Ohio, with regard to its trademark and intellectual property matters.

Taza Systems is the owner of U.S. trademark registrations for the standard-character marks **TAZA** (Reg. No. 3,439,240) and **TAZA A LEBANESE GRILL** (Reg. No. 3,213,261)



and for the composite mark  (Reg. No. 3,213,262), all for use in connection with "Restaurant and bar services" (collectively the "Taza Marks"). Print-outs of my client's registration certificates are enclosed.

My client's marks have been in use since 2005. Due to its efforts to create a distinctive source of services and brand identity, including but not limited to the expenditure of substantial sums on promotional efforts, my client has established these marks as strong, well-known marks.

It has recently come to our attention that you are using the mark **CAFFE TAZZA** in connection with restaurant services in Chula Vista, and on the internet at www.caffetazzacoffeehouse.com.

Your mark is confusingly similar to the Taza Marks, and the services with which the marks are associated are identical. Taza Systems has not, at any time, licensed, assigned or otherwise conveyed to you in any way, in whole or in part, for any purpose, the right to make use of its distinctive Taza Marks, or any confusingly similar mark. Be advised that you have had, and have, no right whatsoever to use or otherwise exploit these marks or any confusingly similar mark. Moreover, you had no right to generate, and have no right to retain, whatever revenues have been earned by you as a result of your unauthorized and wrongful exploitation of such marks. Taza Systems has every reason to believe that, unless enjoined and restrained

TAZA SYSTEMS -1028

LAW OFFICE OF
EDWARD T. SAADI, LLC

by binding mutual agreement or order of a court, you will continue to attempt to exploit the Taza Marks, trading upon the value and goodwill inherent therein, for your own financial benefit. Under applicable federal and state law governing trademarks, you, and anyone acting for, under, in concert, or in combination with you, are liable for money damages, injunctive relief, and other equitable relief, as well as for the payment of Taza Systems' attorney's fees and costs of suit should it be forced to file a lawsuit to protect its rights.

Demand is hereby made that you cease and desist, immediately, making any use whatsoever of any materials constituting, embodying, utilizing or depicting the mark **CAFFE TAZZA**, or any other mark which is confusingly similar to the Taza Marks, and that all such materials which are in your possession or custody or under your control be delivered to Taza Systems, in care of this office, immediately. Demand is further made for the immediate removal of the website at www.caffetazzacoffeehouse.com from public view. We further expect that ownership of the domain name caffetazzacoffeehouse.com will be transferred to Taza Systems, and we will expect your full cooperation therewith.

Demand is further made that you provide, within 10 days, a complete accounting of all revenues received and/or earned by you as a result of any use or exploitation of your mark, or any other mark which is confusingly similar to the Taza Marks; such accounting should incorporate any and all expenses or costs paid or incurred by you in connection therewith which are directly attributable solely to such uses. On receiving the accounting, we will inform you of our position regarding rectification of the financial aspects of this matter.

Any further activities on your part in continued derogation and wrongful exploitation of Taza Systems' rights will be presumed knowing, willful, intentional and malicious, and all individuals and entities involved will be held responsible to the full extent of the law.

This letter is not intended as a final or comprehensive statement of the position of Taza Systems regarding any of the matters or issues of fact or law referred to herein, and nothing set forth herein or omitted herefrom is intended as, or shall be construed as, a waiver, relinquishment or limitation, in whole or in part, of any of Taza Systems' rights, claims, interests, remedies or positions, at law or in equity, all of which are hereby expressly reserved.

If you have any questions or need to make arrangements for full compliance with the foregoing demands, please do not hesitate to contact me directly.

Sincerely,



Edward T. Saadi, Esq.

Enclosures (As Stated)

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,439,240
Registered June 3, 2008

SERVICE MARK
PRINCIPAL REGISTER

TAZA

TAZA FRESH, LLC (OHIO LTD LIAB CO)
14518 DETROIT AVENUE
LAKEWOOD, OH 44107

OWNER OF U.S. REG. NOS. 3,213,261 AND
3,213,262.

FOR: RESTAURANT AND BAR SERVICES, IN
CLASS 43 (U.S. CLS. 100 AND 101).

THE ENGLISH TRANSLATION OF "TAZA" IS
"FRESH".

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

SER. NO. 77-144,660, FILED 3-30-2007.

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

LINDA ESTRADA, EXAMINING ATTORNEY

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,213,261

Registered Feb. 27, 2007

**SERVICE MARK
PRINCIPAL REGISTER**

TAZA A LEBANESE GRILL

CHAMOUN, FADY (UNITED STATES INDIVIDUAL)
4149 W. VALLEY DRIVE
FAIRVIEW PARK, OH 44126

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE LEBANESE GRILL, APART FROM
THE MARK AS SHOWN.

FOR: RESTAURANT AND BAR SERVICES, IN
CLASS 43 (U.S. CLS. 100 AND 101).

THE ENGLISH TRANSLATION OF TAZA IS
FRESH.

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

SER. NO. 78-878,164, FILED 5-5-2006.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

JOHN HWANG, EXAMINING ATTORNEY

TAZA SYSTEMS -1031

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,213,262

Registered Feb. 27, 2007

SERVICE MARK
PRINCIPAL REGISTER



CHAMOUN, FADY (UNITED STATES INDIVIDUAL)
4149 W. VALLEY DRIVE
FAIRVIEW PARK, OH 44126

FOR: RESTAURANT AND BAR SERVICES, IN
CLASS 43 (U.S. CLS. 100 AND 101).

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE LEBANESE GRILL, APART FROM
THE MARK AS SHOWN.

THE ENGLISH TRANSLATION OF TAZA IS
FRESH.

SER. NO. 78-878,171, FILED 5-5-2006.

JOHN HWANG, EXAMINING ATTORNEY

LAW OFFICE OF
EDWARD T. SAADI, LLC

970 WINDHAM COURT, SUITE 7
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TEL: (330) 782-1954 FAX: (330) 266-7489
EMAIL: EDWARDSAADI@AOL.COM

ADMITTED TO PRACTICE IN OHIO, CALIFORNIA, & WASHINGTON, D.C.

April 2, 2015

VIA CERTIFIED MAIL

RE: Infringement of TAZA, TAZA A LEBANESE GRILL &  trademarks

Di Tazza
2011 SE 192nd Ave. Suite 101
Vancouver, WA 98607

To Whom It May Concern:

This office represents Taza Systems, LLC ("Taza Systems") of Lakewood, Ohio, with regard to its trademark and intellectual property matters.

Taza Systems is the owner of U.S. trademark registrations for the standard-character marks **TAZA** (Reg. No. 3,439,240) and **TAZA A LEBANESE GRILL** (Reg. No. 3,213,261)



and for the composite mark **A LEBANESE GRILL** (Reg. No. 3,213,262), all for use in connection with "Restaurant and bar services" (collectively the "Taza Marks"). Print-outs of my client's registration certificates are enclosed.

My client's marks have been in use since 2005. Due to its efforts to create a distinctive source of services and brand identity, including but not limited to the expenditure of substantial sums on promotional efforts, my client has established these marks as strong, well-known marks.

It has recently come to our attention that you are using the mark **DI TAZZA** in connection with restaurant services in Vancouver, and on the internet at www.ditazzacoffeeshop.com.

Your mark is confusingly similar to the Taza Marks, and the services with which the marks are associated are identical. Taza Systems has not, at any time, licensed, assigned or otherwise conveyed to you in any way, in whole or in part, for any purpose, the right to make use of its distinctive Taza Marks, or any confusingly similar mark. Be advised that you have had, and have, no right whatsoever to use or otherwise exploit these marks or any confusingly similar mark. Moreover, you had no right to generate, and have no right to retain, whatever revenues have been earned by you as a result of your unauthorized and wrongful exploitation of such marks. Taza Systems has every reason to believe that, unless enjoined and restrained

TAZA SYSTEMS -1033

LAW OFFICE OF
EDWARD T. SAADI, LLC

by binding mutual agreement or order of a court, you will continue to attempt to exploit the Taza Marks, trading upon the value and goodwill inherent therein, for your own financial benefit. Under applicable federal and state law governing trademarks, you, and anyone acting for, under, in concert, or in combination with you, are liable for money damages, injunctive relief, and other equitable relief, as well as for the payment of Taza Systems' attorney's fees and costs of suit should it be forced to file a lawsuit to protect its rights.

Demand is hereby made that you cease and desist, immediately, making any use whatsoever of any materials constituting, embodying, utilizing or depicting the mark **DI TAZZA**, or any other mark which is confusingly similar to the Taza Marks, and that all such materials which are in your possession or custody or under your control be delivered to Taza Systems, in care of this office, immediately. Demand is further made for the immediate removal of the website at www.ditazzacoffeeeshop.com from public view. We further expect that ownership of the domain name ditazzacoffeeeshop.com will be transferred to Taza Systems, and we will expect your full cooperation therewith.

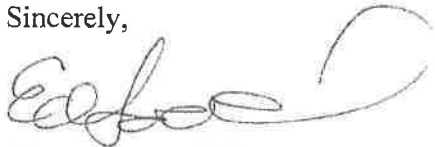
Demand is further made that you provide, within 10 days, a complete accounting of all revenues received and/or earned by you as a result of any use or exploitation of your mark, or any other mark which is confusingly similar to the Taza Marks; such accounting should incorporate any and all expenses or costs paid or incurred by you in connection therewith which are directly attributable solely to such uses. On receiving the accounting, we will inform you of our position regarding rectification of the financial aspects of this matter.

Any further activities on your part in continued derogation and wrongful exploitation of Taza Systems' rights will be presumed knowing, willful, intentional and malicious, and all individuals and entities involved will be held responsible to the full extent of the law.

This letter is not intended as a final or comprehensive statement of the position of Taza Systems regarding any of the matters or issues of fact or law referred to herein, and nothing set forth herein or omitted herefrom is intended as, or shall be construed as, a waiver, relinquishment or limitation, in whole or in part, of any of Taza Systems' rights, claims, interests, remedies or positions, at law or in equity, all of which are hereby expressly reserved.

If you have any questions or need to make arrangements for full compliance with the foregoing demands, please do not hesitate to contact me directly.

Sincerely,



Edward T. Saadi, Esq.

Enclosures (As Stated)

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,439,240

Registered June 3, 2008

**SERVICE MARK
PRINCIPAL REGISTER**

TAZA

TAZA FRESH, LLC (OHIO LTD LIAB CO)
14518 DETROIT AVENUE
LAKEWOOD, OH 44107

OWNER OF U.S. REG. NOS. 3,213,261 AND
3,213,262.

FOR: RESTAURANT AND BAR SERVICES, IN
CLASS 43 (U.S. CLS. 100 AND 101).

THE ENGLISH TRANSLATION OF "TAZA" IS
"FRESH".

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

SER. NO. 77-144,660, FILED 3-30-2007.

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

LINDA ESTRADA, EXAMINING ATTORNEY

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,213,261

Registered Feb. 27, 2007

**SERVICE MARK
PRINCIPAL REGISTER**

TAZA A LEBANESE GRILL

CHAMOUN, FADY (UNITED STATES INDIVIDUAL)
4149 W. VALLEY DRIVE
FAIRVIEW PARK, OH 44126

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE LEBANESE GRILL, APART FROM
THE MARK AS SHOWN.

FOR: RESTAURANT AND BAR SERVICES, IN
CLASS 43 (U.S. CLS. 100 AND 101).

THE ENGLISH TRANSLATION OF TAZA IS
FRESH.

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

SER. NO. 78-878,164, FILED 5-5-2006.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

JOHN HWANG, EXAMINING ATTORNEY

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,213,262

Registered Feb. 27, 2007

SERVICE MARK
PRINCIPAL REGISTER



CHAMOUN, FADY (UNITED STATES INDIVIDUAL)

4149 W. VALLEY DRIVE

FAIRVIEW PARK, OH 44126

FOR: RESTAURANT AND BAR SERVICES, IN CLASS 43 (U.S. CLS. 100 AND 101).

