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Filing date: **05/19/2022**

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

|                        |   |
|------------------------|---|
| Proceeding no.         | 91271869  |
| Party                  | Defendant<br>Zoom Video Communications, Inc.  |
| Correspondence address | JOYCE LIOU<br>MORRISON & FOERSTER LLP<br>425 MARKET STREET<br>SAN FRANCISCO, CA 94105<br>UNITED STATES<br>Primary email: jliou@mofo.com<br>Secondary email(s): TMDocket@mofo.com<br>415-268-7000                        |
| Submission             | Other Motions/Submissions   |
| Filer's name           | Ani Oganessian  |
| Filer's email          | aoganesian@mofo.com, jliou@mofo.com, TMDocket@mofo.com  |
| Signature              | /s/ Ani Oganessian  |
| Date                   | 05/19/2022  |
| Attachments            | 2022-05-19 ZVC Motion to Take Depositions by Oral Examination.pdf(395322 bytes )<br>2022-05-19 Declaration of J. Liou ISO ZVC Motion.pdf(347303 bytes )<br>Exhibit A.pdf(807375 bytes )<br>Exhibit B.pdf(683846 bytes ) |

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

KABUSHIKI KAISHA ZOOM,

Opposer,

v.

ZOOM VIDEO COMMUNICATIONS, INC.,

Applicant.

Opposition No. 91271869

Application Serial No. 90/252,389

Mark: ONZOOM

Filing Date: Oct. 13, 2020

**APPLICANT’S MOTION TO TAKE OPPOSER’S DEPOSITIONS  
BY ORAL EXAMINATION**

Pursuant to 37 C.F.R. § 2.120(c)(1) and TBMP § 520, Applicant Zoom Video Communications, Inc. (“Applicant”) respectfully requests that the Board issue an order requiring Opposer Kabushiki Kaisha Zoom (“Opposer”) to make its Representative Director and CEO, Masahiro Iijima, available for oral examination by videoconference, or, in the alternative, in-person testimony in Japan.

**A. FACTUAL BACKGROUND**

Applicant is a Delaware corporation with its principal place of business in San Jose, California. Opposer is a Japanese corporation with offices in Tokyo. In its initial disclosures, Opposer identified a single party-affiliated witness located in Tokyo who is likely to have discoverable information—Opposer’s Representative Director and CEO, Masahiro Iijima. (Declaration of Joyce Liou in Support of Applicant’s Motion (“Liou Decl.”) ¶ 10.)

On January 3, 2022, the parties held a discovery conference. (*Id.* ¶ 2.) At Applicant’s request, interlocutory attorney Jennifer Krisp was in attendance. (*Id.*; 2022-01-04 Order at 1.) Among other issues, the parties discussed the format in which depositions in this proceeding

Opposition No.: 91271869  
Application Serial No.: 90/252,389  
Mark: ONZOOM

should be taken. (Liou Decl. ¶ 3.) Ms. Krisp strongly encouraged the parties to stipulate to depositions by oral examination, as they are superior to depositions on written questions. (*Id.*; 2022-01-04 Order at 3.) Applicant informed Opposer and Ms. Krisp of its preference for taking depositions by oral examination. (Liou Decl. ¶ 4.)

On January 4, 2022, Applicant contacted Opposer regarding Mr. Iijima’s availability for a deposition in February and asked whether the parties could stipulate to a deposition by oral examination. (*Id.* ¶ 5.) On January 19, 2022, Opposer responded that Mr. Iijima does not plan to travel to the United States and that his deposition would have to be taken upon written questions in accordance with Rule 2.124. (*Id.* ¶ 6.) Applicant clarified on January 21 that it was not requesting that Mr. Iijima travel to the United States, but rather it was only requesting that the deposition be conducted by oral examination, which can be done through video conference. (*Id.* ¶ 7.) In response, Opposer stated that it would not agree to Mr. Iijima’s deposition by oral examination., and later confirmed its position that “any Rule 30(b)(6) deposition will need to proceed upon written questions in accordance with Rule 2.124.” (*Id.* ¶¶ 8-9 & Ex. A at 1.) This motion follows.

