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

Proceeding	91239143
Party	Defendant L2 Apparel Group LLC
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Date	06/07/2021
Attachments	Applicant Pretrial Disclosures.pdf(119074 bytes)

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

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W-D APPAREL COMPANY, LLC., : :
 : : Opposition No. 91239143
 : :
 : : Mark: TERRA LUXE
 : :
 : : Application Serial No.: 86/933,826
 : :
L2 APPAREL GROUP LLC, : :
 : : Published in *Official Gazette*: November 28, 2017
 : :
 : : Filed: March 9, 2016
 : :
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APPLICANT’S PRETRIAL DISCLOSURES

L2 APPAREL GROUP LLC, by its attorneys, makes the following pretrial disclosures pursuant to 37 C.F.R. § 2.121 and Federal Rule of Civil Procedure 26(a)(3).

L2 Apparel Group LLC identifies the following witnesses whose testimony L2 Apparel Group LLC expects to present during its trial period.

Thomas Nakios
President, L2 Apparel Group LLC
c/o Jonathan Moskin
Foley & Lardner LLP
90 Park Avenue
New York, New York 10016
Tel. 212-338-3572

Susan Coleman
Paralegal, Foley & Lardner LLP
c/o Brad Russell
Foley & Lardner LLP
One Independent Drive, Suite 1300
Jacksonville, Florida 32202
Tel. 904-633-8928

Matthew McCaig
DIRECTOR - PRODUCT MANAGEMENT, FOOTWEAR
c/o Troutman Pepper Hamilton Sanders LLP
3000 Two Logan Square
Eighteenth and Arch Streets
Philadelphia, Pennsylvania 19103-2799

Mr. Nakios is expected to testify about the history of L2 Apparel Group's Terra Luxe mark and application for registration, the products offered and intended to be offered by L2 Apparel Group under the Terra Luxe mark, and the market for the products offered and intended to be offered under the Terra Luxe mark.

Ms. Coleman is expected to testify about other products offered on the market by third parties under marks including the words "Terra" and "Luxe," and the meanings of those terms. L2 Apparel Group LLC expects to introduce as exhibits during the testimony of Ms. Coleman computer print-outs and other publicly available materials showing use and registration of and for such other products offered by such third parties.

Mr. McCaig may be called as a hostile witness.

Additionally, L2 Apparel Group LLC expects to offer other evidence by notice of reliance in accordance with 37 C.F.R. § 2.122(g).

Dated: June 7, 2021

Respectfully submitted,

FOLEY & LARDNER LLP

By: /s/ W. Bradley Russell

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Attorneys for Applicant

L2 Apparel Group LLC

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing APPLICANT'S PRETRIAL DISCLOSURES has been served this 7th day of June 2021 upon the attorney/correspondent of record via email to the addresses on record for the proceeding:

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/s/ W. Bradley Russell

W. BRADLEY RUSSELL