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

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THE ENGLISH TRANSLATION OF TAZA IS FRESH.

SER. NO. 78-878,171, FILED 5-5-2006.

JOHN HWANG, EXAMINING ATTORNEY

LAW OFFICE OF
EDWARD T. SAADI, LLC

970 WINDHAM COURT, SUITE 7
BOARDMAN, OHIO 44512

TEL: (330) 782-1954 FAX: (330) 266-7489

EMAIL: EDWARDSAADI@AOL.COM

ADMITTED TO PRACTICE IN OHIO, CALIFORNIA, & WASHINGTON, D.C.

April 2, 2015

VIA CERTIFIED MAIL

RE: Infringement of TAZA, TAZA A LEBANESE GRILL &  trademarks

La Taza Café & Bakery
14455 Jefferson Davis Hwy.
Woodbridge, VA 22191

To Whom It May Concern:

This office represents Taza Systems, LLC ("Taza Systems") of Lakewood, Ohio, with regard to its trademark and intellectual property matters.

Taza Systems is the owner of U.S. trademark registrations for the standard-character marks **TAZA** (Reg. No. 3,439,240) and **TAZA A LEBANESE GRILL** (Reg. No. 3,213,261)



and for the composite mark **A LEBANESE GRILL** (Reg. No. 3,213,262), all for use in connection with "*Restaurant and bar services*" (collectively the "Taza Marks"). Print-outs of my client's registration certificates are enclosed.

My client's marks have been in use since 2005. Due to its efforts to create a distinctive source of services and brand identity, including but not limited to the expenditure of substantial sums on promotional efforts, my client has established these marks as strong, well-known marks.

It has recently come to our attention that you are using the mark **LA TAZA CAFE & BAKERY** in connection with restaurant services in Woodbridge.

Your mark is confusingly similar to the Taza Marks, and the services with which the marks are associated are identical. Taza Systems has not, at any time, licensed, assigned or otherwise conveyed to you in any way, in whole or in part, for any purpose, the right to make use of its distinctive Taza Marks, or any confusingly similar mark. Be advised that you have had, and have, no right whatsoever to use or otherwise exploit these marks or any confusingly similar mark. Moreover, you had no right to generate, and have no right to retain, whatever revenues have been earned by you as a result of your unauthorized and wrongful exploitation of such marks. Taza Systems has every reason to believe that, unless enjoined and restrained by binding mutual agreement or order of a court, you will continue to attempt to exploit the

TAZA SYSTEMS -1038

LAW OFFICE OF
EDWARD T. SAADI, LLC

Taza Marks, trading upon the value and goodwill inherent therein, for your own financial benefit. Under applicable federal and state law governing trademarks, you, and anyone acting for, under, in concert, or in combination with you, are liable for money damages, injunctive relief, and other equitable relief, as well as for the payment of Taza Systems' attorney's fees and costs of suit should it be forced to file a lawsuit to protect its rights.

Demand is hereby made that you cease and desist, immediately, making any use whatsoever of any materials constituting, embodying, utilizing or depicting the mark **LA TAZA CAFÉ & BAKERY**, or any other mark which is confusingly similar to the Taza Marks, and that all such materials which are in your possession or custody or under your control be delivered to Taza Systems, in care of this office, immediately.

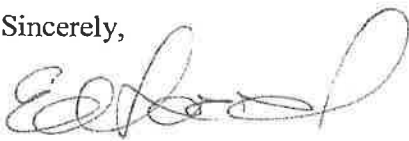
Demand is further made that you provide, within 10 days, a complete accounting of all revenues received and/or earned by you as a result of any use or exploitation of your mark, or any other mark which is confusingly similar to the Taza Marks; such accounting should incorporate any and all expenses or costs paid or incurred by you in connection therewith which are directly attributable solely to such uses. On receiving the accounting, we will inform you of our position regarding rectification of the financial aspects of this matter.

Any further activities on your part in continued derogation and wrongful exploitation of Taza Systems' rights will be presumed knowing, willful, intentional and malicious, and all individuals and entities involved will be held responsible to the full extent of the law.

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If you have any questions or need to make arrangements for full compliance with the foregoing demands, please do not hesitate to contact me directly.

Sincerely,



Edward T. Saadi, Esq.

Enclosures (As Stated)

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,439,240

Registered June 3, 2008

**SERVICE MARK
PRINCIPAL REGISTER**

TAZA

TAZA FRESH, LLC (OHIO LTD LIAB CO)
14518 DETROIT AVENUE
LAKEWOOD, OH 44107

OWNER OF U.S. REG. NOS. 3,213,261 AND
3,213,262.

FOR: RESTAURANT AND BAR SERVICES, IN
CLASS 43 (U.S. CLS. 100 AND 101).

THE ENGLISH TRANSLATION OF "TAZA" IS
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FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

SER. NO. 77-144,660, FILED 3-30-2007.

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ACTERS WITHOUT CLAIM TO ANY PARTICULAR
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LINDA ESTRADA, EXAMINING ATTORNEY

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,213,261

Registered Feb. 27, 2007

**SERVICE MARK
PRINCIPAL REGISTER**

TAZA A LEBANESE GRILL

CHAMOUN, FADY (UNITED STATES INDIVIDUAL)
4149 W. VALLEY DRIVE
FAIRVIEW PARK, OH 44126

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE LEBANESE GRILL, APART FROM
THE MARK AS SHOWN.

FOR: RESTAURANT AND BAR SERVICES, IN
CLASS 43 (U.S. CLS. 100 AND 101).

THE ENGLISH TRANSLATION OF TAZA IS
FRESH.

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

SER. NO. 78-878,164, FILED 5-5-2006.

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JOHN HWANG, EXAMINING ATTORNEY

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,213,262

Registered Feb. 27, 2007

**SERVICE MARK
PRINCIPAL REGISTER**



CHAMOUN, FADY (UNITED STATES INDIVIDUAL)

4149 W. VALLEY DRIVE

FAIRVIEW PARK, OH 44126

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THE ENGLISH TRANSLATION OF TAZA IS FRESH.

SER. NO. 78-878,171, FILED 5-5-2006.

JOHN HWANG, EXAMINING ATTORNEY

LAW OFFICE OF
EDWARD T. SAADI, LLC
970 WINDHAM COURT, SUITE 7
BOARDMAN, OHIO 44512

TEL: (330) 782-1954 FAX: (330) 266-7489
EMAIL: EDWARDSAADI@AOL.COM

ADMITTED TO PRACTICE IN OHIO, CALIFORNIA, & WASHINGTON, D.C.

April 2, 2015

VIA CERTIFIED MAIL

RE: Infringement of TAZA, TAZA A LEBANESE GRILL &  trademarks

Primera Taza
1850½ E. 1st St.
Los Angeles, CA 90033-3411

To Whom It May Concern:

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Taza Systems is the owner of U.S. trademark registrations for the standard-character marks **TAZA** (Reg. No. 3,439,240) and **TAZA A LEBANESE GRILL** (Reg. No. 3,213,261)



and for the composite mark **TAZA A LEBANESE GRILL** (Reg. No. 3,213,262), all for use in connection with "Restaurant and bar services" (collectively the "Taza Marks"). Print-outs of my client's registration certificates are enclosed.

My client's marks have been in use since 2005. Due to its efforts to create a distinctive source of services and brand identity, including but not limited to the expenditure of substantial sums on promotional efforts, my client has established these marks as strong, well-known marks.

It has recently come to our attention that you are using the mark **PRIMERA TAZA** in connection with restaurant services in Los Angeles.

Your mark is confusingly similar to the Taza Marks, and the services with which the marks are associated are identical. Taza Systems has not, at any time, licensed, assigned or otherwise conveyed to you in any way, in whole or in part, for any purpose, the right to make use of its distinctive Taza Marks, or any confusingly similar mark. Be advised that you have had, and have, no right whatsoever to use or otherwise exploit these marks or any confusingly similar mark. Moreover, you had no right to generate, and have no right to retain, whatever revenues have been earned by you as a result of your unauthorized and wrongful exploitation of such marks. Taza Systems has every reason to believe that, unless enjoined and restrained by binding mutual agreement or order of a court, you will continue to attempt to exploit the

TAZA SYSTEMS -1043

LAW OFFICE OF
EDWARD T. SAADI, LLC

Taza Marks, trading upon the value and goodwill inherent therein, for your own financial benefit. Under applicable federal and state law governing trademarks, you, and anyone acting for, under, in concert, or in combination with you, are liable for money damages, injunctive relief, and other equitable relief, as well as for the payment of Taza Systems' attorney's fees and costs of suit should it be forced to file a lawsuit to protect its rights.

Demand is hereby made that you cease and desist, immediately, making any use whatsoever of any materials constituting, embodying, utilizing or depicting the mark **PRIMERA TAZA**, or any other mark which is confusingly similar to the Taza Marks, and that all such materials which are in your possession or custody or under your control be delivered to Taza Systems, in care of this office, immediately.

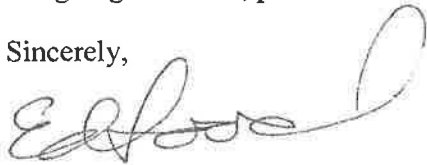
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Sincerely,



Edward T. Saadi, Esq.

Enclosures (As Stated)

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United States Patent and Trademark Office

Reg. No. 3,439,240

Registered June 3, 2008

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PRINCIPAL REGISTER**

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LINDA ESTRADA, EXAMINING ATTORNEY

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FAIRVIEW PARK, OH 44126

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JOHN HWANG, EXAMINING ATTORNEY

LAW OFFICE OF
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ADMITTED TO PRACTICE IN OHIO, CALIFORNIA, & WASHINGTON, D.C.

April 2, 2015

VIA CERTIFIED MAIL

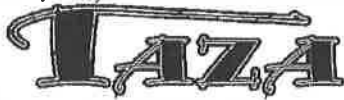
RE: Infringement of TAZA, TAZA A LEBANESE GRILL &  trademarks

Taza
1825 W. Sunset Blvd.
Los Angeles, CA 90026

To Whom It May Concern:

This office represents Taza Systems, LLC ("Taza Systems") of Lakewood, Ohio, with regard to its trademark and intellectual property matters.

Taza Systems is the owner of U.S. trademark registrations for the standard-character marks **TAZA** (Reg. No. 3,439,240) and **TAZA A LEBANESE GRILL** (Reg. No. 3,213,261)



and for the composite mark **A LEBANESE GRILL** (Reg. No. 3,213,262), all for use in connection with "*Restaurant and bar services*" (collectively the "Taza Marks"). Print-outs of my client's registration certificates are enclosed.

My client's marks have been in use since 2005. Due to its efforts to create a distinctive source of services and brand identity, including but not limited to the expenditure of substantial sums on promotional efforts, my client has established these marks as strong, well-known marks.

It has recently come to our attention that you are using the mark **TAZA** in connection with restaurant services in Los Angeles.

Your mark is confusingly similar to the Taza Marks, and the services with which the marks are associated are identical. Taza Systems has not, at any time, licensed, assigned or otherwise conveyed to you in any way, in whole or in part, for any purpose, the right to make use of its distinctive Taza Marks, or any confusingly similar mark. Be advised that you have had, and have, no right whatsoever to use or otherwise exploit these marks or any confusingly similar mark. Moreover, you had no right to generate, and have no right to retain, whatever revenues have been earned by you as a result of your unauthorized and wrongful exploitation of such marks. Taza Systems has every reason to believe that, unless enjoined and restrained by binding mutual agreement or order of a court, you will continue to attempt to exploit the

TAZA SYSTEMS -1048

LAW OFFICE OF
EDWARD T. SAADI, LLC

Taza Marks, trading upon the value and goodwill inherent therein, for your own financial benefit. Under applicable federal and state law governing trademarks, you, and anyone acting for, under, in concert, or in combination with you, are liable for money damages, injunctive relief, and other equitable relief, as well as for the payment of Taza Systems' attorney's fees and costs of suit should it be forced to file a lawsuit to protect its rights.