## **B. APPLICABLE STANDARD**

Ordinarily, in Board proceedings, the “deposition of a natural person residing in a foreign country who is a party or who, at the time set for taking the deposition, is an officer, director, or managing agent of a party, . . . shall, if taken in a foreign country, be taken” upon written questions as set forth in 37 C.F.R. § 2.124. *Salutare S.A. De C.V.*, No. 91256556, 2021 WL 5983194, \*4 (T.T.A.B. Dec. 16, 2021) (citing 37 C.F.R. § 2.120(c)(1); TBMP § 404.03(b).) However, “upon motion for good cause,” the Board may “order [] that the deposition be taken by oral examination” provided that the taking of the deposition complies with the Convention on the

Taking of Evidence Abroad in Civil or Commercial Matters (“Hague Convention”) if the foreign country is a signatory thereto.” *Id.* (citing Trademark Rule 2.120(c)(1); TBMP § 404.03(b), 520.) “The Board will also, upon a showing of good cause, permit the deposition to be taken by ‘telephone or other remote means’ pursuant to Fed. R. Civ. P. 30(b)(4), so long as the deposition complies with the procedures set forth in the Hague Convention and local laws.” *Id.* (citations omitted).

“What constitutes good cause for a motion to take a discovery deposition orally must be determined on a case-by-case basis, upon consideration of the particular facts and circumstances in each situation.” *Orion Group Inc. v. the Orion Insurance Co. P.L.C.*, 12 U.S.P.Q.2d 1923, 1925 (T.T.A.B. 1989). To determine whether good cause exists, “the Board weighs the equities, including the advantages of an oral deposition and any financial hardship that the nonmoving party might suffer if the deposition were taken orally in the foreign country.” *Id.* (citations omitted).

### **C. ARGUMENT**

As set forth below, good cause exists to permit Applicant to conduct Mr. Iijima’s deposition by oral examination because the advantages of oral examination in this proceeding are significant and should pose no financial hardship to Opposer.

#### **1. A Deposition by Oral Examination Is Less Cumbersome than a Deposition on Written Questions**

A deposition by oral examination is superior to a deposition on written questions in this proceeding. First, it allows for “face-to-face confrontation and provides the efficiency of immediately allowing follow-up questions based on answers to previous questions as opposed to the cumbersome and time-consuming procedure of a deposition on written questions[.]” *Conan*

*Doyle Est., Ltd.*, No. Opp. 91192738, 2011 WL 13054908, \*7 (T.T.A.B. Sept. 8, 2011); *see also Feed Flavors Inc. v. Kemin Indus., Inc.*, 209 U.S.P.Q. 589, 591 (T.T.A.B. 1980) (finding that the ability to confront a witness on cross examination is crucial, and is a meritorious reason for the Board to order the oral deposition of a party that is a foreign resident). Indeed, it can take months for parties to serve cross questions, redirect questions, recross questions, and objections prior to the taking of a written deposition. *See* 37 C.F.R. § 2.124(d)(1).

Here, Mr. Iijima is the only witness identified by Opposer in its initial disclosures, and is thus the *key* witness from whom Applicant can seek testimony regarding Opposer’s ZOOM marks; products offered for sale under Opposer’s ZOOM marks; advertising, marketing, and promotion of Opposer’s ZOOM products and services; use of Opposer’s ZOOM marks; sales and distribution of Opposer’s ZOOM products; trade and media coverage of Opposer’s ZOOM products; alleged confusion in the marketplace; and any other information that Opposer may use to support its claims or defenses. (*See* Liou Decl. ¶ 10 & Ex. B at 2.) Opposer has also identified Mr. Iijima in its interrogatory responses as the person “most knowledgeable about the advertising, promotion, and sales efforts concerning Opposer’s Goods and Services.” (*Id.* ¶ 11.) Because Opposer has not disclosed any other individual witnesses with relevant information, Applicant presumes that Mr. Iijima will also serve as Opposer’s sole witness for its Rule 30(b)(6) deposition, which Opposer has also said must be on written questions. (*Id.* ¶ 9.)

