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Filing date: **09/08/2020**

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

Proceeding	92068100
Party	Defendant Brian Prince
Correspondence Address	KEVIN J KEENER KEENER & ASSOCIATES PC 161 N CLARK ST, SUITE 1600 CHICAGO, IL 60601 UNITED STATES Primary Email: kevin.keener@keenerlegal.com Secondary Email(s): rishi.nair@keenerlegal.com 312-523-2164
Submission	Opposition/Response to Motion
Filer's Name	Kevin Keener
Filer's email	kevin.keener@keenerlegal.com
Signature	/kevinkeener/
Date	09/08/2020
Attachments	Declaration of Brian Prince.pdf(455283 bytes) exhibits.pdf(2561609 bytes) Angie Lane Declaration.pdf(56540 bytes)

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

In the matter of:

Registration No. 4,376,833

Registration Date: July 30, 2013

Mark: ALLEZ CUISINE

)	
)	
Fuji Television Network, Inc.)	
)	
Petitioner,)	
)	
v.)	Opposition No. 92068100
)	
Brian Prince)	
)	
Respondent.)	
)	
)	

**DECLARATION OF BRIAN PRINCE IN SUPPORT OF MOTION FOR SUMMARY
JUDGMENT**

I, Brian Prince, being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements and the like may jeopardize the validity of the application or document or any registration resulting therefrom, declares that the following statements made of his own knowledge are true; and all statements made on information and belief are believed to be true.

1. I am over the age of 18 and reside in the State of California.
2. I am a food connoisseur. In or about 2011 I began developing a business for selling and distributing gourmet cooked and frozen meals under the trademark ALLEZ CUISINE.
3. On January 5, 2011 I incorporated Allez Cuisine, Inc. in the State of California. A copy of the Articles of Incorporation for Allez Cuisine, Inc. are attached as Exhibit 1.

4. I have maintained Allez Cuisine, Inc. since 2011. On January 23, 2018 I filed a Statement of Information for Allez Cuisine, Inc. with the State of California. A copy of the California Secretary of State website records for Allez, Cuisine, Inc. is attached as Exhibit 2.
5. To promote the use of ALLEZ CUISINE on cooked and frozen meals I registered the domain name allezcuisinefoods.com. I registered this domain on October 22, 2010. On October 13, 2017 I renewed the registration for the domain name allezcuisinefoods.com. A copy of the Whois information for allezcuisinefoods.com is attached as Exhibit 3.
6. I prepared and filed the application to register the mark ALLEZ CUISINE which is the subject of the above captioned proceeding.
7. After the registration of the mark ALLEZ CUISINE, I continued to use of the ALLEZ CUISINE mark with respect to the goods covered under the subject registration. I did not maintain many records of actual use of the ALLEZ CUISINE mark. In one instance of use of the mark ALLEZ CUISINE, I placed frozen meals bearing the ALLEZ CUISINE mark in a freezer of a local grocery store in Los Angeles in or about May 2014. I took pictures of the product that I placed on the shelf. These pictures of product bearing the ALLEZ CUISINE mark are shown in Exhibit 4, Exhibit 5, Exhibit 6, and Exhibit 7.
8. Since the registration of the subject mark I continually promoted the use of the ALLEZ CUISINE mark. As part of this promotion I handed out business cards bearing the ALLEZ CUISINE mark. A copy of one of my business cards is attached as Exhibit 8.
9. Since registering the trademark for ALLEZ CUISINE I have continued to use ALLEZ CUISINE as a trade name. I would order food products and sauces for use in cooked and

frozen meals under the name ALLEZ CUISINE. Attached as Exhibit 9 is a copy of a bill of lading of for food products shipped to me under the name ALLEZ CUISINE.

