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Filing date: **09/08/2023**

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

Proceeding no.	91274911
Party	Plaintiff Hoodrich Ltd
Correspondence address	LEO M. LOUGHLIN ROTHWELL FIGG ERNST & MANBECK 901 NEW YORK AVENUE, N.W. SUITE 900 EAST WASHINGTON, DC 20001 UNITED STATES Primary email: PTO-TM-Email@rothwellfigg.com Secondary email(s): lloughlin@rfem.com 202-783-6040
Submission	Testimony For Plaintiff
Filer's name	Leo M. Loughlin
Filer's email	PTO-TM-Email@rfem.com, lloughlin@rfem.com
Signature	/Leo M. Loughlin/
Date	09/08/2023
Attachments	4797-103 - Declaration of Kevin M. Connolly.pdf(2586370 bytes )

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

Hoodrich Ltd,	)	
	)	
Opposer,	)	
	)	
v.	)	Opposition No. 91274911
	)	
Marcel G. Chehade,	)	
	)	
Applicant.	)	

**NOTICE OF FILING TESTIMONY DECLARATION  
OF KEVIN M. CONNOLLY PURSUANT TO 37 C.F.R. § 2.123**

Opposer, Hoodrich Ltd, hereby files the Testimony Declaration of Kevin M.  
Connolly and accompanying Exhibit pursuant to 37 C.F.R. § 2.123.

Respectfully submitted,

Hoodrich Ltd

Dated: September 8, 2023

By: **/Leo M. Loughlin/**  
Martin M. Zoltick  
Leo M. Loughlin  
Attorneys for Opposer  
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### **CERTIFICATE OF SERVICE**

This is to certify that a copy of the foregoing NOTICE OF FILING TESTIMONY DECLARATION OF KEVIN M. CONNOLLY PURSUANT TO 37 C.F.R. § 2.123 was served on counsel for Applicant at the email address indicated below:

Todd Wengrovsky  
Law Offices of Todd Wengrovsky, PLLC.  
[contact@twlegal.com](mailto:contact@twlegal.com)

This 8th day of September, 2023.

/Lisa M Locke/  
Lisa M. Locke

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

Hoodrich Ltd.,	:	
	:	
Opposer,	:	
	:	
v.	:	Opposition No. 91274911
	:	
Marcel G. Chehade,	:	
	:	
Applicant.	:	

**DECLARATION OF KEVIN M. CONNOLLY**

I, Kevin M. Connolly, declare and state as follows:

1. I am the Managing Member of Capital Investigations Group, LLC. Capital Investigations Group, LLC is a professional investigation firm located in Albany, New York.
2. I submit this declaration in support of Opposer Hoodrich Ltd. I have personal knowledge of the facts stated in this Declaration. My *curriculum vitae* is attached as Exhibit A.
3. I have been a private investigator since 2012. Prior to becoming a private investigator, I had a long and distinguished career in law enforcement with the Albany Police Department where I rose to the rank of Detective Lieutenant. In addition to my decades of investigative experience, I have received awards and recognition for my work with the U.S. Marshals Service and well as the U.S. Department of Justice.

4. In 2022, I was retained by Opposer Hoodrich Ltd to investigate whether Marcel G. Chehade was offering clothing or other products under the brand HOOD RICH at his retail location in Albany, New York.

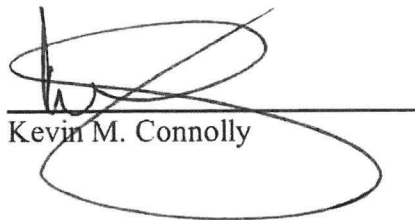
5. I understand that Mr. Chehade has claimed that he offers products under the brand HOOD RICH at NY Gear, a store located at 167 Central Avenue in Albany. I am very familiar with this location based on my years with the Albany Police Department as well as my current work as a private investigator.

6. On July 14, 2022, I traveled to NY Gear located at 167 Central Avenue in Albany for the purpose of investigating whether products were being sold there under the brand HOOD RICH.

7. During my visit to NY Gear, I walked around the entire area of the store open to the public and observed all products available for sale at NY Gear. I did not observe any products branded as HOOD RICH or see any other references to HOOD RICH in the store during my visit.

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

Executed on September 7, 2023



Kevin M. Connolly

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