Furthermore, Applicant anticipates that Mr. Iijima—as Opposer’s sole witness in this proceeding—will have discoverable information relevant to Applicant’s Section 18 counterclaim, which seeks to restrict the “computer software for sound data processing” identified in International Class 9 of Opposer’s asserted registration to the extent that such restriction would avoid any likelihood of confusion with Applicant’s ONZOOM mark. Given

that information relating to the extent of Opposer's use of the asserted mark is solely within Opposer's possession, and considering the technical nature of the software goods that are subject to Applicant's counterclaim, a deposition by oral examination will be significantly more efficient and productive than one on written questions. Applicant's ability to ask "follow-up questions" during oral examination, based on Mr. Iijima's initial answers, will be critical to determining the scope of the proposed restriction for Applicant's Section 18 counterclaim. Conducting Mr. Iijima's deposition by oral examination would thus be more efficient than engaging in the written deposition process.

## **2. A Deposition by Oral Examination Would Not Pose Any Financial Hardships on Opposer**

Applicant seeks to depose Mr. Iijima by videoconference, or, in the alternative, by in-person testimony in Japan. As discussed below, neither form of oral examination should impose any financial hardship on Opposer.

### **1. Good Cause Exists for Oral Examination by Videoconference**

Applicant seeks to depose Mr. Iijima by videoconference. As such, Mr. Iijima and Opposer will not face any financial hardship related to travel. Since March 2020, "virtual meetings, teleconferencing, videoconferencing, and virtual hearings (before the TTAB and in the courts) have become commonplace." *Salutare S.A. De C.V.*, 2021 WL 5983194, \*5 ("Given the unpredictable nature of the current pandemic and the principle that 'leave to take ... depositions [via remote means] should be liberally granted,' the Board finds it appropriate for the parties to conduct the oral depositions of Applicant's foreign-party affiliated witnesses via videoconference.") (citation omitted). Indeed, the attendance and taking of depositions by remote means is a common practice, not only permitted by the Board and the Federal Rules, but

avored for its cost benefits. *See, e.g., Hewlett-Packard Co. v. Healthcare Personnel Inc.*, 21 U.S.P.Q.2d 1552, 1552-53 (T.T.A.B. 1991) (“In applying and interpreting our rules the Board must look to federal court practice, and currently federal practice favors the use of technological benefits in order to promote flexibility, simplification of procedure and reduction of cost to parties.”); *see also Guillen v. Bank of Am. Corp.*, No. 10-05825 EJD PSG, 2011 WL 3939690, \*1 (N.D. Cal. Aug. 31, 2011) (noting that leave to take remote depositions “is granted liberally” and that “[a] videoconference deposition is cost-effective since it avoids or minimizes expensive travel time and costs”).

## **2. Good Cause Exists for Oral Examination by In-Person Testimony**

In the alternative, Applicant seeks to depose Mr. Iijima by in-person testimony in Japan. According to Opposer’s Initial Disclosures, Mr. Iijima resides in Tokyo. (Liou Decl. ¶ 10 & Ex. B at 2.) Thus, a deposition by oral examination in Japan would pose no financial hardship on Opposer because Mr. Iijima may appear in Japan without incurring significant expenses related to travel. *See Conan Doyle Est., Ltd.*, No. 91192738, 2011 WL 13054908, \*7 (T.T.A.B. Sept. 8, 2011) (permitting opposer to conduct oral examination of applicant’s marketing director in the United Kingdom, where he resided). Opposer’s U.S.-based attorney need not travel to Tokyo for the deposition as he could appear remotely, but to the extent he desires to travel to Tokyo for the deposition, the Board has previously found that such travel does not present a financial hardship. *Orion*, 12 U.S.P.Q.2d at 1923 (finding no financial hardship in taking oral examination of foreign deponent in England where applicant’s attorneys had to travel to England from New York). Japanese law requires that Mr. Iijima’s deposition be conducted at the U.S. Embassy in

Tokyo or U.S. Consulate General in Osaka.<sup>1</sup> Because Mr. Iijima is located in Tokyo, a train ride to the U.S. Embassy would only be a minor inconvenience, and is not a financial hardship that outweighs the benefits of oral examination as described above. *See id.*

**D. CONCLUSION**

Based on the foregoing, Applicant respectfully requests that the Board grant its Motion and issue an Order that Applicant may depose Mr. Iijima by oral examination, through videoconference or in-person testimony in Japan.