10. I have continually operated under the trade name ALLEZ CUISINE. I have obtained payments under the name ALLEZ CUISINE. Attached as Exhibit 17 is a copy of a check dated March 19, 2015 that I received which was made out to ALLEZ CUISINE. Attached as Exhibit 18 is a copy of a check dated April 16, 2015 that I received which was made out to ALLEZ CUISINE. Attached as Exhibit 19 is a copy of a check stub for a check dated June 23, 2017 which was made out to ALLEZ CUISINE.
11. I have also continually operated a bank account under the name ALLEZ CUISINE. Attached as Exhibit 20 are copies of bank statements of a checking account which I operated under the ALLEZ CUISINE mark.
12. I have used the ALLEZ CUISINE mark as a trademark after the above captioned action was started. I sent a shipment of frozen meals from California to Ohio by FedEx in April 2018. Exhibit 10 is a picture of the frozen meals in the box which I shipped. The shipment included a box of Luau Style Teriyaki Beef. A picture of this frozen meal is attached as Exhibit 11. The shipment included a box of Passion Fruit Chicken. A picture of this frozen meal is attached as Exhibit 12. The shipment included a box of Hawaiian Style BBQ Ribs. A picture of this frozen meal is attached as Exhibit 13.
13. I sent the shipment of frozen meals by FedEx carrier. A copy of the receipt for the shipment is attached as Exhibit 14. The FedEx tracking number for this shipment was 780686839857.
14. The shipment that I sent by FedEx cross state lines. It originated in Van Nuys, California and was delivered to Wadsworth, Ohio. The package was delivered on April 27, 2018. A


copy of the proof-of-delivery for tracking number 780686839857 is attached as Exhibit 15.

15. I recently reformatted by website allezcuisinefoods.com. The domain shows frozen meals available under the ALLEZ CUISINE mark and invites distributors to contact me by email to obtain the frozen meals for distribution. A screenshot of the website allezcuisinefoods.com is attached as Exhibit 16.

16. I did not have and currently do not have any intention to abandon the use of the ALLEZ CUISINE trademark with respect to frozen meals, specifically “Cooked and Frozen ready to heat and serve prepackaged entrees consisting primarily of meat, chicken, fish, seafood, or vegetables, namely, beef steaks, ground beef patties, beef chop suey, Salisbury steak, beef with gravy, Bar-B-Q sauces, sliced beef, beef steaks, buttered beef steaks, ground beef patties, breaded veal chop lets, breaded pork chop lets, chop suey with rice, stuffed cabbage with tomato sauce and beef, turkey with dressing, chicken with noodles, stuffed peppers with tomato sauce, beef with tomato sauce, chicken with spaghetti, chicken with pasta, chicken with dumplings, chicken in green salad, veal parmigiana, chicken parmigiana, meat balls with pasta, meat loaf with gravy, and turkey with gravy.” If it can be determined that the ALLEZ CUISINE mark was abandoned, I have the intention to resume use of the ALLEZ CUISINE mark as a trademark with respect to frozen meals, specifically “Cooked and Frozen ready to heat and serve prepackaged entrees consisting primarily of meat, chicken, fish, seafood, or vegetables, namely, beef steaks, ground beef patties, beef chop suey, Salisbury steak, beef with gravy, Bar-B-Q sauces, sliced beef, beef steaks, buttered beef steaks, ground beef patties, breaded veal chop lets, breaded pork chop lets, chop suey with rice, stuffed cabbage with

tomato sauce and beef, turkey with dressing, chicken with noodles, stuffed peppers with tomato sauce, beef with tomato sauce, chicken with spaghetti, chicken with pasta, chicken with dumplings, chicken in green salad, veal parmigiana, chicken parmigiana, meat balls with pasta, meat loaf with gravy, and turkey with gravy.”

11/5/18
Date


Brian Prince

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

In the matter of:

Registration No. 4,376,833

Registration Date: July 30, 2013

Mark: ALLEZ CUISINE

)	
)	
Fuji Television Network, Inc.)	
)	
Petitioner,)	
)	
v.)	Opposition No. 92068100
)	
Brian Prince)	
)	
Respondent.)	
)	
)	

**DECLARATION OF KEVIN KEENER IN SUPPORT OF MOTION FOR SUMMARY
JUDGMENT**

I, Kevin Keener, being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements and the like may jeopardize the validity of the application or document or any registration resulting therefrom, declares that the following statements made of his own knowledge are true; and all statements made on information and belief are believed to be true.