Demand is hereby made that you cease and desist, immediately, making any use whatsoever of any materials constituting, embodying, utilizing or depicting the mark **TAZA**, or any other mark which is confusingly similar to the Taza Marks, and that all such materials which are in your possession or custody or under your control be delivered to Taza Systems, in care of this office, immediately.

Demand is further made that you provide, within 10 days, a complete accounting of all revenues received and/or earned by you as a result of any use or exploitation of your mark, or any other mark which is confusingly similar to the Taza Marks; such accounting should incorporate any and all expenses or costs paid or incurred by you in connection therewith which are directly attributable solely to such uses. On receiving the accounting, we will inform you of our position regarding rectification of the financial aspects of this matter.

Any further activities on your part in continued derogation and wrongful exploitation of Taza Systems' rights will be presumed knowing, willful, intentional and malicious, and all individuals and entities involved will be held responsible to the full extent of the law.

This letter is not intended as a final or comprehensive statement of the position of Taza Systems regarding any of the matters or issues of fact or law referred to herein, and nothing set forth herein or omitted herefrom is intended as, or shall be construed as, a waiver, relinquishment or limitation, in whole or in part, of any of Taza Systems' rights, claims, interests, remedies or positions, at law or in equity, all of which are hereby expressly reserved.

If you have any questions or need to make arrangements for full compliance with the foregoing demands, please do not hesitate to contact me directly.

Sincerely,



Edward T. Saadi, Esq.

Enclosures (As Stated)

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,439,240

Registered June 3, 2008

**SERVICE MARK
PRINCIPAL REGISTER**

TAZA

TAZA FRESH, LLC (OHIO LTD LIAB CO)
14518 DETROIT AVENUE
LAKEWOOD, OH 44107

OWNER OF U.S. REG. NOS. 3,213,261 AND
3,213,262.

FOR: RESTAURANT AND BAR SERVICES, IN
CLASS 43 (U.S. CLS. 100 AND 101).

THE ENGLISH TRANSLATION OF "TAZA" IS
"FRESH".

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

SER. NO. 77-144,660, FILED 3-30-2007.

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

LINDA ESTRADA, EXAMINING ATTORNEY

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,213,261

Registered Feb. 27, 2007

**SERVICE MARK
PRINCIPAL REGISTER**

TAZA A LEBANESE GRILL

CHAMOUN, FADY (UNITED STATES INDIVIDUAL)
4149 W. VALLEY DRIVE
FAIRVIEW PARK, OH 44126

FOR: RESTAURANT AND BAR SERVICES, IN
CLASS 43 (U.S. CLS. 100 AND 101).

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

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NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE LEBANESE GRILL, APART FROM THE MARK AS SHOWN.

THE ENGLISH TRANSLATION OF TAZA IS FRESH.

SER. NO. 78-878,164, FILED 5-5-2006.

JOHN HWANG, EXAMINING ATTORNEY

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,213,262

Registered Feb. 27, 2007

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PRINCIPAL REGISTER



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SER. NO. 78-878,171, FILED 5-5-2006.

JOHN HWANG, EXAMINING ATTORNEY

LAW OFFICE OF
EDWARD T. SAADI, LLC
970 WINDHAM COURT, SUITE 7
BOARDMAN, OHIO 44512

TEL: (330) 782-1954 FAX: (330) 266-7489
EMAIL: EDWARDSAADI@AOL.COM

ADMITTED TO PRACTICE IN OHIO, CALIFORNIA, & WASHINGTON, D.C.

April 2, 2015

VIA CERTIFIED MAIL

RE: Infringement of TAZA, TAZA A LEBANESE GRILL &  trademarks

Ta-za
6052 Lankershim Blvd.
North Hollywood, CA 91606

To Whom It May Concern:

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and for the composite mark **A LEBANESE GRILL** (Reg. No. 3,213,262), all for use in connection with "*Restaurant and bar services*" (collectively the "Taza Marks"). Print-outs of my client's registration certificates are enclosed.

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It has recently come to our attention that you are using the mark **TA-ZA** in connection with restaurant services in Los Angeles.

Your mark is confusingly similar to the Taza Marks, and the services with which the marks are associated are identical. Taza Systems has not, at any time, licensed, assigned or otherwise conveyed to you in any way, in whole or in part, for any purpose, the right to make use of its distinctive Taza Marks, or any confusingly similar mark. Be advised that you have had, and have, no right whatsoever to use or otherwise exploit these marks or any confusingly similar mark. Moreover, you had no right to generate, and have no right to retain, whatever revenues have been earned by you as a result of your unauthorized and wrongful exploitation of such marks. Taza Systems has every reason to believe that, unless enjoined and restrained by binding mutual agreement or order of a court, you will continue to attempt to exploit the

TAZA SYSTEMS -1053

LAW OFFICE OF
EDWARD T. SAADI, LLC

Taza Marks, trading upon the value and goodwill inherent therein, for your own financial benefit. Under applicable federal and state law governing trademarks, you, and anyone acting for, under, in concert, or in combination with you, are liable for money damages, injunctive relief, and other equitable relief, as well as for the payment of Taza Systems' attorney's fees and costs of suit should it be forced to file a lawsuit to protect its rights.

Demand is hereby made that you cease and desist, immediately, making any use whatsoever of any materials constituting, embodying, utilizing or depicting the mark **TA-ZA**, or any other mark which is confusingly similar to the Taza Marks, and that all such materials which are in your possession or custody or under your control be delivered to Taza Systems, in care of this office, immediately.

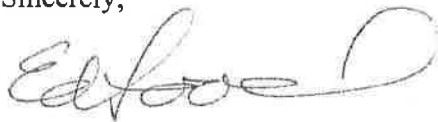
Demand is further made that you provide, within 10 days, a complete accounting of all revenues received and/or earned by you as a result of any use or exploitation of your mark, or any other mark which is confusingly similar to the Taza Marks; such accounting should incorporate any and all expenses or costs paid or incurred by you in connection therewith which are directly attributable solely to such uses. On receiving the accounting, we will inform you of our position regarding rectification of the financial aspects of this matter.

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Sincerely,



Edward T. Saadi, Esq.

Enclosures (As Stated)

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,439,240

Registered June 3, 2008

**SERVICE MARK
PRINCIPAL REGISTER**

TAZA

TAZA FRESH, LLC (OHIO LTD LIAB CO)
14518 DETROIT AVENUE
LAKEWOOD, OH 44107

OWNER OF U.S. REG. NOS. 3,213,261 AND
3,213,262.

FOR: RESTAURANT AND BAR SERVICES, IN
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FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

SER. NO. 77-144,660, FILED 3-30-2007.

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LINDA ESTRADA, EXAMINING ATTORNEY

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,213,261

Registered Feb. 27, 2007

**SERVICE MARK
PRINCIPAL REGISTER**

TAZA A LEBANESE GRILL

CHAMOUN, FADY (UNITED STATES INDIVIDUAL)
4149 W. VALLEY DRIVE
FAIRVIEW PARK, OH 44126

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE LEBANESE GRILL, APART FROM
THE MARK AS SHOWN.

FOR: RESTAURANT AND BAR SERVICES, IN
CLASS 43 (U.S. CLS. 100 AND 101).

THE ENGLISH TRANSLATION OF TAZA IS
FRESH.

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

SER. NO. 78-878,164, FILED 5-5-2006.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

JOHN HWANG, EXAMINING ATTORNEY

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,213,262

Registered Feb. 27, 2007

SERVICE MARK
PRINCIPAL REGISTER



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FAIRVIEW PARK, OH 44126

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SER. NO. 78-878,171, FILED 5-5-2006.

JOHN HWANG, EXAMINING ATTORNEY

LAW OFFICE OF
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970 WINDHAM COURT, SUITE 7
BOARDMAN, OHIO 44512
TEL: (330) 782-1954 FAX: (330) 266-7489
EMAIL: EDWARDSAADI@AOL.COM
ADMITTED TO PRACTICE IN OHIO, CALIFORNIA, & WASHINGTON, D.C.

April 2, 2015

VIA CERTIFIED MAIL

RE: Infringement of TAZA, TAZA A LEBANESE GRILL &  trademarks

Taza Fresh Catering
1313 Eastfield
Maumee, OH 43537

To Whom It May Concern:

This office represents Taza Systems, LLC ("Taza Systems") of Lakewood, Ohio, with regard to its trademark and intellectual property matters.

Taza Systems is the owner of U.S. trademark registrations for the standard-character marks **TAZA** (Reg. No. 3,439,240) and **TAZA A LEBANESE GRILL** (Reg. No. 3,213,261)



and for the composite mark **A LEBANESE GRILL** (Reg. No. 3,213,262), all for use in connection with "Restaurant and bar services" (collectively the "Taza Marks"). Print-outs of my client's registration certificates are enclosed.

My client's marks have been in use since 2005. Due to its efforts to create a distinctive source of services and brand identity, including but not limited to the expenditure of substantial sums on promotional efforts, my client has established these marks as strong, well-known marks.

It has recently come to our attention that you are using the mark **TAZA FRESH CATERING** in connection with catering services in and around Maumee.

Your mark is confusingly similar to the Taza Marks, and the services with which the marks are associated are identical. Taza Systems has not, at any time, licensed, assigned or otherwise conveyed to you in any way, in whole or in part, for any purpose, the right to make use of its distinctive Taza Marks, or any confusingly similar mark. Be advised that you have had, and have, no right whatsoever to use or otherwise exploit these marks or any confusingly similar mark. Moreover, you had no right to generate, and have no right to retain, whatever revenues have been earned by you as a result of your unauthorized and wrongful exploitation of such marks. Taza Systems has every reason to believe that, unless enjoined and restrained by binding mutual agreement or order of a court, you will continue to attempt to exploit the

TAZA SYSTEMS -1058

LAW OFFICE OF
EDWARD T. SAADI, LLC

Taza Marks, trading upon the value and goodwill inherent therein, for your own financial benefit. Under applicable federal and state law governing trademarks, you, and anyone acting for, under, in concert, or in combination with you, are liable for money damages, injunctive relief, and other equitable relief, as well as for the payment of Taza Systems' attorney's fees and costs of suit should it be forced to file a lawsuit to protect its rights.

Demand is hereby made that you cease and desist, immediately, making any use whatsoever of any materials constituting, embodying, utilizing or depicting the mark **TAZA FRESH CATERING**, or any other mark which is confusingly similar to the Taza Marks, and that all such materials which are in your possession or custody or under your control be delivered to Taza Systems, in care of this office, immediately.

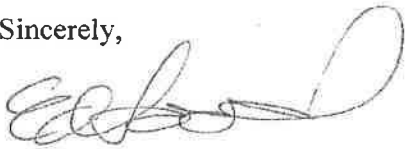
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If you have any questions or need to make arrangements for full compliance with the foregoing demands, please do not hesitate to contact me directly.

Sincerely,



Edward T. Saadi, Esq.

Enclosures (As Stated)

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,439,240

Registered June 3, 2008

**SERVICE MARK
PRINCIPAL REGISTER**

TAZA

TAZA FRESH, LLC (OHIO LTD LIAB CO)
14518 DETROIT AVENUE
LAKEWOOD, OH 44107

OWNER OF U.S. REG. NOS. 3,213,261 AND
3,213,262.

FOR: RESTAURANT AND BAR SERVICES, IN
CLASS 43 (U.S. CLS. 100 AND 101).

THE ENGLISH TRANSLATION OF "TAZA" IS
"FRESH".

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

SER. NO. 77-144,660, FILED 3-30-2007.

