

ESTTA Tracking number: **ESTTA1124874**

Filing date: **04/05/2021**

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

Proceeding	91252622
Party	Plaintiff Spring Meadow Nursery, Inc.
Correspondence Address	BRIAN D WASSOM WARNER NORCROSS + JUDD LLP 45000 RIVER RIDGE DR STE 300 CLINTON TWP, MI 48038 UNITED STATES Primary Email: bwassom@wnj.com Secondary Email(s): kbankeroff@wnj.com, tmcallister@wnj.com 248-784-5039
Submission	Other Motions/Submissions
Filer's Name	Brian D. Wassom
Filer's email	bwassom@wnj.com
Signature	/Brian D. Wassom/
Date	04/05/2021
Attachments	2021-04-05 Spring Meadows Pretrial Disclosures.pdf(139735 bytes )

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

In the matter of U.S. Application Serial No. 88567322  
Publication in the Official Gazette: Nov. 19, 2019  
For the mark **JEWEL BOX**

Spring Meadow Nursery, Inc.,  
Opposer,

v.

Plant Development Services, Inc.,  
Applicant.

Opposition No.: 91252622

**OPPOSER’S PRETRIAL DISCLOSURES**

Pursuant to Federal Rule of Civil Procedure 26(a)(3) and TBMP 702.01, Opposer (“Spring Meadow”) makes the following disclosures.

Spring Meadow anticipates introducing the testimony of the following witnesses. Each named person has such information concerning Opposer’s mark as is customary for their role with Opposer. Although addresses are provided for each person, they are representatives of Opposer and thus may only be contacted through Opposer’s counsel of record.

<b>Witness Name</b>	<b>General Subject Matter of Testimony and of Documents to be Authenticated</b>
Jeremy Deppe, Timothy Wood, and Dale Deppe C/O Counsel for Opposer	All issues relevant to this Opposition, including but not limited to Opposer’s use of its relevant marks in commerce, sales in the US under its marks, the strength of consumer recognition in Opposer’s marks, the trade channels in which its marks are used, the use of the mark in marketing, the nature of the goods with which the mark is used, and data on Opposer’s target market.

Opposer may also substitute the testimony of a similar representative of Opposer in the event one of the named representatives is unavailable, and may rely on one or more additional witnesses for the purpose of authenticating documents. For example, a representative of Opposer's counsel may authenticate documents authored by counsel.

Respectfully submitted,  
By: /s/ Brian D. Wassom  
Warner Norcross + Judd LLP  
45000 River Ridge Dr., Ste 300  
Clinton Twp., MI 48038  
(248) 784-5039  
bwassom@wnj.com  
Attorneys for Opposer

#### **CERTIFICATE OF SERVICE**

I certify that on April 5, 2021, the foregoing document is being electronically transmitted in PDF format to the Trademark Trial and Appeal Board through the Electronic System for Trademark Trials and Appeals (ESTTA), and served on all counsel at the email addresses on file with the TTAB.

By: /s/ Brian D. Wassom