1. Attached as Exhibit 1 is a true and accurate copy of the Articles of Incorporation of Allez Cuisine, Inc.
2. Attached as Exhibit 2 is a true and accurate copy of California Secretary of State filing information related to Allez Cuisine, Inc.

3. Attached as Exhibit 3 is a true and accurate copy of Whois.com information regarding allezcuisinefoods.com.
4. Attached as Exhibit 4 is a true and accurate copy of a photograph of frozen meals labeled with the ALLEZ CUISINE mark.
5. Attached as Exhibit 5 is a true and accurate copy of a photograph of frozen meals labeled with the ALLEZ CUISINE mark.
6. Attached as Exhibit 6 is a true and accurate copy of a photograph of frozen meals labeled with the ALLEZ CUISINE mark.
7. Attached as Exhibit 7 is a true and accurate copy of a photograph of frozen meals labeled with the ALLEZ CUISINE mark.
8. Attached as Exhibit 8 is a true and accurate copy of a business card for Brian Prince.
9. Attached as Exhibit 9 is a true and accurate copy of a bill of lading for a shipment sent to ALLEZ CUISINE.
10. Attached as Exhibit 10 is a true and accurate copy of a photograph of frozen meals labeled with the ALLEZ CUISINE mark.
11. Attached as Exhibit 11 is a true and accurate copy of a photograph of a frozen meal labeled with the ALLEZ CUISINE mark.
12. Attached as Exhibit 12 is a true and accurate copy of a photograph of a frozen meal labeled with the ALLEZ CUISINE mark.
13. Attached as Exhibit 13 is a true and accurate copy of a photograph of a frozen meal labeled with the ALLEZ CUISINE mark.
14. Attached as Exhibit 14 is a true and accurate copy of photographs of a FedEx shipping receipt.

15. Attached as Exhibit 15 is a true and accurate copy of a FedEx delivery confirmation.

16. Attached as Exhibit 16 is a true and accurate copy of a screenshot of the domain
allezcuisinefoods.com.

Oct. 16, 2018
Date

/Kevin J. Keener /
Kevin Keener

EXHIBIT 1

JAN - 5 2011

ARTICLES OF INCORPORATION
OF
ALLEZ CUISINE, INC.

The undersigned, desiring to form a corporation under the laws of the State of California, declares:

I

The name of this corporation is: ALLEZ CUISINE, INC.

II

The purpose of the corporation is to engage in any lawful act or activity for which a corporation may be organized under the General Corporation Law of California other than the banking business, the trust company business, or the practice of a profession permitted to be incorporated by the California Corporations Code.

III

The name and address in this state of the corporation's initial agent for service of process is:

BRIAN PRINCE
KOSZDIN, FIELDS & SHERRY
6151 VAN NUYS BLVD.
VAN NUYS, CA 91401

IV

The corporation is authorized to issue only one class of shares of stock; and the total number of shares, which this corporation is authorized to issue, is 1,000,000 (one million) shares, which shall be designated as "Common Stock".

V

The liability of the directors of the corporation for monetary damages shall be eliminated to the fullest extent permissible under California Law.

The corporation is authorized to provide indemnification of agents (as defined in Corporations Code Section 317) for breach of duty to the corporation and its stockholders through bylaw provisions or through agreements with the agents, or both, in excess of the indemnification otherwise permitted by Corporations code Section 317, subject to the limits on such excess indemnification set forth in Corporation Code Section 204.

Dated: January 4, 2011


BRIAN PRINCE, Incorporator

EXHIBIT 2

Alex Padilla California Secretary of State

Business Entities (BE)

Business Search - Entity Detail

Online Services

[File LLC Statement of Information](#)

[File Corporation Statement of Information](#)

[Business Search](#)

[Current Processing Dates](#)

[Disclosure Search](#)

[Service Options](#)

[Name Availability](#)

[Forms, Samples & Fees](#)

[Statements of Information \(annual/biennial reports\)](#)

[Filing Tips](#)

[Information Requests \(certificates, copies & status reports\)](#)

[Service of Process](#)

[FAQs](#)

[Contact Information](#)

[Resources](#)

[Business Resources](#)




[Tax Information](#)

The California Business Search is updated daily and reflects work processed through Tuesday, October 23, 2018. Please refer to document [Processing Times](#) for the received dates of filings currently being processed. The data provided is not a complete or certified record of an entity. Not all images are available online.