Dated: May 19, 2022

Respectfully submitted,

By: /s/ Joyce Liou

Joyce Liou  
Morrison & Foerster LLP  
425 Market Street  
San Francisco, CA 94105  
Telephone: 415.268.7000  
Facsimile: 415.268.7522

*Attorney for Applicant*  
Zoom Video Communications, Inc.

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<sup>1</sup> *See* Depositions in Japan, <https://jp.usembassy.gov/services/depositions-in-japan/> (last visited May 19, 2022).

**CERTIFICATE OF SERVICE**

I hereby certify that a true and complete copy of the foregoing APPLICANT’S MOTION TO TAKE OPPOSER’S DEPOSITION BY ORAL EXAMINATION has been served on the below listed counsel by forwarding said copy via email on May 19, 2022, to the following:

R. GLENN SCHROEDER  
SCHROEDER LAW PC  
110 COOPER STREET #605  
BABYLON, NY 11702  
UNITED STATES  
docket@schroederlawpc.com, gschroeder@schroederlawpc.com  
Phone: 631-649-6109

Dated: May 19, 2022

By: /s/ Sabrina Larson  
Sabrina Larson

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

KABUSHIKI KAISHA ZOOM,

Opposer,

v.

ZOOM VIDEO COMMUNICATIONS, INC.,

Applicant.

Opposition No. 91271869

Application Serial No. 90/252,389

Mark: ONZOOM

Filing Date: Oct. 13, 2020

**DECLARATION OF JOYCE LIU IN SUPPORT OF APPLICANT’S MOTION TO  
TAKE OPPOSER’S DEPOSITIONS BY ORAL EXAMINATION**

I, Joyce Liou, declare:

1. I am a partner at Morrison & Foerster LLP and counsel for Applicant Zoom Video Communications, Inc (“Applicant”). I have personal knowledge of the matters set forth in this declaration and, if called upon to do so, could and would competently testify thereto.

2. On January 3, 2022, Applicant and Opposer Kabushiki Kaisha Zoom (“Opposer”) held a discovery conference. At Applicant’s request, interlocutory attorney Jennifer Krisp was in attendance.

3. Among other issues, the parties discussed depositions. Ms. Krisp strongly encouraged the parties to stipulate to depositions by oral examination, as they are superior to depositions on written questions.

4. During the conference, I informed Opposer’s counsel, Mr. Glenn Schroeder, of Applicant’s preference for taking depositions by oral examination.

5. On January 4, 2022, my colleague, Sabrina Larson, contacted Mr. Schroeder regarding the availability of Opposer’s Representative Director and CEO, Mr. Masahiro Iijima,

Opposition No.: 91271869  
Application Serial No.: 90/252,389  
Mark: ONZOOM

for a deposition in February. Mr. Iijima resides in Tokyo, Japan. Ms. Larson also asked whether the parties could stipulate to a deposition by oral examination.

6. On January 19, 2022, Mr. Schroeder responded that Mr. Iijima does not plan to travel to the United States and that his deposition would have to be taken upon written questions in accordance with Rule 2.124.

7. On January 21, 2022, I informed Mr. Schroeder that Applicant was not requesting Mr. Iijima to travel to the United States, rather Applicant was only requesting that the deposition be conducted by oral examination, which can be done through video conference per the Board's January 4, 2022 advisory.

8. Mr. Schroeder responded on January 24, 2022 that Opposer would not agree to Mr. Iijima's deposition by oral examination.

9. On February 16, 2022, I informed Mr. Schroeder that Applicant plans to notice a Rule 30(b)(6) deposition of Opposer and asked him to confirm whether it is Opposer's "position that all depositions in this matter, including its Rule 30(b)(6) deposition, will need to proceed on written questions[.]" Mr. Schroeder confirmed this position on February 17, 2022. Attached hereto as **Exhibit A** is a true and correct copy of this email exchange with Mr. Schroeder.

10. On January 20, 2022, Opposer identified Mr. Iijima as the only party-affiliated witness with discoverable information on multiple topics in its initial disclosures. Attached hereto as **Exhibit B** is a true and correct copy of Opposer's Initial Disclosures.

11. On January 4, 2022, Applicant served Applicant's First Set of Interrogatories, including Interrogatory No. 19, which sought that Opposer "[i]dentify the Person(s) most knowledgeable about the advertising, promotion, and sales efforts concerning Opposer's Goods

and Services.” On February 3, 2022, Opposer served Opposer’s Objections and Responses to Applicant’s First Set of Interrogatories, and, in response to Interrogatory No. 19, Opposer identified Mr. Iijima as the person “most knowledgeable about the advertising, promotion, and sales efforts concerning Opposer’s Goods and Services.”

