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Filing date: **07/18/2018**

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

Proceeding	91240519
Party	Defendant Theodore Lovely
Correspondence Address	THEODORE LOVELY 12 SEIDLER STREET, BASEMENT JERSEY CITY, NJ 07304 UNITED STATES Email: jones9613@bellsouth.net, adaniels1877@gmail.com
Submission	Other Motions/Papers
Filer's Name	Theodore Lovely
Filer's email	adaniels1877@gmail.com, jones9613@bellsouth.net
Signature	/s/ Theodore Lovely
Date	07/18/2018
Attachments	BEAR USA vs Lovely Initial Disclosures 7-18-18.pdf(157771 bytes)

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

In the Matter of Trademark Application Serial No.: 87657123

Filed: July 18, 2018

Mark: BEARSTRONG

Published in the Official Gazette: March 31, 2018

BEAR U.S.A., INC.,)	
)	
Opposer,)	
)	
v.)	
)	Opposition No: 91240519
THEODORE LOVELY,)	
)	
Applicant.)	
)	
)	

INITIAL DISCLOSURES

Pursuant to Fed. R. Civ. P. 26(a)(1), Defendant Theodore Lovely (“Defendant” or “Theodore Lovely”) d/b/a “BearStrong” provides its initial disclosures to Plaintiffs or “Bear USA”. These disclosures are based on Defendant’s preliminary understanding of Plaintiffs’ allegations and cause of action set forth in the Complaint having identified the asserted patent claims(s), the specific acts/products/services accused of infringement, or any claim constructions supporting Plaintiffs’ patent infringement theories. To the extent Plaintiffs disagree with Defendant’s understanding of Plaintiffs’ claims, Defendant requests that the parties meet-and-confer to clarify any misunderstanding. Defendant reserves the right to supplement or amend these disclosures, including pursuant to Fed. R. Civ. P. 26(e), after learning more about the nature and details of Plaintiffs’ allegations and legal claims.

I. Individuals Likely to Have Discoverable Information That Defendant May Use to Support Defenses and Counterclaims

Pursuant to Fed. R. Civ. P. 26(a)(1)(A)(i), Defendant discloses the following individuals likely to have discoverable information that may be used to support Defendant’s defenses and counterclaims. Defendant reserves the right to amend or supplement these disclosure, including as provided by Fed. R. Civ. P. 26(e). The following disclosures do not include persons whose testimony is likely to be used solely for impeachment, rebuttal, or expert witness testimony, who will be disclosed in accordance with the schedule set by the Court

Theodore Lovely Bear Strong 12 Seidler Street Jersey City, NJ 07305 (201) 844-0815 (Contact Directly)	Knowledge regarding Bear Strong, the development, function, and operation of the Bear Strong system, proposed products, and marketing platform.
Patricia Jones Bear Strong 3191 Pinto Drive Powder Springs, GA 30127 (678) 232-7692 (Contact Directly)	Knowledge regarding Bear Strong, the development, function, and operation of the Bear Strong system, proposed products, and marketing platform.
Daniel Ali Bear Strong 47 Locust Street Jersey City, NJ 07305 (201) 600-9439 (Contact Directly)	Knowledge regarding Bear Strong, the development, function, and operation of the Bear Strong system, proposed products, and marketing platform.

II. Description of Documents and Things in Defendant’s Possession, Custody, or Control That May Be Used to Support Defenses and Counterclaims

Pursuant to Fed. R. Civ. P. 26(a)(1)(A)(ii), Defendant hereby discloses the following documents and things in its possession, custody or control that it may use to support its defenses and counterclaims. Defendant reserves the right to amend or

disclosures do not include documents and things that are likely to be offered solely for impeachment:

1. Documents regarding Bear Strong's creation, structure, and operations.
2. Documents regarding Bear Strong's accused "Bear" logo and apparel.
3. Documents regarding how Bear Strong plans to market products and provide service to the public.
4. Documents regarding other licensed trademarks also utilizing the "Bear" name and similar logo, issued prior to and after the registered dates listed by the Plaintiff.
5. Any documents or things produced or provided by Plaintiffs.

III. Reservation of Rights

Defendant reserves the right to amend or supplement these disclosure as provided by Fed. R. Civ. P. 26(e) and to object to the admissibility of any document or statement herein or in Plaintiffs' initial disclosures on all bases set forth in the Federal Rules of Civil Procedure, Federal Rules of Evidence, and governing law.

DATED this 18th day of July 2018.

Respectfully submitted,

/s/ Theodore Lovely
Bear Strong
12 Seidler Street
Jersey City, NJ 07305
(201) 844-0815
adaniels1877@gmail.com

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing Answer has been served on Timothy J. Kelly, McCarter & English, LLP, attorney for Bear U.S.A., Inc., by forwarding said copy on July 18, 2018, via email.

Theodore Lovely
Basement
12 Seidler Street
Jersey City, NJ 07304
Telephone: (202) 407-4000

/s/ Theodore Lovely
Theodore Lovely

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