ESTTA Tracking number:

ESTTA660318 03/10/2015

Filing date:

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

Proceeding	92060542	
Party	Defendant Natalie Niksa	
Correspondence Address	MARINA A LEWIS FINNEGAN HENDERSON ET AL 3300 HILLVIEW AVE PALO ALTO, CA 94304-1203 UNITED STATES marina.lewis@finnegan.com, theresa.reyes@finnegan.com, docket- ing@finnegan.com	
Submission	Response to Board Order/Inquiry	
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Signature	/Marina A. Lewis/	
Date	03/10/2015	
Attachments	Notice of Civil Complaint Filed.pdf(15460 bytes) 2015.02.13 Complaint La Saison, LLC et al v. Saison Dining Group.pdf(1634725 bytes)	



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

In the Matter of Registration No. 4,393,247

Mark: LA SAISON

Published in the Official Gazette on: February 26, 2013

Saison Dining Group, LLC, Cancellation No. 92/060,542

Petitioner, Interlocutory Attorney:

v. Robert Coggins

Natalie Niksa, NOTICE OF CIVIL COMPLAINT FILED

Respondent.

NOTICE OF CIVIL COMPLAINT FILED

Pursuant to the assigned Interlocutory Attorney's request of today's date, Respondent hereby submits a copy of the Complaint filed in U.S. District Court on February 13, 2015, 3:15-cv-00712-JCS *La Saison, LLC et al v. Saison Dining Group LLC*.

Dated: March 10, 2015 By:

Julia Anne Matheson Marina A. Lewis Attorneys for Respondent

Finnegan, Henderson, Farabow, Garrett & Dunner, LLP Stanford Research Park 3300 Hillview Avenue Palo Alto, CA 94304-1203

Telephone: 650.849.6766 Facsimile: 650.849.6666



CERTIFICATE OF SERVICE

I certify that on March 10, 2015, a true copy of the foregoing

NOTICE OF CIVIL COMPLAINT FILED

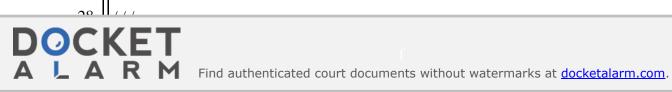
was sent via first class mail to:

Yano Rubinstein Rubinstein Law 660 4th St # 302 San Francisco, CA 94107-1618

/ Theresa M. Reyes / Theresa M. Reyes



1 2 3 4 5 6 7 8 9 10 11	Julia Anne Matheson (State Bar No. 214163) julia.matheson@finnegan.com Marina A. Lewis (State Bar No. 248816) marina.lewis@finnegan.com FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, LLP 3300 Hillview Avenue Palo Alto, California 94304 Telephone: (650) 849-6600 Facsimile: (650) 849-6666 Attorneys for Plaintiffs La Saison, LLC, Askin, Inc. dba La Saison Napa Valley, and Natalie Niksa UNITED STATES: NORTHERN DISTRIC	DISTRICT COURT CT OF CALIFORNIA	
12	SAN FRANCISCO DIVISION		
13			
14 15 16 17	LA SAISON, LLC, ASKIN, INC. DBA LA SAISON NAPA VALLEY, and NATALIE NIKSA, Plaintiffs,	CASE NO. COMPLAINT FOR DECLARATORY JUDGMENT OF NON- INFRINGEMENT	
18	V.		
	SAISON DINING GROUP LLC.,		
19	Defendant.		
20			
21	COMPLAINT FOR DECLARATORY		
22 23	JUDGMENT OF NO	N-INFRINGEMENT	
	Disinstiffs Lo Coison LLC Askin Inc. dhoi	La Caisan Nana Wallary and Natalia Milyan	
24	Plaintiffs La Saison, LLC, Askin, Inc. dba La Saison Napa Valley, and Natalie Niksa		
25	(collectively, "La Saison" or "Plaintiffs") by their undersigned attorneys, allege as follows, upon		
26	actual knowledge with respect to themselves and their own acts, and upon information and belief as		
27	to all other matters:		



NATURE OF THE ACTION

1. This is an action for declaratory judgment seeking relief under the Federal Declaratory Judgment Act, 28 U.S.C. §§ 2201 and 2202, and Fed. R. Civ. P. 57, finding that La Saison has not infringed any of Defendant's alleged trademark rights by using the mark LA SAISON for its products and services.

THE PARTIES

- 2. La Saison, LLC is a California limited liability company with a principal place of business at 748 California Boulevard, Napa, CA 94559.
- 3. Askin, Inc. dba La Saison Napa Valley is a California corporation with a principal place of business at 748 California Boulevard, Napa, CA 94559.
- 4. Natalie Niksa is an individual citizen of the United States of America, with a mailing address of Post Office 60, St. Helena, CA 94574.
- 5. Defendant Saison Dining Group LLC ("SDG" or "Defendant") is a California limited liability company with a principal place of business at 178 Townsend Street, San Francisco, CA 94107.

JURISDICTION AND VENUE

- 6. This Court has jurisdiction over the subject matter of this action pursuant to 15 U.S.C. § 1121; 28 U.S.C. §§ 1331, 1338, and 1367; and under the Declaratory Judgment Act, 28 U.S.C. §§ 2201 and 2202.
- 7. This Court has personal jurisdiction over SDG and venue is proper in this District pursuant to 28 U.S.C. §§ 1391(b) and 1391(c) because SDG operates a restaurant in the city and county of San Francisco and is therefore doing business in this District.

INTRADISTRICT ASSIGNMENT

8. Pursuant to Civil L.R. 3-2(c) and General Order No. 44, this case is properly assigned to any division of this Court.

///

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