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Filing date: **10/28/2019**

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

Proceeding	91243006
Party	Defendant Thirdlove, Inc.
Correspondence Address	JEFFREY L SNOW PRYOR CASHMAN LLP 7 TIMES SQUARE NEW YORK, NY 10036-6569 UNITED STATES jsnow@pryorcashman.com, rklarberg@pryorcashman.com, jweigens- berg@pryorcashman.com 212-421-4100
Submission	Response to Board Order/Inquiry
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Filer's email	rklarberg@pryorcashman.com, jsnow@pryorcashman.com, tmdocket- ing@pryorcashman.com
Signature	/ryan s. klarberg/
Date	10/28/2019
Attachments	Exhibits 6 through 8 to Klarberg Declaration - Redacted - Filed 10.28.19.pdf(2924972 bytes)

EXHIBIT 6

CONFIDENTIAL (REDACTED)

DOLCE VITA INTIMATES LLC v. THIRDLOVE, INC.

Proceeding No. 91/243,006

5			183 Ne	olce Vi Intimates LLC Madison Aver w York, NY 100 34-7774/fax: 21	nve 016		
			Purc	<u>chase O</u>	<u>rder</u>		
Product:	BRA	1				ISSUED TO:	
Style #:	8174VW					PO #:	6893
Color:	WHITE ; N	UDE				Date:	10/18/17
Des durat Da							
Product De	scription:	Cotton So	ft Cup Bra with Sati	n piping		FOB price:	************
Customer:						Ex Factory date:	1/20/18
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EXHIBIT 7

CONFIDENTIAL (REDACTED)

DOLCE VITA INTIMATES LLC v. THIRDLOVE, INC.

Proceeding No. 91/243,006

DOLCE VITA INT	rim/	ATES		C.C	Ren	nit to	L-A):	110	KNE	rse	YES	ONE	Invo	oice I	No:	327085
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	QUANTITIES	AMOUNT \$
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	2 2-8485 2-8485 2.0. 34 34 34 36 BLK M 10 BLK NST LONG	2 2-8485 2-8485 2-0. De 10 10 10 10 10 10 10 10 10 10 10 10 10	22 2-8485 Approval # Vendor # Vendor # 0	Approval # 786810 Vendor #	Approval # 786810 Vendor # 2.0. Department Ship V Solution Ship V Solut	22 2-8485 Approval # 786810 Sh 2-8485 Approval # 786810 Vendor # Sh 2-0. Department Ship Via FEDEX GROUND FEDEX GROUND 10 10 10 10 10 10 10 10 10 10 10 10	PAGE 22 2-8485 Approval # 786810 Vendor # Ship to Ship to Ship Via CO. Department Ship Via FEDEX GROUND NS Pick No Cartons Weight DAYS 00628180 4 92 COL DIM CUST SKU/UPC QUANTITY 34 36 38 4 36 38 BLK 6 6 M L 1X 2X 3X 10 10 10 BLK 10 10 10 EA	PAGE DATE 2-28485 Approval # 786810 Vendor # Ship to Ship to Ship to 0. Department Ship Via Order No 0.0. Department Ship Via Order No 0.0529778 S 00628180 4 92 0.04YS 00628180 4 92 92 0.10 CUST SKU/UPC QUANTITY Price \$ 34 36 38 40 42 44 46 48 50 52 54 56 30 28 BLK 6 6 30 EA 4X 5X 10 EA 10 10 10

	QUANTITIES	AMOUNT \$
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DIV: DOLCE VITA IN 1000 FIRST STREET									
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For: Custome	er P.O.	D	epartment	Y		p Via	Y	Order No	Store
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	erms 30 DAYS		ick No 628180	Cartons 4		Weight 92)		
STYLE	COL	DIM	CL	IST SKU/U	PC O	QU	ANTITY	Price \$	Extension \$
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3253X SEAMLESS HIGH Sizes:	BLK WAIST BRIEF	5 2-4X, Bl L	10 .ACK 1X	10 2x	3х	4x			
3253	NUD WAIST BRIEF	M-1X, N		10		_	15 EA		
	S	M	L	1X	2X	3X			
Sizes:	16						-		

	QUANTITIES	AMOUNT \$
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DISCOUNT	1.0	
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FEDERAL TAX		
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MATES LLC					r	V	····~	
					P	AGE	DATE	CLIENT
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	QUANTITIES	AMOUNT \$
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STYLE	COL	DIM	C	UST SKU/	UPC		QU	ANTITY	Price \$	Extension
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	QUANTITIES	AMOUNT \$
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GRAND TOTAL		