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

LINDA ESTRADA, EXAMINING ATTORNEY

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,213,261

Registered Feb. 27, 2007

**SERVICE MARK
PRINCIPAL REGISTER**

TAZA A LEBANESE GRILL

CHAMOUN, FADY (UNITED STATES INDIVIDUAL)
4149 W. VALLEY DRIVE
FAIRVIEW PARK, OH 44126

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE LEBANESE GRILL, APART FROM
THE MARK AS SHOWN.

FOR: RESTAURANT AND BAR SERVICES, IN
CLASS 43 (U.S. CLS. 100 AND 101).

THE ENGLISH TRANSLATION OF TAZA IS
FRESH.

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

SER. NO. 78-878,164, FILED 5-5-2006.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

JOHN HWANG, EXAMINING ATTORNEY

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

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Registered Feb. 27, 2007

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CHAMOUN, FADY (UNITED STATES INDIVIDUAL)

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FAIRVIEW PARK, OH 44126

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SER. NO. 78-878,171, FILED 5-5-2006.

JOHN HWANG, EXAMINING ATTORNEY

LAW OFFICE OF
EDWARD T. SAADI, LLC

970 WINDHAM COURT, SUITE 7
BOARDMAN, OHIO 44512

TEL: (330) 782-1954 FAX: (330) 266-7489
EMAIL: EDWARDSAADI@AOL.COM

ADMITTED TO PRACTICE IN OHIO, CALIFORNIA, & WASHINGTON, D.C.

April 2, 2015

VIA CERTIFIED MAIL

RE: Infringement of TAZA, TAZA A LEBANESE GRILL &  trademarks

Tazza
1313 N. Atlantic
Spokane, WA 99201

To Whom It May Concern:

This office represents Taza Systems, LLC ("Taza Systems") of Lakewood, Ohio, with regard to its trademark and intellectual property matters.

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My client's marks have been in use since 2005. Due to its efforts to create a distinctive source of services and brand identity, including but not limited to the expenditure of substantial sums on promotional efforts, my client has established these marks as strong, well-known marks.

It has recently come to our attention that you are using the mark **TAZZA** in connection with restaurant services in Spokane.

Your mark is confusingly similar to the Taza Marks, and the services with which the marks are associated are identical. Taza Systems has not, at any time, licensed, assigned or otherwise conveyed to you in any way, in whole or in part, for any purpose, the right to make use of its distinctive Taza Marks, or any confusingly similar mark. Be advised that you have had, and have, no right whatsoever to use or otherwise exploit these marks or any confusingly similar mark. Moreover, you had no right to generate, and have no right to retain, whatever revenues have been earned by you as a result of your unauthorized and wrongful exploitation of such marks. Taza Systems has every reason to believe that, unless enjoined and restrained by binding mutual agreement or order of a court, you will continue to attempt to exploit the

TAZA SYSTEMS -1063

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Taza Marks, trading upon the value and goodwill inherent therein, for your own financial benefit. Under applicable federal and state law governing trademarks, you, and anyone acting for, under, in concert, or in combination with you, are liable for money damages, injunctive relief, and other equitable relief, as well as for the payment of Taza Systems' attorney's fees and costs of suit should it be forced to file a lawsuit to protect its rights.

Demand is hereby made that you cease and desist, immediately, making any use whatsoever of any materials constituting, embodying, utilizing or depicting the mark **TAZZA**, or any other mark which is confusingly similar to the Taza Marks, and that all such materials which are in your possession or custody or under your control be delivered to Taza Systems, in care of this office, immediately.

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Edward T. Saadi, Esq.

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ADMITTED TO PRACTICE IN OHIO, CALIFORNIA, & WASHINGTON, D.C.

April 2, 2015

VIA CERTIFIED MAIL

RE: Infringement of TAZA, TAZA A LEBANESE GRILL &  trademarks

Tazza Coffeehouse
29012 SE Dodge Park Blvd.
Gresham, OR 97080

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and for the composite mark **A LEBANESE GRILL** (Reg. No. 3,213,262), all for use in connection with "*Restaurant and bar services*" (collectively the "Taza Marks"). Print-outs of my client's registration certificates are enclosed.

My client's marks have been in use since 2005. Due to its efforts to create a distinctive source of services and brand identity, including but not limited to the expenditure of substantial sums on promotional efforts, my client has established these marks as strong, well-known marks.

It has recently come to our attention that you are using the mark **TAZZA COFFEEHOUSE** in connection with restaurant services in Gresham, and on the internet at www.tazzacoffeehouse.org.

Your mark is confusingly similar to the Taza Marks, and the services with which the marks are associated are identical. Taza Systems has not, at any time, licensed, assigned or otherwise conveyed to you in any way, in whole or in part, for any purpose, the right to make use of its distinctive Taza Marks, or any confusingly similar mark. Be advised that you have had, and have, no right whatsoever to use or otherwise exploit these marks or any confusingly similar mark. Moreover, you had no right to generate, and have no right to retain, whatever revenues have been earned by you as a result of your unauthorized and wrongful exploitation of such marks. Taza Systems has every reason to believe that, unless enjoined and restrained

TAZA SYSTEMS -1068

LAW OFFICE OF
EDWARD T. SAADI, LLC

by binding mutual agreement or order of a court, you will continue to attempt to exploit the Taza Marks, trading upon the value and goodwill inherent therein, for your own financial benefit. Under applicable federal and state law governing trademarks, you, and anyone acting for, under, in concert, or in combination with you, are liable for money damages, injunctive relief, and other equitable relief, as well as for the payment of Taza Systems' attorney's fees and costs of suit should it be forced to file a lawsuit to protect its rights.

Demand is hereby made that you cease and desist, immediately, making any use whatsoever of any materials constituting, embodying, utilizing or depicting the mark **TAZZA COFFEEHOUSE**, or any other mark which is confusingly similar to the Taza Marks, and that all such materials which are in your possession or custody or under your control be delivered to Taza Systems, in care of this office, immediately. Demand is further made for the immediate removal of the website at www.tazzacoffeehouse.com from public view. We further expect that ownership of the domain name tazzacoffeehouse.com will be transferred to Taza Systems, and we will expect your full cooperation therewith.

Demand is further made that you provide, within 10 days, a complete accounting of all revenues received and/or earned by you as a result of any use or exploitation of your mark, or any other mark which is confusingly similar to the Taza Marks; such accounting should incorporate any and all expenses or costs paid or incurred by you in connection therewith which are directly attributable solely to such uses. On receiving the accounting, we will inform you of our position regarding rectification of the financial aspects of this matter.

Any further activities on your part in continued derogation and wrongful exploitation of Taza Systems' rights will be presumed knowing, willful, intentional and malicious, and all individuals and entities involved will be held responsible to the full extent of the law.

This letter is not intended as a final or comprehensive statement of the position of Taza Systems regarding any of the matters or issues of fact or law referred to herein, and nothing set forth herein or omitted herefrom is intended as, or shall be construed as, a waiver, relinquishment or limitation, in whole or in part, of any of Taza Systems' rights, claims, interests, remedies or positions, at law or in equity, all of which are hereby expressly reserved.

If you have any questions or need to make arrangements for full compliance with the foregoing demands, please do not hesitate to contact me directly.

Sincerely,



Edward T. Saadi, Esq.

Enclosures (As Stated)

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,439,240

Registered June 3, 2008

**SERVICE MARK
PRINCIPAL REGISTER**

TAZA

TAZA FRESH, LLC (OHIO LTD LIAB CO)
14518 DETROIT AVENUE
LAKEWOOD, OH 44107

OWNER OF U.S. REG. NOS. 3,213,261 AND
3,213,262.

FOR: RESTAURANT AND BAR SERVICES, IN
CLASS 43 (U.S. CLS. 100 AND 101).

THE ENGLISH TRANSLATION OF "TAZA" IS
"FRESH".

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

SER. NO. 77-144,660, FILED 3-30-2007.

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

LINDA ESTRADA, EXAMINING ATTORNEY

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,213,261

Registered Feb. 27, 2007

**SERVICE MARK
PRINCIPAL REGISTER**

TAZA A LEBANESE GRILL

CHAMOUN, FADY (UNITED STATES INDIVIDUAL)
4149 W. VALLEY DRIVE
FAIRVIEW PARK, OH 44126

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE LEBANESE GRILL, APART FROM
THE MARK AS SHOWN.

FOR: RESTAURANT AND BAR SERVICES, IN
CLASS 43 (U.S. CLS. 100 AND 101).

THE ENGLISH TRANSLATION OF TAZA IS
FRESH.

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

SER. NO. 78-878,164, FILED 5-5-2006.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

JOHN HWANG, EXAMINING ATTORNEY

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,213,262
Registered Feb. 27, 2007

SERVICE MARK
PRINCIPAL REGISTER



CHAMOUN, FADY (UNITED STATES INDIVIDUAL)
4149 W. VALLEY DRIVE
FAIRVIEW PARK, OH 44126

FOR: RESTAURANT AND BAR SERVICES, IN
CLASS 43 (U.S. CLS. 100 AND 101).

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE LEBANESE GRILL, APART FROM
THE MARK AS SHOWN.

THE ENGLISH TRANSLATION OF TAZA IS
FRESH.

SER. NO. 78-878,171, FILED 5-5-2006.

JOHN HWANG, EXAMINING ATTORNEY

LAW OFFICE OF
EDWARD T. SAADI, LLC
970 WINDHAM COURT, SUITE 7
BOARDMAN, OHIO 44512

TEL: (330) 782-1954 FAX: (330) 266-7489
EMAIL: EDWARDSAADI@AOL.COM

ADMITTED TO PRACTICE IN OHIO, CALIFORNIA, & WASHINGTON, D.C.

April 2, 2015

VIA CERTIFIED MAIL

RE: Infringement of TAZA, TAZA A LEBANESE GRILL &  trademarks

Tazza Fried Chicken & Grille
4418 W. Hundred Rd.
Chester, VA 23831

To Whom It May Concern:

This office represents Taza Systems, LLC ("Taza Systems") of Lakewood, Ohio, with regard to its trademark and intellectual property matters.

Taza Systems is the owner of U.S. trademark registrations for the standard-character marks **TAZA** (Reg. No. 3,439,240) and **TAZA A LEBANESE GRILL** (Reg. No. 3,213,261)



and for the composite mark **A LEBANESE GRILL** (Reg. No. 3,213,262), all for use in connection with "*Restaurant and bar services*" (collectively the "Taza Marks"). Print-outs of my client's registration certificates are enclosed.

My client's marks have been in use since 2005. Due to its efforts to create a distinctive source of services and brand identity, including but not limited to the expenditure of substantial sums on promotional efforts, my client has established these marks as strong, well-known marks.

It has recently come to our attention that you are using the mark **TAZZA FRIED CHICKEN & GRILLE** in connection with restaurant services in Chester.

Your mark is confusingly similar to the Taza Marks, and the services with which the marks are associated are identical. Taza Systems has not, at any time, licensed, assigned or otherwise conveyed to you in any way, in whole or in part, for any purpose, the right to make use of its distinctive Taza Marks, or any confusingly similar mark. Be advised that you have had, and have, no right whatsoever to use or otherwise exploit these marks or any confusingly similar mark. Moreover, you had no right to generate, and have no right to retain, whatever revenues have been earned by you as a result of your unauthorized and wrongful exploitation of such marks. Taza Systems has every reason to believe that, unless enjoined and restrained by binding mutual agreement or order of a court, you will continue to attempt to exploit the

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LAW OFFICE OF
EDWARD T. SAADI, LLC

Taza Marks, trading upon the value and goodwill inherent therein, for your own financial benefit. Under applicable federal and state law governing trademarks, you, and anyone acting for, under, in concert, or in combination with you, are liable for money damages, injunctive relief, and other equitable relief, as well as for the payment of Taza Systems' attorney's fees and costs of suit should it be forced to file a lawsuit to protect its rights.

