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

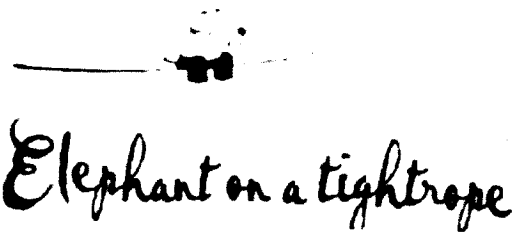
Petitioner:	Tendril Wine Cellars Inc.
Petition to Cancel Number:	92055752
Attorney for the Petitioner:	Thomas J Hoffmann PO Box 566 Gambier Ohio 43022-0566 740-427-3740 thoffmann@hoffmanns.com
Registrant:	Solangedefrance.com, LLC
Mark:	Elephant on a Tightrope
Registration Number:	3433939
Attorney for the Registrant:	Cynthia Bearce-Maffini, **Pro Se** cindy@maffiniandbearce.com

REGISTRANT'S'S FIRST SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS AND ELECTRONICALLY STORED INFORMATION TO PETITIONER

Pursuant to 37 C.F.R. section 2.116 and 2.120 and Fed. R. Civ. P. 26 and 34 of the Federal Rules of Civil Procedure, Registrant propounds the following FIRST SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS AND ELECTRONICALLY STORED INFORMATION and produce the documents and electronically stored information to Cynthia Bearce-Maffini, at 555 route des Grottes, 06530 Saint Cézaire sur Siagne, France within thirty (30) days of service hereof.

DEFINITIONS

A. Registrant's Mark refers to the mark of the subject proceeding Registration Number 3433939 Registered May 27, 2008:



B. Registrant's goods "alcoholic beverages, namely, wines" are referred to as wines

C. Documents includes tangible things and electronically stored information (ESI) and is defined in the broadest sense permitted by the Federal Rules of Civil Procedure, including without limitation, written documents, drawings, graphs, charts, photographs, sound recordings, images, other data and data compilations, video recordings, electronic mail, and information stored in digital or electronic form stored in any medium from which information can be obtained. Documents include each writing or record not identical to the original.

D. Petitioner refers to Tendril Wine Cellars, Inc. and its employees, representatives or agents.

E. Registrant refers to Solangedefrance.com, LLC, each of its predecessors, successors, parents, divisions, affiliates, or wholly-owned subsidiaries, and each of their officers, directors, employees, representatives or agents.

F. Person(s) means any individual, firm, partnership, corporation, proprietorship, association, governmental body, or any other organization or entity.

G. Third Party means any Person except Petitioner and Registrant.

H. Date means the exact day, month and year if ascertainable, or, if not, the best available approximation (including relationship to other events).

I. Identify or specify when used in reference to a Person who is an individual, means to state his or her full name, present or last known address, phone number and email address, and present or last known position or business affiliation.

J. Identify or specify when used in reference to a Person who is a firm, partnership, corporation, proprietorship, association, or other organization or entity, means to state in full name, the legal form, its present or last known address, email address and phone number, and the identity of its chief executive officer, partners, or Persons in equivalent positions.

K. If, in response to any document request, there any documents which are not produced because of a claim of privilege or work product, Petitioner should describe each such document by stating the date, author, recipient, general subject, and sufficient additional information to allow Registrant to evaluate the objection and the name of the present custodian and comply with the written document request to the extent to which it is not subject to the objection.

L. All documents and things produced pursuant to this request for production of documents shall be produced either in separate groups of documents to each separate request or in the form and order in which they are kept by Petitioner in the ordinary course of business before being produced.

REQUESTS FOR PRODUCTION

The documents and tangible things or categories designated for production are the following:

1. Documents that refer or relate to or are evidence of Registrant's having never used the Registrant's Mark for wine in commerce in the United States.

2. Documents that refer or relate to or are evidence of Registrant's having abandoned Registrant's Mark for wine in the United States.

3. Documents that refer or relate to or are evidence of Registrant's having intent to abandon the trademark.

4. Documents that refer or relate to or are evidence that Petitioner's alleged first date of use in the United States of Petitioner's Mark on wine prior to that of the Registrant's first use of Registrant's mark on wine.

5. Regarding the Petitioner's alleged first date of use in the United States of Petitioner's Mark on wines, provide a representative sample of each type of label that has been used.

6. Documents that refer or relate to or are evidence of Petitioner's advertising, promotional

materials, packaging, catalogues, data sheets, instructional material, or other printed material, or media documents evidencing, relating to or referring to use in commerce or promotion of Petitioner's mark prior to Registration of Registrant's mark.

7. Documents that refer or relate to or are evidence of Petitioner's books and records relating to Petitioner's expenditures for each advertising or promotional medium used to promote wines bearing Registrant's Mark prior to Registration of Registrant's mark.

8. Documents that refer or relate to or are evidence of the geographic areas in which wines bearing the Petitioner's Mark were distributed or offered for sale prior to the registration of Registrant's mark.

9. Documents that refer or relate to or are evidence of Petitioner's prices, both wholesale, suggested retail, and any other price category for wines bearing Petitioner's Mark have been sold or offered for sale prior to Registration of Registrant's mark.

10. All documents identified or required to identify the responses to Registrant's fist set of interrogatories served contemporaneously herewith.

CERTIFICATE OF SERVICE I hereby certify that on this date a true copy of this document was served upon the Attorney for the Registrant via electronic mail to thoffmann@hoffmanns.com

Respectfully submitted,

C. Bearce-Maffini

Cynthia Bearce-Maffini
cindy@maffiniandbearce.com

January 24, 2012

I hereby certify that this document is being deposited with the French postal office, La Poste, as first class mail in an envelope addressed to:

Commissioner for Trademarks
PO Box 1451
Alexandria Virginia 22313-1451
USA

On the date shown below:

CYNTHIA BEARCE-MAFFINI

Cynthia Bearce-Maffini

C. Bearce-Maffini

Signature

January 24, 2013

Date