DOLCE VITA I		S LLC	Remit	to :			Invo	vice No: 3	27085
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Bill to .			Vendor #	7		511	p to		
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For: Contract									
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Customer I	2.0.	γ	Department	γ	Ship FEDEX (Order No 00529778	Store 0001
Rep Terr 030 NET 30		Ì	Pick No 00628180	Cartor 4		Weight 92)	00020110	
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	xs	14	15	9	10	12			
69 HIGH WAIST LONG I							6 EA		
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	QUANTITIES	AMOUNT \$
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DOLCE VITA I		SLLC	Remit to	0:			Inv	oice No : 3	327085
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F.9734828400 F.973	402-0405		Approval # Vendor #	¥ 786810		Shi	p to		
For: Custome	or P.O.	D	epartment	Y	Ship		Y	Order No	Store
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	6X	7x	8X	9 x	10x	XL	S		
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	QUANTITIES	AMOUNT \$
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6 EA

WHT

HIGH WAIST LONG LEG M-5X, WHITE

769

1000 FIRS	T STREET							PAGE	DATE	CLIENT
HARRISON T.9734828		9-2332 3-482-8485						10	Jun 07/17	
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				and the second sec				GRAND 1	TOTAL	

EXHIBIT 8

CONFIDENTIAL (REDACTED)

DOLCE VITA INTIMATES LLC v. THIRDLOVE, INC.

Proceeding No. 91/243,006

	/ITA INTIMATE	SLLC	Remit t	o :		Inv	oice No: 1	24703
1000 FIRST S						PAGE	DATE	CLIENT
	J 07029-2332) F.973-482-8485					1	Aug 01/12	
Bill to :			Approval Vendor #		s	hip to		
	ustomer P.O.		epartment		Ship Via		Order No	Store
	ustomer P.O.	D	epartment	AVF	Ship Via		Order No 00441554	Store 9001
Cu Rep	Terms	Y P	ick No	Cartons	NO LOGIST	_		
For Cu Rep 099		Y P			RIO LOGIST	_		
Cu Rep	Terms NET 60 DAYS	Y P	ick No 1384793	Cartons	RIO LOGIST Weight 1050	_		

WHT QUARD SOF	180 C TCUP BRA	, WHITE		57		180 EA		
36	38	40	42	44	46	48		
WHT	C TCUP BRA	180				180 EA	-	
36	38	40	42	44	46	48		
	C TCUP BRA	WHITE	180			240 EA		
36	38	40	42	44	46	48		
 	D			240		120 EA	-	
	WHT 36 WHT UARD SOF 36 WHT UARD SOF 36	WHT C QUARD SOFTCUP BRA 36 38 WHT C QUARD SOFTCUP BRA 36 38 WHT C QUARD SOFTCUP BRA	WHT C QUARD SOFTCUP BRA, WHITE 36 38 40 WHT C QUARD SOFTCUP BRA, WHITE 36 38 40 WHT C WHT C WHT C UARD SOFTCUP BRA, WHITE 36 38 40	WHT C RUARD SOFTCUP BRA, WHITE 36 38 40 42 WHT C 180 - WHT C - - UARD SOFTCUP BRA, WHITE 36 38 40 42	WHT C RUARD SOFTCUP BRA, WHITE 36 38 40 42 44 WHT C 180	WHT C RUARD SOFTCUP BRA, WHITE 36 38 40 42 44 46 36 38 40 42 44 46 WHT C 180 40 42 44 46 WHT C 180 42 44 46 WHT C 180 42 44 46 WHT C 180 180 46 WHT C 180 46 46 WHT C 180 46 46 WHT C 240 46 46	WHT C 180 EA RUARD SOFTCUP BRA, WHITE 36 38 40 42 44 46 48 WHT C 180 46 48 180 EA 180 EA WHT C 180 46 48 180 EA WHT C 180 46 48 WHT C 180 46 48 WHT C 180 46 48 WHT C 180 240 46 48 WHT C 180 240 EA 240 EA WHT C 240 240 EA 240 EA	WHT C 180 EA AUARD SOFTCUP BRA, WHITE 36 38 40 42 44 46 48 WHT C 180 180 180 EA 180 EA 180 EA WHT C 180 180 EA 180 EA 180 EA 180 EA WHT C 180 180 EA 180 EA 180 EA 180 EA 180 EA WHT C 180 180 240 EA 180

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LOCAL TAX		
GRAND TOTAL		

	E VITA INTIMATES LLC	Remit to) :		Invoice No: 1	24703
	CE VITA INTIMATES LLC ST STREET			PAG	E DATE	CLIENT
HARRISO T.9734828	N NJ 07029-2332 3400 F.973-482-8485			2	Aug 01/12	
Bill to		Approval #	\$ 50000	Ship t		
		Vendor #				
For						
	Customer P.O.	Department	γ	Ship Via	Order No	Store
			AVF		00441554	9001
Rep	Terms	Pick No	Cartons	Weight		
099	NET 60 DAYS	00384793	70	1050		