Demand is hereby made that you cease and desist, immediately, making any use whatsoever of any materials constituting, embodying, utilizing or depicting the mark **TAZZA COFFEEHOUSE**, or any other mark which is confusingly similar to the Taza Marks, and that all such materials which are in your possession or custody or under your control be delivered to Taza Systems, in care of this office, immediately.

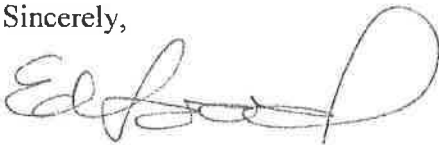
Demand is further made that you provide, within 10 days, a complete accounting of all revenues received and/or earned by you as a result of any use or exploitation of your mark, or any other mark which is confusingly similar to the Taza Marks; such accounting should incorporate any and all expenses or costs paid or incurred by you in connection therewith which are directly attributable solely to such uses. On receiving the accounting, we will inform you of our position regarding rectification of the financial aspects of this matter.

Any further activities on your part in continued derogation and wrongful exploitation of Taza Systems' rights will be presumed knowing, willful, intentional and malicious, and all individuals and entities involved will be held responsible to the full extent of the law.

This letter is not intended as a final or comprehensive statement of the position of Taza Systems regarding any of the matters or issues of fact or law referred to herein, and nothing set forth herein or omitted herefrom is intended as, or shall be construed as, a waiver, relinquishment or limitation, in whole or in part, of any of Taza Systems' rights, claims, interests, remedies or positions, at law or in equity, all of which are hereby expressly reserved.

If you have any questions or need to make arrangements for full compliance with the foregoing demands, please do not hesitate to contact me directly.

Sincerely,



Edward T. Saadi, Esq.

Enclosures (As Stated)

Int. CL: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,439,240
Registered June 3, 2008

SERVICE MARK
PRINCIPAL REGISTER

TAZA

TAZA FRESH, LLC (OHIO LTD LIAB CO)
14518 DETROIT AVENUE
LAKEWOOD, OH 44107

OWNER OF U.S. REG. NOS. 3,213,261 AND
3,213,262.

FOR: RESTAURANT AND BAR SERVICES, IN
CLASS 43 (U.S. CLS. 100 AND 101).

THE ENGLISH TRANSLATION OF "TAZA" IS
"FRESH".

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

SER. NO. 77-144,660, FILED 3-30-2007.

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

LINDA ESTRADA, EXAMINING ATTORNEY

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,213,261

Registered Feb. 27, 2007

**SERVICE MARK
PRINCIPAL REGISTER**

TAZA A LEBANESE GRILL

CHAMOUN, FADY (UNITED STATES INDIVIDUAL)
4149 W. VALLEY DRIVE
FAIRVIEW PARK, OH 44126

FOR: RESTAURANT AND BAR SERVICES, IN
CLASS 43 (U.S. CLS. 100 AND 101).

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE LEBANESE GRILL, APART FROM
THE MARK AS SHOWN.

THE ENGLISH TRANSLATION OF TAZA IS
FRESH.

SER. NO. 78-878,164, FILED 5-5-2006.

JOHN HWANG, EXAMINING ATTORNEY

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,213,262

Registered Feb. 27, 2007

SERVICE MARK
PRINCIPAL REGISTER



CHAMOUN, FADY (UNITED STATES INDIVIDUAL)
4149 W. VALLEY DRIVE
FAIRVIEW PARK, OH 44126

FOR: RESTAURANT AND BAR SERVICES, IN
CLASS 43 (U.S. CLS. 100 AND 101).

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE LEBANESE GRILL, APART FROM
THE MARK AS SHOWN.

THE ENGLISH TRANSLATION OF TAZA IS
FRESH.

SER. NO. 78-878,171, FILED 5-5-2006.

JOHN HWANG, EXAMINING ATTORNEY

LAW OFFICE OF
EDWARD T. SAADI, LLC
970 WINDHAM COURT, SUITE 7
BOARDMAN, OHIO 44512

TEL: (330) 782-1954 FAX: (330) 266-7489
EMAIL: EDWARDSAADI@AOL.COM
ADMITTED TO PRACTICE IN OHIO, CALIFORNIA, & WASHINGTON, D.C.

April 2, 2015

VIA CERTIFIED MAIL

RE: Infringement of TAZA, TAZA A LEBANESE GRILL &  trademarks

Tazza Kitchen
42 Woodburn Rd.
Raleigh, NC 27605

To Whom It May Concern:

This office represents Taza Systems, LLC ("Taza Systems") of Lakewood, Ohio, with regard to its trademark and intellectual property matters.

Taza Systems is the owner of U.S. trademark registrations for the standard-character marks **TAZA** (Reg. No. 3,439,240) and **TAZA A LEBANESE GRILL** (Reg. No. 3,213,261)



and for the composite mark **TAZA A LEBANESE GRILL** (Reg. No. 3,213,262), all for use in connection with "Restaurant and bar services" (collectively the "Taza Marks"). Print-outs of my client's registration certificates are enclosed.

My client's marks have been in use since 2005. Due to its efforts to create a distinctive source of services and brand identity, including but not limited to the expenditure of substantial sums on promotional efforts, my client has established these marks as strong, well-known marks.

It has recently come to our attention that you are using the mark **TAZZA KITCHEN** in connection with restaurant services in Raleigh and its environs, and on the internet at www.tazzakitchen.com.

Your mark is confusingly similar to the Taza Marks, and the services with which the marks are associated are identical. Taza Systems has not, at any time, licensed, assigned or otherwise conveyed to you in any way, in whole or in part, for any purpose, the right to make use of its distinctive Taza Marks, or any confusingly similar mark. Be advised that you have had, and have, no right whatsoever to use or otherwise exploit these marks or any confusingly similar mark. Moreover, you had no right to generate, and have no right to retain, whatever revenues have been earned by you as a result of your unauthorized and wrongful exploitation of such marks. Taza Systems has every reason to believe that, unless enjoined and restrained

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LAW OFFICE OF
EDWARD T. SAADI, LLC

by binding mutual agreement or order of a court, you will continue to attempt to exploit the Taza Marks, trading upon the value and goodwill inherent therein, for your own financial benefit. Under applicable federal and state law governing trademarks, you, and anyone acting for, under, in concert, or in combination with you, are liable for money damages, injunctive relief, and other equitable relief, as well as for the payment of Taza Systems' attorney's fees and costs of suit should it be forced to file a lawsuit to protect its rights.

Demand is hereby made that you cease and desist, immediately, making any use whatsoever of any materials constituting, embodying, utilizing or depicting the mark **TAZZA KITCHEN**, or any other mark which is confusingly similar to the Taza Marks, and that all such materials which are in your possession or custody or under your control be delivered to Taza Systems, in care of this office, immediately. Demand is further made for the immediate removal of the website at www.tazzakitchen.com from public view. We further expect that ownership of the domain name tazzakitchen.com will be transferred to Taza Systems, and we will expect your full cooperation therewith.

Demand is further made that you provide, within 10 days, a complete accounting of all revenues received and/or earned by you as a result of any use or exploitation of your mark, or any other mark which is confusingly similar to the Taza Marks; such accounting should incorporate any and all expenses or costs paid or incurred by you in connection therewith which are directly attributable solely to such uses. On receiving the accounting, we will inform you of our position regarding rectification of the financial aspects of this matter.

Any further activities on your part in continued derogation and wrongful exploitation of Taza Systems' rights will be presumed knowing, willful, intentional and malicious, and all individuals and entities involved will be held responsible to the full extent of the law.

This letter is not intended as a final or comprehensive statement of the position of Taza Systems regarding any of the matters or issues of fact or law referred to herein, and nothing set forth herein or omitted herefrom is intended as, or shall be construed as, a waiver, relinquishment or limitation, in whole or in part, of any of Taza Systems' rights, claims, interests, remedies or positions, at law or in equity, all of which are hereby expressly reserved.

If you have any questions or need to make arrangements for full compliance with the foregoing demands, please do not hesitate to contact me directly.

Sincerely,



Edward T. Saadi, Esq.

Enclosures (As Stated)

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,439,240

Registered June 3, 2008

**SERVICE MARK
PRINCIPAL REGISTER**

TAZA

TAZA FRESH, LLC (OHIO LTD LIAB CO)
14518 DETROIT AVENUE
LAKEWOOD, OH 44107

OWNER OF U.S. REG. NOS. 3,213,261 AND
3,213,262.

FOR: RESTAURANT AND BAR SERVICES, IN
CLASS 43 (U.S. CLS. 100 AND 101).

THE ENGLISH TRANSLATION OF "TAZA" IS
"FRESH".

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

SER. NO. 77-144,660, FILED 3-30-2007.

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

LINDA ESTRADA, EXAMINING ATTORNEY

TAZA SYSTEMS -1080

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,213,261

Registered Feb. 27, 2007

**SERVICE MARK
PRINCIPAL REGISTER**

TAZA A LEBANESE GRILL

CHAMOUN, FADY (UNITED STATES INDIVIDUAL)
4149 W. VALLEY DRIVE
FAIRVIEW PARK, OH 44126

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE LEBANESE GRILL, APART FROM
THE MARK AS SHOWN.

FOR: RESTAURANT AND BAR SERVICES, IN
CLASS 43 (U.S. CLS. 100 AND 101).

THE ENGLISH TRANSLATION OF TAZA IS
FRESH.

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

SER. NO. 78-878,164, FILED 5-5-2006.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

JOHN HWANG, EXAMINING ATTORNEY

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,213,262

Registered Feb. 27, 2007

SERVICE MARK
PRINCIPAL REGISTER



CHAMOUN, FADY (UNITED STATES INDIVIDUAL)

4149 W. VALLEY DRIVE

FAIRVIEW PARK, OH 44126

FOR: RESTAURANT AND BAR SERVICES, IN
CLASS 43 (U.S. CLS. 100 AND 101).

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE LEBANESE GRILL. APART FROM
THE MARK AS SHOWN.

THE ENGLISH TRANSLATION OF TAZA IS
FRESH.

SER. NO. 78-878,171, FILED 5-5-2006.

JOHN HWANG, EXAMINING ATTORNEY

LAW OFFICE OF
EDWARD T. SAADI, LLC
970 WINDHAM COURT, SUITE 7
BOARDMAN, OHIO 44512
TEL: (330) 782-1954 FAX: (330) 266-7489
EMAIL: EDWARDSAADI@AOL.COM
ADMITTED TO PRACTICE IN OHIO, CALIFORNIA, & WASHINGTON, D.C.

April 2, 2015

VIA CERTIFIED MAIL

RE: Infringement of TAZA, TAZA A LEBANESE GRILL &  trademarks

Tu Taza Coffee Bar
1888 Green Oaks Rd.
Ft. Worth, TX 76116

To Whom It May Concern:

This office represents Taza Systems, LLC ("Taza Systems") of Lakewood, Ohio, with regard to its trademark and intellectual property matters.

Taza Systems is the owner of U.S. trademark registrations for the standard-character marks **TAZA** (Reg. No. 3,439,240) and **TAZA A LEBANESE GRILL** (Reg. No. 3,213,261)



and for the composite mark **TAZA A LEBANESE GRILL** (Reg. No. 3,213,262), all for use in connection with "*Restaurant and bar services*" (collectively the "Taza Marks"). Print-outs of my client's registration certificates are enclosed.

My client's marks have been in use since 2005. Due to its efforts to create a distinctive source of services and brand identity, including but not limited to the expenditure of substantial sums on promotional efforts, my client has established these marks as strong, well-known marks.

It has recently come to our attention that you are using the mark **TU TAZA** in connection with restaurant services in Fort Worth.

