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

Proceeding	91218529
Party	Plaintiff The Coca-Cola Company
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Submission	Opposition/Response to Motion
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Date	09/24/2015
Attachments	FINAL Response to Soler Motion to Strike DOKE Opp '529 9.24.pdf(907869 bytes )

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

In re: Serial No.: 85/741,161  
Mark: **DOKE**  
Filed: September 28, 2012

**THE COCA-COLA COMPANY,**

Plaintiff,

v.

**ALBERTO SOMOHANO-SOLER,**

Defendant.

Opposition No. 91,218,529

**PLAINTIFF'S RESPONSE TO  
DEFENDANT'S MOTION TO STRIKE**

Plaintiff The Coca-Cola Company, by and through its undersigned counsel, files this Response to defendant's September 20, 2015, Motion to Strike Coke's Affidavit ("Motion").

Defendant moves to strike the Affidavit of Cynthia Parks, filed in support of Plaintiff's September 4, 2015, Response to Defendant's Amended Response to Board's Show Cause Order and Petition for Review, on the ground that the affidavit does not demonstrate Ms. Parks' personal knowledge of service on defendant of plaintiff's initial disclosures and responses to defendant's first sets of requests for production and interrogatories. Ms. Parks was copied on the emails transmitting to defendant plaintiff's initial disclosures and plaintiff's responses to defendant's first sets of requests for production and interrogatories. The emails, and the affidavit of Ms. Parks, attached as Exhibit A hereto, demonstrates that Ms. Parks has direct, personal knowledge that Parks Wood served the documents on defendant.

In light of the foregoing, Plaintiff requests that Defendant's Motion be denied.

Date: September 24, 2015

Respectfully submitted,

By: /John C. Rawls/

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**Exhibit A: Affidavit of Cynthia Parks**

I, Cynthia Parks, hereby state:

1. I am a founding partner of the law firm of Parks Wood LLC, formerly counsel of record in this matter for plaintiff The Coca-Cola Company. I have direct and personal knowledge of the facts set forth herein and, if called as a witness, could and would competently testify thereto.

2. During the time when Parks Wood was counsel of record in this matter I was the lead attorney and supervised all other Parks Wood attorneys and staff who worked on the matter.

3. Attached hereto as Exhibit 1 is a true and correct copy of an email I received in the inbox of my Parks Wood email account on January 20, 2015. Plaintiff's Initial Disclosures was attached to the email. I received the email from kherrick@parks-wood.com, the email address of Keely Herrick, an attorney employed by Parks Wood. The email was addressed to defendant at the email address dokecola@live.com.

4. Attached hereto as Exhibit 2 is a true and correct copy of an email I received in the inbox of my Parks Wood email account on May 29, 2015. Plaintiff's responses to defendant's first sets of requests for production and interrogatories were attached to the email. I received the email from kherrick@parks-wood.com. The email was addressed to defendant at the email addresses who@doke.life and who@dokecola.com.

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

Executed this 24th day of September, 2015, at Atlanta, Georgia.

  
Cynthia Parks

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