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Filing date: **01/13/2014**

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

Proceeding	91204296
Party	Plaintiff JJJ International, Inc.
Correspondence Address	CRAIG M SCOTT SCOTT BUSH LTD ONE TURKS HEAD PLACE 4TH FLOOR PROVIDENCE, RI 02903 UNITED STATES cscott@scottbushlaw.com, smcgurk@scottbushlaw.com, pstroke@scottbushlaw.com
Submission	Testimony For Plaintiff
Filer's Name	Craig M. Scott
Filer's e-mail	cscott@scottbushlaw.com, erenner@scottbushlaw.com, smcgurk@scottbushlaw.com,pstroke@scottbushlaw.com
Signature	/Craig M. Scott/
Date	01/13/2014
Attachments	Notice of Filing Testimony - Fong.pdf(31815 bytes ) Declaration of Dr. Geoffrey Fong.pdf(4546131 bytes )

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

JJI INTERNATIONAL, INC. :  
Opposer, : Appl. Ser. No.: 85356064  
v. : Opposition No.: 91204296  
SPARKLE LIFE, LLC :  
Applicant. :

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**NOTICE OF FILING OF TESTIMONY**

TO: Thomas E. Toner  
Lowndes, Drosdick, Doster, Kantor & Reed, P.A.  
215 North Eola Drive  
Orlando, Florida 32801  
tom.toner@lowndes-law.com

Sven W. Hanson  
PO Box 357429  
Gainesville, Florida 32635-7429  
swhanson@bellsouth.net

Pursuant to Trademark Rule of Practice 2.123(b) and 2.125 and TBMP 703.01(b),  
Opposer, JJI International, Inc. ("JJi"), hereby files with the Trademark Trial and Appeal Board  
the testimony declaration of Dr. Geoffrey T. Fong, Ph.D., along with the Expert Report of Dr.  
Geoffrey T. Fong, Ph.D. attached thereto as Exhibit 1.

A copy of said declaration and exhibit are enclosed and thereby served upon you.  
you.

JJI INTERNATIONAL, INC.

By: /Craig M. Scott/  
Craig M. Scott, Esq.  
SCOTT & BUSH LTD.  
One Turks Head Place, 4th Floor  
Providence, RI 02903  
Phone: (401) 865-6035  
Fax: (401) 865-6039  
Email: cscott@scottbushlaw.com

Attorney for Opposer

Dated: January 13, 2014

### **CERTIFICATE OF SERVICE**

I hereby certify that a true and complete copy of the foregoing *Notice of Filing of Testimony* has been served on counsel to Sparkle Life LLC by sending said copy on January 13, 2014 via electronic mail and First Class Mail, postage prepaid to:

Sven W. Hanson  
PO Box 357429  
Gainesville, Florida 32635-7429  
swhanson@bellsouth.net

Thomas E. Toner  
Lowndes, Drosdick, Doster, Kantor & Reed, P.A.  
215 North Eola Drive  
Orlando, Florida 32801  
tom.toner@lowndes-law.com

/s/ Craig M. Scott/

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JJI INTERNATIONAL, INC. :  
Opposer, : Appl. Ser. No.: 85356064  
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**DECLARATION OF DR. GEOFFREY T. FONG**

I, Dr. Geoffrey T. Fong, Ph.D., under oath depose and state as follows:

1. I am a Professor of Psychology at the University of Waterloo, Canada.
2. My experience includes designing and implementing a wide variety of surveys—such as face-to-face surveys, mall intercept surveys and web-based surveys—across a broad range of populations throughout the United States and the world. I apply my 30 years of experience as an academic, a researcher and as a social psychologist to the implementation of trademark surveys, including likelihood of confusion, secondary meaning and genericness surveys.
3. I have been retained by Opposer, JJI International, Inc. (“JJJ”) to provide expert testimony in this case concerning the likelihood of confusion between JJI’s SPLASHES & SPARKLES® mark and Applicant, Sparkle Life, LLC’s (“Sparkle Life”) SPARKLE LIFE mark.
4. On January 3, 2013, I issued the attached expert report, the contents of which are specifically incorporated herein. (The Expert Report of Dr. Geoffrey T. Fong, Ph.D. (the “Fong Report”) is attached hereto and incorporated herein as Exhibit 1.)



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