Your mark is confusingly similar to the Taza Marks, and the services with which the marks are associated are identical. Taza Systems has not, at any time, licensed, assigned or otherwise conveyed to you in any way, in whole or in part, for any purpose, the right to make use of its distinctive Taza Marks, or any confusingly similar mark. Be advised that you have had, and have, no right whatsoever to use or otherwise exploit these marks or any confusingly similar mark. Moreover, you had no right to generate, and have no right to retain, whatever revenues have been earned by you as a result of your unauthorized and wrongful exploitation of such marks. Taza Systems has every reason to believe that, unless enjoined and restrained by binding mutual agreement or order of a court, you will continue to attempt to exploit the

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LAW OFFICE OF
EDWARD T. SAADI, LLC

Taza Marks, trading upon the value and goodwill inherent therein, for your own financial benefit. Under applicable federal and state law governing trademarks, you, and anyone acting for, under, in concert, or in combination with you, are liable for money damages, injunctive relief, and other equitable relief, as well as for the payment of Taza Systems' attorney's fees and costs of suit should it be forced to file a lawsuit to protect its rights.

Demand is hereby made that you cease and desist, immediately, making any use whatsoever of any materials constituting, embodying, utilizing or depicting the mark **TU TAZA**, or any other mark which is confusingly similar to the Taza Marks, and that all such materials which are in your possession or custody or under your control be delivered to Taza Systems, in care of this office, immediately.

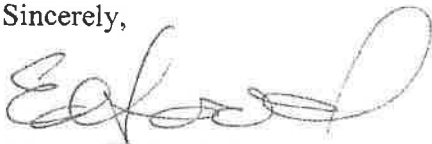
Demand is further made that you provide, within 10 days, a complete accounting of all revenues received and/or earned by you as a result of any use or exploitation of your mark, or any other mark which is confusingly similar to the Taza Marks; such accounting should incorporate any and all expenses or costs paid or incurred by you in connection therewith which are directly attributable solely to such uses. On receiving the accounting, we will inform you of our position regarding rectification of the financial aspects of this matter.

Any further activities on your part in continued derogation and wrongful exploitation of Taza Systems' rights will be presumed knowing, willful, intentional and malicious, and all individuals and entities involved will be held responsible to the full extent of the law.

This letter is not intended as a final or comprehensive statement of the position of Taza Systems regarding any of the matters or issues of fact or law referred to herein, and nothing set forth herein or omitted herefrom is intended as, or shall be construed as, a waiver, relinquishment or limitation, in whole or in part, of any of Taza Systems' rights, claims, interests, remedies or positions, at law or in equity, all of which are hereby expressly reserved.

If you have any questions or need to make arrangements for full compliance with the foregoing demands, please do not hesitate to contact me directly.

Sincerely,



Edward T. Saadi, Esq.

Enclosures (As Stated)

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,439,240
Registered June 3, 2008

**SERVICE MARK
PRINCIPAL REGISTER**

TAZA

TAZA FRESH, LLC (OHIO LTD LIAB CO)
14518 DETROIT AVENUE
LAKEWOOD, OH 44107

OWNER OF U.S. REG. NOS. 3,213,261 AND
3,213,262.

FOR: RESTAURANT AND BAR SERVICES, IN
CLASS 43 (U.S. CLS. 100 AND 101).

THE ENGLISH TRANSLATION OF "TAZA" IS
"FRESH".

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

SER. NO. 77-144,660, FILED 3-30-2007.

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

LINDA ESTRADA, EXAMINING ATTORNEY

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,213,261

Registered Feb. 27, 2007

**SERVICE MARK
PRINCIPAL REGISTER**

TAZA A LEBANESE GRILL

CHAMOUN, FADY (UNITED STATES INDIVIDUAL)
4149 W. VALLEY DRIVE
FAIRVIEW PARK, OH 44126

FOR: RESTAURANT AND BAR SERVICES, IN CLASS 43 (U.S. CLS. 100 AND 101).

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE LEBANESE GRILL, APART FROM THE MARK AS SHOWN.

THE ENGLISH TRANSLATION OF TAZA IS FRESH.

SER. NO. 78-878,164, FILED 5-5-2006.

JOHN HWANG, EXAMINING ATTORNEY

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,213,262

Registered Feb. 27, 2007

SERVICE MARK
PRINCIPAL REGISTER



CHAMOUN, FADY (UNITED STATES INDIVIDUAL)

4149 W. VALLEY DRIVE

FAIRVIEW PARK, OH 44126

FOR: RESTAURANT AND BAR SERVICES, IN CLASS 43 (U.S. CLS. 100 AND 101).

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE LEBANESE GRILL, APART FROM THE MARK AS SHOWN.

THE ENGLISH TRANSLATION OF TAZA IS FRESH.

SER. NO. 78-878,171, FILED 5-5-2006.

JOHN HWANG, EXAMINING ATTORNEY

LAW OFFICE OF
EDWARD T. SAADI, LLC
970 WINDHAM COURT, SUITE 7
BOARDMAN, OHIO 44512

TEL: (330) 782-1954 FAX: (330) 266-7489
EMAIL: EDWARDSAADI@AOL.COM

ADMITTED TO PRACTICE IN OHIO, CALIFORNIA, & WASHINGTON, D.C.

April 2, 2015

VIA CERTIFIED MAIL

RE: Infringement of TAZA, TAZA A LEBANESE GRILL &  trademarks

Falafel Tazah
256 Redwood Shores Pkwy.
Redwood Shores, CA 94065

To Whom It May Concern:

This office represents Taza Systems, LLC ("Taza Systems") of Lakewood, Ohio, with regard to its trademark and intellectual property matters.

Taza Systems is the owner of U.S. trademark registrations for the standard-character marks **TAZA** (Reg. No. 3,439,240) and **TAZA A LEBANESE GRILL** (Reg. No. 3,213,261)



and for the composite mark **A LEBANESE GRILL** (Reg. No. 3,213,262), all for use in connection with "*Restaurant and bar services*" (collectively the "Taza Marks"). Print-outs of my client's registration certificates are enclosed.

My client's marks have been in use since 2005. Due to its efforts to create a distinctive source of services and brand identity, including but not limited to the expenditure of substantial sums on promotional efforts, my client has established these marks as strong, well-known marks.

It has recently come to our attention that you are using the mark **FALAFEL TAZAH** in connection with restaurant services in Redwood Shores.

Your mark is confusingly similar to the Taza Marks, and the services with which the marks are associated are identical. Taza Systems has not, at any time, licensed, assigned or otherwise conveyed to you in any way, in whole or in part, for any purpose, the right to make use of its distinctive Taza Marks, or any confusingly similar mark. Be advised that you have had, and have, no right whatsoever to use or otherwise exploit these marks or any confusingly similar mark. Moreover, you had no right to generate, and have no right to retain, whatever revenues have been earned by you as a result of your unauthorized and wrongful exploitation of such marks. Taza Systems has every reason to believe that, unless enjoined and restrained by binding mutual agreement or order of a court, you will continue to attempt to exploit the

TAZA SYSTEMS -1088

LAW OFFICE OF
EDWARD T. SAADI, LLC

Taza Marks, trading upon the value and goodwill inherent therein, for your own financial benefit. Under applicable federal and state law governing trademarks, you, and anyone acting for, under, in concert, or in combination with you, are liable for money damages, injunctive relief, and other equitable relief, as well as for the payment of Taza Systems' attorney's fees and costs of suit should it be forced to file a lawsuit to protect its rights.

Demand is hereby made that you cease and desist, immediately, making any use whatsoever of any materials constituting, embodying, utilizing or depicting the mark **FALAFEL TAZAH**, or any other mark which is confusingly similar to the Taza Marks, and that all such materials which are in your possession or custody or under your control be delivered to Taza Systems, in care of this office, immediately.

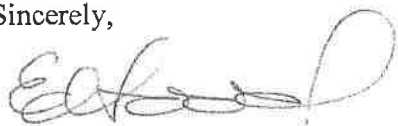
Demand is further made that you provide, within 10 days, a complete accounting of all revenues received and/or earned by you as a result of any use or exploitation of your mark, or any other mark which is confusingly similar to the Taza Marks; such accounting should incorporate any and all expenses or costs paid or incurred by you in connection therewith which are directly attributable solely to such uses. On receiving the accounting, we will inform you of our position regarding rectification of the financial aspects of this matter.

Any further activities on your part in continued derogation and wrongful exploitation of Taza Systems' rights will be presumed knowing, willful, intentional and malicious, and all individuals and entities involved will be held responsible to the full extent of the law.

This letter is not intended as a final or comprehensive statement of the position of Taza Systems regarding any of the matters or issues of fact or law referred to herein, and nothing set forth herein or omitted herefrom is intended as, or shall be construed as, a waiver, relinquishment or limitation, in whole or in part, of any of Taza Systems' rights, claims, interests, remedies or positions, at law or in equity, all of which are hereby expressly reserved.

If you have any questions or need to make arrangements for full compliance with the foregoing demands, please do not hesitate to contact me directly.

Sincerely,



Edward T. Saadi, Esq.

Enclosures (As Stated)

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,439,240

Registered June 3, 2008

**SERVICE MARK
PRINCIPAL REGISTER**

TAZA

TAZA FRESH, LLC (OHIO LTD LIAB CO)
14518 DETROIT AVENUE
LAKEWOOD, OH 44107

OWNER OF U.S. REG. NOS. 3,213,261 AND
3,213,262.

FOR: RESTAURANT AND BAR SERVICES, IN
CLASS 43 (U.S. CLS. 100 AND 101).

THE ENGLISH TRANSLATION OF "TAZA" IS
"FRESH".

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

SER. NO. 77-144,660, FILED 3-30-2007.

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

LINDA ESTRADA, EXAMINING ATTORNEY

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,213,261

Registered Feb. 27, 2007

**SERVICE MARK
PRINCIPAL REGISTER**

TAZA A LEBANESE GRILL

CHAMOUN, FADY (UNITED STATES INDIVIDUAL)
4149 W. VALLEY DRIVE
FAIRVIEW PARK, OH 44126

FOR: RESTAURANT AND BAR SERVICES, IN
CLASS 43 (U.S. CLS. 100 AND 101).

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE LEBANESE GRILL, APART FROM THE MARK AS SHOWN.

THE ENGLISH TRANSLATION OF TAZA IS FRESH.

SER. NO. 78-878,164, FILED 5-5-2006.

JOHN HWANG, EXAMINING ATTORNEY

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,213,262

Registered Feb. 27, 2007

**SERVICE MARK
PRINCIPAL REGISTER**



**CHAMOUN, FADY (UNITED STATES INDIVI-
DUAL)**

4149 W. VALLEY DRIVE

FAIRVIEW PARK, OH 44126

**FOR: RESTAURANT AND BAR SERVICES, IN
CLASS 43 (U.S. CLS. 100 AND 101).**

FIRST USE 11-22-2005; IN COMMERCE 11-22-2005.

**NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE LEBANESE GRILL, APART FROM
THE MARK AS SHOWN.**

**THE ENGLISH TRANSLATION OF TAZA IS
FRESH.**

SER. NO. 78-878,171, FILED 5-5-2006.

JOHN HWANG, EXAMINING ATTORNEY

LAW OFFICE OF
EDWARD T. SAADI, LLC
970 WINDHAM COURT, SUITE 7
BOARDMAN, OHIO 44512

TEL: (330) 782-1954 FAX: (330) 266-7489
EMAIL: EDWARDSAADI@AOL.COM

ADMITTED TO PRACTICE IN OHIO, CALIFORNIA, & WASHINGTON, D.C.

April 2, 2015

VIA CERTIFIED MAIL

RE: Infringement of TAZA, TAZA A LEBANESE GRILL &  trademarks

Tazé Ristorante
1125 Philadelphia St.
Indiana, PA 15701

To Whom It May Concern:

This office represents Taza Systems, LLC ("Taza Systems") of Lakewood, Ohio, with regard to its trademark and intellectual property matters.

