ESTTA Tracking number:

ESTTA389583 01/21/2011

Filing date:

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

Proceeding	91196902
Party	Plaintiff Sparrow LLC
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Submission	Other Motions/Papers
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Date	01/21/2011
Attachments	Initial Disclosures Opposition No. 91196902.pdf (5 pages)(35231 bytes)



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Attorneys for Sparrow LLC

Opposed Mark: LOVE N LIFE

U.S. Trademark Application Serial Number: 77825285

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

SPARROW LLC	Opposition No.: 91196902
Opposer,	
VS.	
JONATHAN FITCH, Applicant.	

OPPOSER'S INITIAL DISCLOSURES

Sparrow LLC (hereinafter referred to as "Opposer"), makes these initial disclosures as required by Federal Rules of Civil Procedure 26(a)(1) and the Trademark Trial and Appeal Board's Order dated October 14, 2010. These Disclosures are based upon the information reasonably available to the Opposer at this time. Opposer reserves the right to supplement or amend these Disclosures and to use documents or rely on testimony not described herein as



additional information becomes available, as discovery and trial preparation progresses, and as issued in this case develop and are clarified.

A. Individuals With Discoverable Information.

The names, addresses, and telephone numbers of individuals likely to have discoverable information that the disclosing party may use to support its claims or defenses, unless solely for impeachment, identifying the subjects of the information;

Opposer's selection and use of the LIFE NATURE LOVE trademark:

Barbara Garduno

Sparrow LLC

6608 Lexington Avenue

Los Angeles, CA 90038

(323) 580-8855

Mr. Fitch's selection and intended use of the LOVE N LIFE trademark:

Mr. Jonathan Fitch

14764 Via Sorrento Drive

Charlotte, NC 28277

(704) 222-6098

B. Relevant Documents and Tangible Things.



A copy of, or a description by category and location of, all documents, data compilations, and tangible things that are in the possession, custody, or control of the party and that the disclosing party may use to support its claims or defenses, unless solely for impeachment;

Response:

All documents, data compilations, and tangible things that are in the possession, custody, or control of Opposer are located at its principal place of business, 6608 Lexington Avenue, Los Angeles, CA 90038, including documents, data compilations and tangible things related to Opposer's selection and use of the LIFE NATURE LOVE trademark. Documents that may be used to support Opposer's claims and defenses in this matter will be made available for inspection and copying at a mutually convenient time and location subject to any appropriate objections and privileges applicable thereto.

Notwithstanding the foregoing, Opposer notes that certain documents related to Opposer's use of the LIFE NATURE LOVE trademark are publicly available. For example, the file history for U.S. Trademark Application Serial No. 78203204, which matured into U.S. Trademark Registration No. 2856929 for the LIFE NATURE LOVE trademark, is publicly available at the U.S. Patent and Trademark Office's official website.

C. <u>Information Related to Calculation of Damages.</u>

A computation of any category of damages claimed by the disclosing party, making available for inspection and copying as under Rule 34 the documents or other evidentiary material, not privileged or protected from disclosure, on which such computation is based, including materials bearing on the nature and extent of injuries suffered;

Response:



In accordance with TBMP Section 502.05, damages are not available in a proceeding before the Trademark Trial and Appeal Board. Therefore, documents related to damages are not relevant to this opposition proceeding.

D. <u>Insurance</u>.

For inspection and copying as under Rule 34 of any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part of or all of a judgment which may be entered in the action, or to indemnify or reimburse for payments made to satisfy the judgment;

Response:

None.

DATED: January 21, 2010

Respectfully submitted,

Brenda Chavez Attorneys for Opposer Sparrow LLC

DOCKET

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