I declare under penalty of perjury under the laws of the United States and the State of California that the above is true and correct.

EXECUTED at San Francisco, California, this 19th day of May 2022.

*/s/ Joyce Liou*  
\_\_\_\_\_  
Joyce Liou

**CERTIFICATE OF SERVICE**

I hereby certify that a true and complete copy of the foregoing DECLARATION OF JOYCE LIOU IN SUPPORT OF APPLICANT’S MOTION TO TAKE OPPOSER’S DEPOSITIONS BY ORAL EXAMINATION has been served on the below listed counsel by forwarding said copy via email on May 19, 2022, to the following:

R. GLENN SCHROEDER  
SCHROEDER LAW PC  
110 COOPER STREET #605  
BABYLON, NY 11702  
UNITED STATES  
docket@schroederlawpc.com, gschroeder@schroederlawpc.com  
Phone: 631-649-6109

Dated: May 19, 2022

By: /s/ Sabrina Larson  
Sabrina Larson

# **EXHIBIT A**

**From:** [R. Glenn Schroeder](#)  
**To:** [Liou, Joyce](#)  
**Cc:** [Larson, Sabrina](#)  
**Subject:** [EXT] Re: Opposition No. 91271869 (ONZOOM) - Rule 30(b)(6) Deposition of Kabushiki Kaisha Zoom  
**Date:** Thursday, February 17, 2022 1:19:30 PM

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Joyce:

I confirm that it is our position that any Rule 30(b)(6) deposition will need to proceed upon written questions in accordance with Rule 2.124.

Regards,

Glenn

R. Glenn Schroeder | Schroeder Law PC  
110 Cooper Street #605, Babylon, NY 11702  
p 631 649 6109 | f 631 649 8126  
[gschroeder@schroederlawpc.com](mailto:gschroeder@schroederlawpc.com)

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**From:** Liou, Joyce <JLiou@mofo.com>  
**Sent:** Wednesday, February 16, 2022 4:34 PM  
**To:** R Glenn Schroeder <gschroeder@schroederlawpc.com>  
**Cc:** Larson, Sabrina <SLarson@mofo.com>  
**Subject:** Opposition No. 91271869 (ONZOOM) - Rule 30(b)(6) Deposition of Kabushiki Kaisha Zoom

Glenn,

Zoom Video Communications plans to notice a Rule 30(b)(6) deposition of Kabushiki Kaisha Zoom in this proceeding. In response to our request to depose Mr. Masahiro Iijima by oral examination, you stated in your January 24, 2022 email that “[a]ny deposition of Mr. Iijima will have to be taken upon written questions in accordance with Rule 2.124.”

To confirm, is it Kabushiki Kaisha Zoom’s position that all depositions in this matter, including its Rule 30(b)(6) deposition, will need to proceed on written questions?

Regards,  
Joyce

**JOYCE LIOU**  
Partner | Morrison & Foerster LLP  
425 Market St. | San Francisco, CA 94105  
P: +1 (415) 268-7546  
[mofo.com](http://mofo.com) | [LinkedIn](#) | [Twitter](#)

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# **EXHIBIT B**

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

**In re Application Serial No. 90/252,389**  
**Filed: October 13, 2020**  
**Published for Opposition on May 25, 2021**  
**Trademark: ONZOOM**

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|---|---|--------------------------------|
| <b>KABUSHIKI KAISHA ZOOM,</b>           | : |                                |
|   | : |                                |
| <b>Opposer,</b>                         | : |                                |
| v.                                      | : | <b>Opposition No. 91271869</b> |
|   | : |                                |
| <b>ZOOM VIDEO COMMUNICATIONS, INC.,</b> | : |                                |
|   | : |                                |
| <b>Applicant.</b>                       | : |                                |

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**OPPOSER’S INITIAL DISCLOSURES**

Pursuant to §2.120(a)(1) of the Trademark Rules of Practice and Rule 26(a)(1) of the Federal Rules of Civil Procedure, Opposer KABUSHIKI KAISHA ZOOM ("Opposer"), based upon the information currently within its possession, custody, or control, provides the following initial disclosures to Applicant ZOOM VIDEO COMMUNICATIONS, INC. ("Applicant") subject to, and without waiving, the attorney-client privilege and/or the attorney work product doctrine. Because its investigation and analysis are ongoing, Opposer reserves the right to supplement these initial disclosures in the future as additional information is obtained.