Taza Systems is the owner of U.S. trademark registrations for the standard-character marks **TAZA** (Reg. No. 3,439,240) and **TAZA A LEBANESE GRILL** (Reg. No. 3,213,261)



and for the composite mark **A LEBANESE GRILL** (Reg. No. 3,213,262), all for use in connection with "*Restaurant and bar services*" (collectively the "Taza Marks"). Print-outs of my client's registration certificates are enclosed.

My client's marks have been in use since 2005. Due to its efforts to create a distinctive source of services and brand identity, including but not limited to the expenditure of substantial sums on promotional efforts, my client has established these marks as strong, well-known marks.

It has recently come to our attention that you are using the mark **TAZÉ** in connection with restaurant services in Indiana, Pennsylvania.

Your mark is confusingly similar to the Taza Marks, and the services with which the marks are associated are identical. Taza Systems has not, at any time, licensed, assigned or otherwise conveyed to you in any way, in whole or in part, for any purpose, the right to make use of its distinctive Taza Marks, or any confusingly similar mark. Be advised that you have had, and have, no right whatsoever to use or otherwise exploit these marks or any confusingly similar mark. Moreover, you had no right to generate, and have no right to retain, whatever revenues have been earned by you as a result of your unauthorized and wrongful exploitation of such marks. Taza Systems has every reason to believe that, unless enjoined and restrained by binding mutual agreement or order of a court, you will continue to attempt to exploit the

TAZA SYSTEMS -1093

LAW OFFICE OF
EDWARD T. SAADI, LLC

Taza Marks, trading upon the value and goodwill inherent therein, for your own financial benefit. Under applicable federal and state law governing trademarks, you, and anyone acting for, under, in concert, or in combination with you, are liable for money damages, injunctive relief, and other equitable relief, as well as for the payment of Taza Systems' attorney's fees and costs of suit should it be forced to file a lawsuit to protect its rights.

Demand is hereby made that you cease and desist, immediately, making any use whatsoever of any materials constituting, embodying, utilizing or depicting the mark **TAZÉ**, or any other mark which is confusingly similar to the Taza Marks, and that all such materials which are in your possession or custody or under your control be delivered to Taza Systems, in care of this office, immediately.

Demand is further made that you provide, within 10 days, a complete accounting of all revenues received and/or earned by you as a result of any use or exploitation of your mark, or any other mark which is confusingly similar to the Taza Marks; such accounting should incorporate any and all expenses or costs paid or incurred by you in connection therewith which are directly attributable solely to such uses. On receiving the accounting, we will inform you of our position regarding rectification of the financial aspects of this matter.

Any further activities on your part in continued derogation and wrongful exploitation of Taza Systems' rights will be presumed knowing, willful, intentional and malicious, and all individuals and entities involved will be held responsible to the full extent of the law.

This letter is not intended as a final or comprehensive statement of the position of Taza Systems regarding any of the matters or issues of fact or law referred to herein, and nothing set forth herein or omitted herefrom is intended as, or shall be construed as, a waiver, relinquishment or limitation, in whole or in part, of any of Taza Systems' rights, claims, interests, remedies or positions, at law or in equity, all of which are hereby expressly reserved.

If you have any questions or need to make arrangements for full compliance with the foregoing demands, please do not hesitate to contact me directly.

Sincerely,



Edward T. Saadi, Esq.

Enclosures (As Stated)

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,439,240

Registered June 3, 2008

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LINDA ESTRADA, EXAMINING ATTORNEY

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,213,261

Registered Feb. 27, 2007

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PRINCIPAL REGISTER**

TAZA A LEBANESE GRILL

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4149 W. VALLEY DRIVE
FAIRVIEW PARK, OH 44126

FOR: RESTAURANT AND BAR SERVICES, IN
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SER. NO. 78-878,164, FILED 5-5-2006.

JOHN HWANG, EXAMINING ATTORNEY

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,213,262

Registered Feb. 27, 2007

**SERVICE MARK
PRINCIPAL REGISTER**



CHAMOUN, FADY (UNITED STATES INDIVIDUAL)

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THE ENGLISH TRANSLATION OF TAZA IS FRESH.

SER. NO. 78-878,171, FILED 5-5-2006.

JOHN HWANG, EXAMINING ATTORNEY

Opposition No. 91207525
DECLARATION OF ANNA NAYDONOV IN SUPPORT OF APPLICANT'S
MOTION TO TEST SUFFICIENCY OF OPPOSER'S RESPONSES
TO REQUESTS FOR ADMISSION, FOR SANCTIONS, AND TO COMPEL

Exhibit 8

JULIA ANNE MATHESON
202.408.4020
julia.matheson@finnegan.com

April 17, 2015

Edward T. Saadi, Esq.
Law Office of Edward T. Saadi, LLC
970 Windham Court
Suite 7
Boardman, Ohio 44512

VIA EMAIL & FIRST CLASS MAIL

Taza Systems, LLC v. Starbucks Corp. dba Starbucks Coffee Company
U.S. Trademark Opposition No. 91207525

Dear Edward,

We are writing regarding Taza Systems' ("Taza") continued deficiencies in its document production.

Request for Admission No. 15 and Request for Production Nos. 12-13:

In response to Starbucks Request for Admission No. 15, Taza "[a]dmitted that *some* of Opposer's advertisements have referenced Lebanese food" (emphasis added). Because Taza produced no documents showing that it ever advertised any food other than Lebanese food, Starbucks asked that Taza either immediately identify by Bates Nos. any responsive documents in Taza's existing production or supplement its production with responsive documents evidencing Taza's advertising of food other than Lebanese food.

In your April 15, 2015 letter, you argue that this purportedly "constitutes an additional discovery request (specifically, an interrogatory)" which is "beyond the discovery cutoff in this case." Not so. Starbucks discovery requests (issued before the discovery cut-off) call for this information. Specifically Document Request No. 12 calls for "representative advertising, promotional, and marketing materials in each media utilized ... featuring, displaying, and/or containing each of Opposer's Marks." Moreover, Document Request No. 13 calls for "*all* documents referring or relating to *marketing or advertising plans* for products and services offered under Opposer's Marks" (emphases added), which encompasses any planned advertising that does not reference Lebanese food. Taza responded that no responsive marketing and advertising plans exist and failed to produce any documents showing any advertising that does not reference Lebanese food.

Starbucks is within its rights to demand that Taza either immediately identify by Bates Nos. what responsive documents it produced to Starbucks document requests or supplement its

document production. Please either immediately identify responsive documents in Taza's existing production or supplement your document production.

Request for Admission Nos. 31-45 and Document Request No. 4:

In response to Request for Admission Nos. 31-45, Taza will not admit that it does not (and/or has never) offered, sold, and advertised take-out tea or coffee beverages at its restaurants. Because we are not aware of a single document in Taza's document production showing that Taza has ever advertised, offered, or sold any take-out coffee or tea beverages at its restaurants (e.g., no documents depicting carry-out coffee or beverage cups, carry-out beverage menus, sales records, etc.), we asked that Taza immediately identify by Bates Nos. the documents evidencing the advertising, offering for sale, or sale of carry-out tea and coffee beverages by Taza or produce all responsive documents.

In your April 15, 2015 letter, you argue that this purportedly "constitutes an additional discovery request (specifically, an interrogatory)" which is "beyond the discovery cutoff in this case." Not so. Starbucks discovery requests (issued before the discovery cut-off) called for this information. Specifically, Starbucks Document Request No. 4 calls for "[d]ocuments sufficient to identify Opposer's Services." The Board's February 11, 2015 Order directed Taza to provide "complete responses" to this request. Taza failed comply with these document requests since it has not produced any documents showing that it has ever advertised, offered, or sold carry-out tea or coffee beverages. This notwithstanding, in its responses to requests for admission, Taza denied that it has never offered, sold, and/or advertising take-out tea or coffee beverages.

Taza either failed to produce responsive documents or provided false responses to requests for admission. Starbucks cannot be expected to accept at face value Taza's conclusory denials, belied by the record in this case.

Starbucks is within its rights to demand that Taza either immediately identify by Bates Nos. what responsive documents it produced to Starbucks Document Request No. 4 or supplement its document production. Please either immediately identify responsive documents in Taza's existing production or supplement your document production.

Request for Admission Nos. 88-89 and Document Request No. 4:

In response to Starbucks Requests for Admission Nos. 88-89, Taza denied that it does not offer (and has never offered) franchising services in the U.S. Taza, however, produced no documents showing that it has ever offered any franchising services under its TAZA marks. We thus asked that Taza immediately identify by Bates Nos. any responsive documents in its existing production, or supplement its production with responsive documents evidencing Taza's franchising services in the U.S.

Once again, Taza argues that this purportedly "constitutes an additional discovery request (specifically, an interrogatory)" which is "beyond the discovery cutoff in this case." As discussed above, however, Starbucks Document Request No. 4 calls for "[d]ocuments sufficient to identify Opposer's Services." Moreover, Document Request No. 7 calls for "[d]ocuments

sufficient to identify all locations or prospective locations” from which Taza has or intends to advertise, promote, offer, sell or use its products and services under Taza’s marks. The Board’s February 11, 2015 Order directed Taza to provide “complete responses” to these requests.

Taza has produced no responsive documents that would indicate that Taza has ever offered (or contemplated) franchising services in the U.S.

Taza either failed to produce responsive documents or provided false responses to requests for admission. Starbucks is within its rights to demand that Taza either immediately identify by Bates Nos. what responsive documents it produced to Starbucks Document Request No. 4 or supplement its document production. Please either immediately identify the documents already produced or supplement your document production.

Document Request No. 8:

This document request calls for “[d]ocuments sufficient to identify the type of purchaser to whom Opposer” has ever marketed, offered, or sold products or services under its marks. Taza stated that “[r]esponsive documents have been, and will continue to be, produced” in response to this request. Our review of Taza’s production has not revealed any documents identifying the type of purchasers Opposer targets. Please identify immediately by Bates Nos. which documents have been produced responsive to this request and/or immediately supplement your document production.

Document Request Nos. 14-16 and 23:

Document Request No. 14 calls for “[a]ll documents referring or relating to any objections Opposer has ever made to any third party’s use and/or registrations” of any marks based in whole or in part upon Taza’s marks.

Taza produced around 30 demand letters (Bates Nos. TAZA SYSTEMS 948-1097), all sent on April 2, 2015, to various third parties based on Taza’s TAZA marks. All the letters demanded that the third parties respond to Taza’s cease-and-desist letters within 10 days, i.e., by April 12, 2015. Under the Federal Rule of Civil Procedure 26(e), Taza has a continuing duty to supplement its document production. Please immediately supplement your document production with any and all documents and/or communications Taza received in response to its demand letters.

Please also note that, in response to Starbucks Document Request Nos. 14-16 and 23, Taza has a continuing duty to supplement its document production with any documents referring or relating to these demand letters, including, but not limited to, any communications between Taza and the third parties to whom it sent the demand letters, any resulting agreements with the third parties, and/or related judicial or administrative proceedings.

We request that Taza supplement its document production as detailed above as soon as possible, and in any event no later than April 24, 2015. Absent a complete remedy by Taza of the discovery deficiencies set forth in this letter and our correspondence of April 3, 2015,

Edward T. Saadi, Esq
Page 4

including production of all responsive documents, we will file a motion to compel and for sanctions with the Board.

Sincerely,

A handwritten signature in black ink, appearing to read "Julia Anne Matheson", with a long horizontal flourish extending to the right.