STYLE	COL	DIM	CL	JST SKU/U	JPC	QUA	NTITY	Price \$	Extension \$
Sizes:	36	38	40	42	44	46	48		
4805VW FF FLORAL JACC	WHT	D CUP BRA	120				300 EA	-	
Sizes:	36	38	40	42	44	46	48		
4805VW FF FLORAL JACC	WHT	D CUP BRA	., WHITE	300			300 EA	-	
Sizes:	36	38	40	42	44	46	48		
4805VW FF FLORAL JACC		D CUP BRA			300		420 EA	-	Long to the second
Sizes:	36	38	40	42	44	46	48	1 1 1 1	
4805VW FF FLORAL JACC	WHT QUARD SOFT	D CUP BRA	., WHITE			420	360 EA		-

	QUANTITIES	AMOUNT \$
SUBTOTAL		
DISCOUNT		
FREIGHT		
INSURANCE		
MISC		
FEDERAL TAX		
LOCAL TAX		
GRAND TOTAL		

DOLCE VITA INTIMATES LLC	Remit to :	In	voice No :	124703
1000 FIRST STREET		PAGE	DATE	CLIENT
HARRISON NJ 07029-2332 T.9734828400 F.973-482-8485		3	Aug 01/12	
Bill to :	Approval # 50000 Vendor #	Ship to		

For

	Customer P.O.	Department	Ŷ	Ship Via	Y Order No	Store
			AVF	RIO LOGISTIC	00441554	9001
Rep	Terms	Pick No	Cartons	Weight		
099	NET 60 DAYS	00384793	70	1050		

STYLE	COL	DIM	C	UST SKU/	UPC	QU	ANTITY	Price \$	Extension \$
Sizes:	36	38	40	42	44	46	48		
4805VW		DD					30 240 EA	50	
FF FLORAL JAC		CUP BRA	, WHITE						
Sizes:	36	38	40	42	44	46	48		
3174VW		с			240			-	3
COTTON SOFTC	1 C C C C C C C C C C C C C C C C C C C	1.000	WHITE				60 EA		
Sizes:	34	36	38	40	42	44			
B174VW COTTON SOFTC			60				— 120 EA	KIRIBAN	
Sizes:	34	36	38	40	42	44			
3174VW COTTON SOFTC	WHT	C N PIPIN, Y	WHITE	120			— 120 EA		

	QUANTITIES	AMOUNT \$
SUBTOTAL		
DISCOUNT		
FREIGHT		
INSURANCE		
MISC		
FEDERAL TAX		
LOCAL TAX		
GRAND TOTAL		

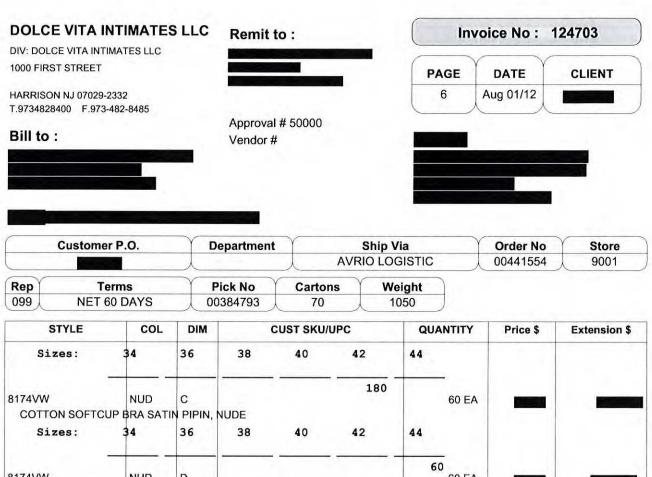
	E VITA IN		S LLC	Remit to) :	(Inv	oice No: 1	24703
	ST STREET	WATES LLC				-	PAGE	DATE	CLIENT
	N NJ 07029-2 3400 F.973			1		Ę	4	Aug 01/12	
Bill to :			Approval # Vendor #	¥ 50000		Ship to			
For									
	Custome	· P.O.	D	epartment	Y	Ship Via)	Order No	Store
					AVR	RIO LOGIS	TIC	00441554	9001
Rep	Те	rms	P	ick No	Cartons	Weigh	nt		
099	NET 6	0 DAYS	00	384793	70	1050			
S	TYLE	COL	DIM	CL	JST SKU/UPC		QUANTITY	Price \$	Extension \$
ci.		24	26	20	40 4				