C3347560 ALLEZ CUISINE, INC.

Registration Date: 01/05/2011
Jurisdiction: CALIFORNIA
Entity Type: DOMESTIC STOCK
Status: ACTIVE
Agent for Service of Process: BRIAN PRINCE
 14501 CALVERT ST. SUITE # 200
 VAN NUYS CA 91401
Entity Address: 14501 CALVERT ST. SUITE # 200
 VAN NUYS CA 91401
Entity Mailing Address: 14501 CALVERT ST. SUITE # 200
 VAN NUYS CA 91401

A Statement of Information is due EVERY year beginning five months before and through the end of January.

Document Type	File Date	PDF
SI-COMPLETE	01/23/2018	
SI-COMPLETE	06/11/2012	
REGISTRATION	01/05/2011	

* Indicates the information is not contained in the California Secretary of State's database.

- If the status of the corporation is "Surrender," the agent for service of process is

Starting A Business Checklist

FTB Nonprofit Dissolution

FTB Administrative Dissolution/Surrender Notice

FTB Abatement

Customer Alerts

Business Identity Theft

Misleading Business Solicitations

automatically revoked. Please refer to California Corporations Code [section 2114](#) for information relating to service upon corporations that have surrendered.

- For information on checking or reserving a name, refer to [Name Availability](#).
- If the image is not available online, for information on ordering a copy refer to [Information Requests](#).
- For information on ordering certificates, status reports, certified copies of documents and copies of documents not currently available in the Business Search or to request a more extensive search for records, refer to [Information Requests](#).
- For help with searching an entity name, refer to [Search Tips](#).
- For descriptions of the various fields and status types, refer to [Frequently Asked Questions](#).

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Resources

[Career Opportunities](#)

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[Language Access Complaint Form](#)

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EXHIBIT 3

allezcuisinefoods.com

Updated 1 second ago 

Interested in similar domains?

Domain Information

Domain:	allezcuisinefoods.com
Registrar:	GoDaddy.com, LLC
Registered On:	2010-10-22
Expires On:	2019-10-22
Updated On:	2017-10-13
Status:	clientDeleteProhibited clientRenewProhibited clientTransferProhibited clientUpdateProhibited
Name Servers:	ns31.domaincontrol.com ns32.domaincontrol.com

allezgourmetfoods.com [Buy Now](#)

allezcuisinegourmets.com [Buy Now](#)

allezcuisinefoods.net [Buy Now](#)

alcufo.com [Buy Now](#)

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Registrant Contact

Name:	Registration Private
Organization:	Domains By Proxy, LLC
Street:	DomainsByProxy.com 14455 N. Hayden Road
City:	Scottsdale
State:	Arizona
Postal Code:	85260
Country:	US
Phone:	+1.4806242599
Fax:	+1.4806242598
Email:	ALLEZCUISINEFOODS.COM@domainsbyproxy.com

Administrative Contact

Name:	Registration Private
Organization:	Domains By Proxy, LLC
Street:	DomainsByProxy.com

Sale

.xyz

~~\$12.88~~ **\$1.88**
[BUY NOW](#)

*Offer ends 31st October 2018

On Sale!