Julia Anne Matheson

JAM/ABN

Opposition No. 91207525
DECLARATION OF ANNA NAYDONOV IN SUPPORT OF APPLICANT'S
MOTION TO TEST SUFFICIENCY OF OPPOSER'S RESPONSES
TO REQUESTS FOR ADMISSION, FOR SANCTIONS, AND TO COMPEL

Exhibit 9

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

<p>TAZA SYSTEMS, LLC,</p> <p>Opposer,</p> <p>v.</p> <p>STARBUCKS CORPORATION dba STARBUCKS COFFEE COMPANY,</p> <p>Applicant.</p>	<p>Opposition No. 91207525</p> <p>Mark: TAZO Serial No.: 85439878 Filed: October 5, 2011</p>
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**APPLICANT'S FIRST SET OF REQUESTS FOR
THE PRODUCTION OF DOCUMENTS AND THINGS**

Pursuant to Rule 34 of the Federal Rules of Civil Procedure and Rules 2.116 and 2.120 of the Trademark Rules of Practice, Starbucks Corporation dba Starbucks Coffee Company ("Applicant") serves this First Set of Requests for the Production of Documents and Things on Taza Systems, LLC ("Opposer"), and requests that Opposer produce the requested documents at the offices of Applicant's counsel, FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P., 901 New York Avenue, N.W., Washington, DC 20001-4413, within thirty (30) days of service.

For the convenience of the Board and the parties, Applicant requests that each document request be quoted in full immediately preceding the response.

DEFINITIONS AND INSTRUCTIONS

Applicant incorporates by reference the definitions and instructions set forth in Applicant's First Set of Interrogatories to Opposer.

REQUESTS FOR THE PRODUCTION OF DOCUMENTS AND THINGS

1. All documents identified or requested to be identified in Applicant's First Set of Interrogatories to Opposer.
2. Documents referring or relating to the selection of Opposer's Marks, including but not limited to, the reasons Opposer selected Opposer's Marks, and the date when Opposer selected each of Opposer's Marks.
3. Documents referring or relating to all investigations and searches that Opposer has ever conducted concerning the availability for use and/or registration of Opposer's Marks and any name or mark comprised of or containing the prefix "TAZ-."
4. Documents sufficient to identify Opposer's Services.
5. Documents sufficient to identify the channels of trade (e.g., restaurants, retail stores, etc.) in which Opposer currently markets, offers, and sells; has marketed, offered, and sold; and intends to market, offer, and sell products and services under Opposer's Marks.
6. Documents sufficient to show all geographic areas (city and state) in which Opposer advertises, promotes, offers, and/or sells products and services under Opposer's Marks.
7. Documents sufficient to identify all locations or prospective locations, including but not limited to retail stores, discount stores, grocery stores, restaurants, and malls in or from which Opposer has ever advertised, promoted, offered, rendered, sold, or used, or intended to advertise, promote, offer, render, sell, or use products and services under Opposer's Marks.

8. Documents sufficient to identify the type of purchaser to whom Opposer currently markets, offers, and sells; has marketed, offered, and sold; and intends to market, offer, and sell products and services under Opposer's Marks.

9. Documents referring or relating to third parties of whom Opposer is aware that have used, sought to register, or registered at any time any mark containing the prefix TAZ- in the United States in connection with any of Opposer's Services, Applicant's Services, or any products or services related thereto.

10. Documents referring or relating to all communications, investigations, surveys, searches, studies, research, reports, polls, focus groups, or opinions, concerning consumer recognition of Opposer's Marks and/or the meaning of Opposer's Marks.

11. Documents referring or relating to all communications, investigations, surveys, reports, polls, studies, research, or opinions concerning the likelihood of confusion between Opposer's Marks and Applicant's Marks.

12. Representative advertising, promotional, and marketing materials in each media utilized (e.g., print, television, radio, Internet, direct mail, and billboards) featuring, displaying, and/or containing each of Opposer's Marks.

13. All documents referring or relating to marketing or advertising plans for products and services offered under Opposer's Marks.

14. All documents referring or relating to any objections Opposer has ever made to any third party's use and/or registration in the United States of any marks, names, or logos, designs, or other designations based in whole or part upon Opposer's Marks (including, without limitation, demand letters, opposition and cancellation proceedings, civil litigation, UDRP complaints).

15. Documents referring or relating to objections Opposer has received from any person regarding the use and/or registration of Opposer's Marks.

16. All agreements (e.g., license agreements, coexistence agreements, assignments, consent agreements, and settlement agreements) between Opposer and any person concerning the use and/or registration of TAZ-formative marks or names.

17. All documents in Opposer's possession, custody, or control that refer or relate to Applicant, Applicant's Mark, and/or any of products and services offered and/or sold in connection with Applicant's Mark.

18. All documents referring or relating to all communications, investigations, surveys, searches, studies, research, reports, polls, focus groups, or opinions concerning actual confusion or the likelihood of confusion by or between Opposer's Marks and Applicant's Mark, between Opposer and Applicant, and/or between any products and services offered in connection with Applicant's Mark and Opposer's Products and Services.

19. All documents referring or relating to any instances in which any person (including but not limited to customers, retailers, licensees, members of the general public, members of the media, or any entity) has been confused, mistaken, or deceived

regarding, on the one hand, Opposer, Opposer's Marks, and/or any of Opposer's Products and Services, and, on the other hand, Applicant, Applicant's Marks, and/or any products and services offered in connection with Applicant's Mark.

20. All documents referring or relating to any instances in which any person (including but not limited to customers, retailers, licensees, members of the general public, members of the media, or any entity) has inquired or communicated about whether Applicant, Applicant's Mark, and/or any products and services offered in connection with Applicant's Mark, are or were affiliated with, associated with, connected to, sponsored by, or otherwise related to Opposer, Opposer's Products and Services, and/or Opposer's Marks.

21. Documents sufficient to identify the annual sales revenues (including projected sales revenues) for each of Opposer's Products and Services from the first use of Opposer's Marks to the present.

22. Documents sufficient to identify the annual advertising and promotional expenditures for each of the products and services offered under Opposer's Marks from the first use of Opposer's Marks to the present.

23. Documents referring or relating to all judicial and administrative proceedings in any forum, including but not limited to the U.S. Patent and Trademark Office, federal court, state court, agency or other forum, involving or relating to the Opposer's Marks, or any names, marks, or designations mark comprised of or containing the prefix "TAZ" other than this proceeding.

24. All documents referring or relating to the circumstances under which
Opposer first became aware of Applicant, Applicant's Mark, and any of products and
services offered in connection with Applicant's Mark.

Respectfully submitted,

Dated: April 11, 2014

By 

Julia Anne Matheson
Whitney D. Cooke
FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.
901 New York Ave., N.W.
Washington, D.C. 20001-4413
(phone) (202) 408-4000
(fax) (202) 408-4400

Attorneys for Applicant

CERTIFICATE OF SERVICE

I certify that a true and accurate copy of the foregoing Applicant's First Set of Requests for the Production of Documents and Things was served on April 11, 2014 by first-class mail, postage prepaid, on counsel for Opposer at the following address of record:

Edward T. Saadi, Esq.
Edward T. Saadi, LLC
970 Windham Court, Suite 7
Boardman, OH 44512

_____

Opposition No. 91207525
DECLARATION OF ANNA NAYDONOV IN SUPPORT OF APPLICANT'S
MOTION TO TEST SUFFICIENCY OF OPPOSER'S RESPONSES
TO REQUESTS FOR ADMISSION, FOR SANCTIONS, AND TO COMPEL

Exhibit 10

LAW OFFICE OF
EDWARD T. SAADI, LLC
970 WINDHAM COURT, SUITE 7
BOARDMAN, OHIO 44512

TEL: (330) 782-1954 FAX: (330) 266-7489
EMAIL: EDWARDSAADI@AOL.COM
ADMITTED TO PRACTICE IN OHIO, CALIFORNIA, & WASHINGTON, D.C.

April 24, 2015

RE: Taza Systems, LLC v. Starbucks Corporation DBA Starbucks Coffee Company
Opposition No.: 91207525

Julia Anne Matheson, Esq.
Finnegan, Henderson, Farabow, Garrett & Dunner, LLP
901 New York Avenue, NW
Washington, DC 20001-4413

Dear Julia:

This is responsive to your letter dated April 17, 2015.

Request for Admission No. 15 and Requests for Production Nos. 12-13:

Certainly Starbucks is within its rights to expect that Taza supplement its responses to document requests where appropriate. But in this case, Request for Production No. 12 only asks for "representative" advertising, not "all" advertising, and Taza has complied fully with the Request by producing numerous representative advertisements. In essence, Starbucks is now attempting to serve an additional document request in which it demands specifically all advertising which does not reference Lebanese food. No such request has been served on Taza to date and discovery is closed.

Also, demanding that Taza identify specifically which of the documents it has produced might serve as the basis for its denial of Request for Admission No. 15 is not synonymous with a request for supplementation. In fact it constitutes a demand that Taza explain its denial of Request for Admission No. 15, which is inappropriate as parties are under no obligation to explain denials of admission requests. Moreover, demanding that Taza identify specific documents which might be the basis of its denial of Request for Admission No. 15 constitutes an interrogatory which asks Taza to identify documents, rather than produce them. Taza is not required to answer such "follow-up" interrogatories for clarification after the close of discovery.

Having said all of that, Taza is producing an additional document, which is enclosed herewith and is Bates-stamped TAZA SYSTEMS-1098.

Requests for Admission Nos. 31-45 and Request for Production No. 4:

As you recall, Taza objected to Starbucks' Request for Production No. 4 on grounds that it is vague and ambiguous. Specifically, Taza asserted that in demanding "documents sufficient to identify" Taza's services, Starbucks failed to describe with reasonable particularity the documents sought. The Board's February 11, 2015 Order overruled Taza's objection and instructed Taza to respond, but the Order also specifically noted that "*the parties may subsequently disagree as to the sufficiency of the documents produced...*" Order, p. 10. The documents produced by Taza are, in Taza's view, sufficient to comply with Request for Production No. 4.

Starbucks' insistence that Taza identify the specific documents evidencing use of its marks in connection with carry-out tea and coffee beverages constitutes either an additional interrogatory—which is inappropriate—or a demand that Taza explain the bases for its denial of Requests for Admission Nos. 31-45, which Taza is under no obligation under the Rules to do.

Requests for Admission Nos. 88-89 and Request for Production No. 4:

Starbucks' insistence that Taza identify specific documents evidencing use of its marks in connection with franchising constitutes either an additional interrogatory—which is inappropriate—or a demand that Taza explain the bases for its denial of Requests for Admission Nos. 88-89, which Taza is under no obligation under the Rules to do. Moreover, it appears to presume, falsely, that such documents must exist at all in order to justify Taza's denials of these Requests for Admission.

Regarding Request for Production No. 7, as you recall, Taza objected to Starbucks' to this Request on grounds that it is vague and ambiguous. Specifically, Taza asserted that in demanding "documents sufficient to identify" Taza's locations or prospective locations, Starbucks failed to describe with reasonable particularity the documents sought. The Board's February 11, 2015 Order overruled Taza's objection and instructed Taza to respond, but the Order also specifically noted that "*the parties may subsequently disagree as to the sufficiency of the documents produced...*" Order, p. 10. The documents produced by Taza are, in Taza's view, sufficient to comply with Request for Production No. 7. It also bears noting that this issue was fully answered in Taza's responses to Starbucks' interrogatories.

Document Request No. 8:

As you recall, Taza objected to Starbucks' Request for Production No. 8 on grounds that it is vague and ambiguous. Specifically, Taza asserted that in demanding "documents sufficient to identify" Taza's purchasers, Starbucks failed to describe with reasonable particularity the documents sought. The Board's February 11, 2015 Order overruled Taza's objection and instructed Taza to respond, but the Order also specifically noted that "*the*

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EDWARD T. SAADI, LLC

parties may subsequently disagree as to the sufficiency of the documents produced..." Order, p. 10. The documents produced by Taza are, in Taza's view, sufficient to comply with Request for Production No. 8, particularly in view of Taza's response to Starbucks' Interrogatory No. 7. Moreover, Taza simply is unable to discern what other types of documents Starbucks is seeking.

Document Request Nos. 14-16 and 23:

To the extent that additional documents which are responsive to these document requests come into Taza's possession, they will be produced in due course.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Edward T. Saadi', with a stylized flourish at the end.

Edward T. Saadi, Esq.

Enclosure (As Stated)