**I. Individuals likely to have discoverable information**

Pursuant to Fed. Civ. P. 26(a)(1)(A)(i), each party is required to disclose the name, and if known, the address and telephone number of each individual likely to have discoverable information - along with the subjects of that information - that the disclosing

party may use to support its claims or defenses, unless the use would be solely for impeachment. Without waiving any applicable objections, privileges, or protections, Opposer discloses as follows:

| Individual  | Subject Matter  |
|---|---|
| Masahiro Iijima<br>Representative Director and CEO<br>Kabushiki Kaisha Zoom<br>4-4-3 Kanda-surugadai<br>Chiyoda-ku, Tokyo<br>101-0062 | <ul style="list-style-type: none"> <li>• Opposer's ZOOM marks.</li> <li>• Products offered for sale under Opposer's ZOOM marks.</li> <li>• Advertising, marketing, and promotion of Opposer's ZOOM products/services.</li> <li>• Usage of Opposer's ZOOM marks.</li> <li>• Sales and distribution of Opposer's ZOOM products.</li> <li>• Trade/media coverage of Opposer's ZOOM products.</li> <li>• Confusion in the marketplace.</li> </ul> |

Opposer does not consent to any contact of the foregoing-named individual by Applicant or any party acting on behalf of Applicant. Accordingly, any contact with the foregoing-named individual must be made through Opposer's counsel.

Additionally, employees and/or representatives of Applicant are likely to have discoverable information that Opposer may use to support its claims or defenses.

**II. Categories and Location Of Documents, Data Compilations, and Tangible Things**

Pursuant to Fed. R. Civ. P. 26(a)(1)(A)(ii), each party is required to provide a copy - or a description by category and location - of all documents, electronically stored information, and tangible things that the disclosing party has in its possession, custody, or control and may use to support its claims or defenses, unless the use would be solely for impeachment. Without waiving any objections, privileges, or protections, Opposer identifies the following categories of documents that are in its possession, custody, or control:

- A. Documents relating to the registration(s) for Opposer's ZOOM marks.
- B. Documents relating to the products offered for sale under Opposer's ZOOM marks.
- C. Documents relating to the advertising, marketing and promotion of Opposer's ZOOM products/services.
- D. Documents relating to the usage of Opposer's ZOOM marks.
- E. Documents relating to sales and distribution of Opposer's ZOOM products.
- F. Documents relating to trade/media coverage of Opposer's ZOOM products.
- G. Documents relating to confusion in the marketplace.

These documents are located at the corporate offices of Kabushiki Kaisha Zoom and/or at the corporate offices of Zoom North America and/or at the law offices of Schroeder Law PC. Certain of the documents may be subject to the attorney-client privilege, work product protection, or other applicable privileges, or protections. Confidential documents will be produced, subject to any other applicable objections, privileges or protections, pursuant to the Standard Protective Order entered by the Trademark Trial and Appeal Board.

**III. Computation of Damages**

Not applicable.

**IV. Applicable Insurance Agreements**

Not applicable.

Respectfully submitted,  
Kabushiki Kaisha Zoom

Dated: 20 January 2022

By: /s/ R. Glenn Schroeder  
R. Glenn Schroeder  
Schroeder Law PC  
110 Cooper Street #605  
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Telephone: (631) 649-6109  
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[gschroeder@schroederlawpc.com](mailto:gschroeder@schroederlawpc.com)

Attorney for Opposer

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing OPPOSER'S INITIAL DISCLOSURES has been served via email this 20th day of January, 2022 upon the following:

Joyce Liou  
Morrison & Foerster LLP  
425 Market Street  
San Francisco, CA 94105  
[jliou@mofo.com](mailto:jliou@mofo.com); [TMDocket@mofo.com](mailto:TMDocket@mofo.com)

/s/ R. Glenn Schroeder  
R. Glenn Schroeder