

ESTTA Tracking number: **ESTTA1322334**
Filing date: **11/15/2023**

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

Proceeding no.	92083154
Party	Plaintiff Metabev LLC
Correspondence address	HANK FASTHOFF FASTHOFF LAW FIRM, PLLC 21 WATERWAY AVE SUITE 300 THE WOODLANDS, TX 77380 UNITED STATES Primary email: hank@fasthofflawfirm.com 713-929-9314
Submission	Opposition/Response to Motion
Filer's name	Hank Fasthoff
Filer's email	hank@fasthofflawfirm.com
Signature	/Hank Fasthoff/
Date	11/15/2023
Attachments	Response to Motion to Extend Time for Discovery Conference.pdf(81918 bytes)

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

In the Matter of Registration No. 5,617,930
For the mark: META WINE
Registered: November 27, 2018

-----	X	
METABEV LLC,	:	
	:	Cancellation No. 92083154
Petitioner,	:	
	:	
v.	:	
	:	
VSWC, LLC,	:	
	:	
Respondent.	:	
-----	X	

RESPONSE TO MOTION FOR TIME TO EXTEND DISCOVERY CONFERENCE

Metabev LLC ("Petitioner"), a Texas limited liability company organized and existing under the laws of Texas with a principal place of business at 9 Meadowmist Cir., The Woodlands, TX 77381, files this Response to VSWC LLC's ("Respondent") Motion to Extend Time for Discovery Conference, respectfully showing the Board as follows:

1. Petitioner has filed the following Application Serial Nos. (the "Applications") for various META-formative marks in connection with goods set forth in the table below:

Mark	Application Serial No.	Class	Goods
META	90891871	33	Hard seltzer
META	97600584	32	Beer
META VODKA	97039484	33	Vodka
METABEV	90891907	33	Hard seltzer
META HARD ELIXIR	97206321	33	Hard seltzer

The Applications are pending. Respondent's Registration No. 5,617,930 for the META WINE mark is the registration holding up the successful prosecution of the Petitioner's Applications. Through this proceeding, Petitioner intends to demonstrate at least one ground upon which Respondent's Registration should be canceled.

2. The deadline for the parties' discovery conference is November 17, 2017. Petitioner has asked Respondent to participate, but Respondent has thus far declined to do so.

3. On November 15, 2023, without conferring with Petitioner, Respondent filed a motion seeking to extend the time for the parties to conduct the discovery conference, citing as grounds that it needs additional time to investigate the claims and needs additional time to confer with counsel. As a threshold matter, Respondent is not

represented by counsel in this proceeding. As to the need to investigate claims, that is the entire purpose of the discovery process.

4. Respondent's motion to extend time for the discovery conference is solely for the purposes of delay. Petitioner is opposed to Respondent's request and is prepared to serve discovery upon Respondent immediately.

WHEREFORE, Petitioner respectfully prays that Respondent's motion be denied in its entirety.

Respectfully submitted,

By: /s/ Hank Fasthoff
Hank Fasthoff
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ATTORNEYS FOR PETITIONER

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing Response to Respondent's Motion to Extend Time for Discovery Conference has been served on VSWC LLC by forwarding the copy on November 15, 2023 via email to: Walter Clements, walter@meta.wine, 1148 Wesley Avenue, Evanston, IL 60202.

By: /s/ Hank Fasthoff
Dated: November 15, 2023