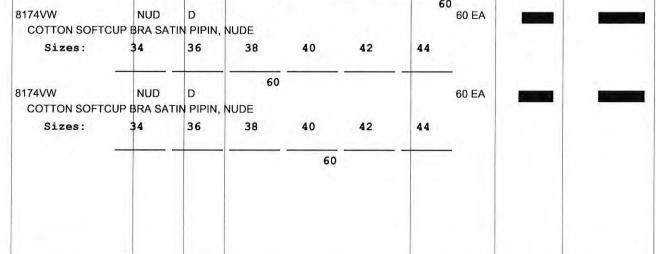
Sizes:	34	36	38	40	42	44			
8174VW	WHT	с			120			-	
COTTON SOFTC	CUP BRA SAT	TIN PIPIN,	WHITE						
Sizes:	34	36	38	40	42	44			
8174VW		D	· · · · ·			12	20 120 EA		
COTTON SOFTC	UP BRA SAT	IN PIPIN,	WHITE			100			
Sizes:	34	36	38	40	42	44			
3174VW		D	120						
COTTON SOFTC			WHITE				ou cr		
Sizes:	34	36	38	40	42	44			
				60		-			
3174VW	WHT	D IN PIPIN,	13 - L 2 -				180 EA		

	QUANTITIES	AMOUNT \$
SUBTOTAL		
DISCOUNT		
FREIGHT		
INSURANCE		
MISC		
FEDERAL TAX		
LOCAL TAX		
GRAND TOTAL		

DOLCE VITA I		-S LLC	Remit to	D :		In	voice No: 1	24703
DIV: DOLCE VITA INT 1000 FIRST STREET	IMATES LLC						Y	
1000 TINGT STREET						PAGE	DATE	CLIENT
HARRISON NJ 07029 T.9734828400 F.973						5	Aug 01/12	
Bill to :			Approval : Vendor #	# 50000		Ship to		
Fo								
Custome	er P.O.	γ	Department	γ	Ship V		Order No	Store
					AVRIO LO	GISTIC	00441554	9001
	erms 60 DAYS		Pick No 00384793	Cartor 70		bight 050		
STYLE	COL	DIM	CI	JST SKU/	UPC	QUANTITY	Price \$	Extension \$
Sizes:	34	36	38	40	42	44		
8174VW COTTON SOFTC	WHT		– – – – –		180	420 E		
Sizes:	34	36	38	40	42	44		
3174VW COTTON SOFTC						420 60 E		
Sizes:	34	36	38	40	42	44		
174VW COTTON SOFTC	NUD		60			60 E/	A 199	
Sizes:	34	36	38	40	42	44		
3174VW		С		60		180 E/	A	
COTTON SOFTC	JP BRA SAT		, NUDE					

	QUANTITIES	AMOUNT \$
SUBTOTAL		
DISCOUNT		
FREIGHT		
INSURANCE		
MISC		
FEDERAL TAX		
LOCAL TAX		
GRAND TOTAL		





SPECIAL INSTRUCTIONS PACKING INSTRUCTIONS NOTE TO PACKER

written consent q

 QUANTITIES
 AMOUNT \$

 SUBTOTAL
 Image: 1

 DISCOUNT
 Image: 1

 FREIGHT
 Image: 1

 INSURANCE
 Image: 1

 MISC
 Image: 1

 FEDERAL TAX
 Image: 1

 LOCAL TAX
 Image: 1

 GRAND TOTAL
 Image: 1

This account and the merchandise it represents has been assigned and is PAYABLE ONLY to

Make check payable as above in United States funds and indicate name of seller. Any claims against this invoice must be made promptly in writing **particular states and seller** pecifying details. No returns or adjustments will be recognized without the

PRICES SUBJECT TO CHANGE WITHOUT NOTICE NO CLAIMS ALLOWED UNLESS MADE WITHIN 50 DAYS AFTER RECEIPT OF GOODS BILL NOT PAID AT MATURITY SUBJECT TO INTEREST AT 24% ANNUM

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

In the Matter of Trademark Application Serial No. 86/710,362 Mark: 24/7

DOLCE VITA INTIMATES LLC,

Opposer/Respondent,

-against-

THIRDLOVE, INC.,

Applicant/Petitioner.

Proceeding No. 91/243,006

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing redacted

Exhibits 6 through 8 to the supporting Declaration of Ryan S. Klarberg¹ have been served upon

Opposer/Respondent's counsel by email on October 28, 2019 at the following e-mail addresses:

Robert L Epstein, Esq. Kimberly A. Klibert, Esq. Epstein Drangel LLP 60 E 42nd Street, Ste. 2520 New York, NY 10165 <u>mail@ipcounselors.com</u> <u>repstein@ipcounselors.com</u> <u>kklibert@ipcounselors.com</u>

> /ryan s. klarberg/ Ryan S. Klarberg

¹ Applicant/Petitioner files for the public record redacted copies of Exhibits 6 through 8 to the supporting Declaration of Ryan S. Klarberg pursuant to the Board's Order dated October 16, 2019.