.LTD

.LTD @ \$4.48 ~~\$20.88~~

14455 N. Hayden Road

City: Scottsdale

State: Arizona

Postal Code: 85260

Country: US

Phone: +1.4806242599

Fax: +1.4806242598

Email: ALLEZCUISINEFOODS.COM@domainsbyproxy.com

Introducing

WORDPRESS HOSTING

\$3.58 /mo

VIEW MORE



Technical Contact

Name: Registration Private

Organization: Domains By Proxy, LLC

Street: DomainsByProxy.com
14455 N. Hayden Road

City: Scottsdale

State: Arizona

Postal Code: 85260

Country: US

Phone: +1.4806242599

Fax: +1.4806242598

Email: ALLEZCUISINEFOODS.COM@domainsbyproxy.com

Raw Whois Data

```
Domain Name: ALLEZCUISINEFOODS.COM
Registry Domain ID: 1621755995_DOMAIN_COM-VRSN
Registrar WHOIS Server: whois.godaddy.com
Registrar URL: http://www.godaddy.com
Updated Date: 2017-10-13T23:41:54Z
Creation Date: 2010-10-22T21:57:30Z
Registrar Registration Expiration Date: 2019-10-22T21:57:30Z
Registrar: GoDaddy.com, LLC
Registrar IANA ID: 146
Registrar Abuse Contact Email: abuse@godaddy.com
Registrar Abuse Contact Phone: +1.4806242505
Domain Status: clientTransferProhibited
http://www.icann.org/epp#clientTransferProhibited
Domain Status: clientUpdateProhibited
http://www.icann.org/epp#clientUpdateProhibited
Domain Status: clientRenewProhibited
http://www.icann.org/epp#clientRenewProhibited
Domain Status: clientDeleteProhibited
```

```
http://www.icann.org/epp#clientDeleteProhibited
Registry Registrant ID: Not Available From Registry
Registrant Name: Registration Private
Registrant Organization: Domains By Proxy, LLC
Registrant Street: DomainsByProxy.com
Registrant Street: 14455 N. Hayden Road
Registrant City: Scottsdale
Registrant State/Province: Arizona
Registrant Postal Code: 85260
Registrant Country: US
Registrant Phone: +1.4806242599
Registrant Phone Ext:
Registrant Fax: +1.4806242598
Registrant Fax Ext:
Registrant Email: ALLEZCUISINEFOODS.COM@domainsbyproxy.com
Registry Admin ID: Not Available From Registry
Admin Name: Registration Private
Admin Organization: Domains By Proxy, LLC
Admin Street: DomainsByProxy.com
Admin Street: 14455 N. Hayden Road
Admin City: Scottsdale
Admin State/Province: Arizona
Admin Postal Code: 85260
Admin Country: US
Admin Phone: +1.4806242599
Admin Phone Ext:
Admin Fax: +1.4806242598
Admin Fax Ext:
Admin Email: ALLEZCUISINEFOODS.COM@domainsbyproxy.com
Registry Tech ID: Not Available From Registry
Tech Name: Registration Private
Tech Organization: Domains By Proxy, LLC
Tech Street: DomainsByProxy.com
Tech Street: 14455 N. Hayden Road
Tech City: Scottsdale
Tech State/Province: Arizona
Tech Postal Code: 85260
Tech Country: US
Tech Phone: +1.4806242599
Tech Phone Ext:
Tech Fax: +1.4806242598
Tech Fax Ext:
Tech Email: ALLEZCUISINEFOODS.COM@domainsbyproxy.com
Name Server: NS31.DOMAINCONTROL.COM
Name Server: NS32.DOMAINCONTROL.COM
DNSSEC: unsigned
URL of the ICANN WHOIS Data Problem Reporting System:
http://wdprs.internic.net/
>>> Last update of WHOIS database: 2018-10-13T19:00:00Z <<<
```

For more information on Whois status codes, please visit
<https://www.icann.org/resources/pages/epp-status-codes-2014-06-16-en>

Notes:

IMPORTANT: Port43 will provide the ICANN-required minimum data set per ICANN Temporary Specification, adopted 17 May 2018.
Visit <https://whois.godaddy.com> to look up contact data for domains not covered by GDPR policy.

The data contained in GoDaddy.com, LLC's WhoIs database, while believed by the company to be reliable, is provided "as is" with no guarantee or warranties regarding its accuracy. This information is provided for the sole purpose of assisting you in obtaining information about domain name registration records. Any use of this data for any other purpose is expressly forbidden without the prior written permission of GoDaddy.com, LLC. By submitting an inquiry, you agree to these terms of usage and limitations of warranty. In particular, you agree not to use this data to allow, enable, or otherwise make possible, dissemination or collection of this data, in part or in its entirety, for any purpose, such as the transmission of unsolicited advertising and solicitations of any kind, including spam. You further agree not to use this data to enable high volume, automated or robotic electronic processes designed to collect or compile this data for any purpose, including mining this data for your own personal or commercial purposes.

Please note: the registrant of the domain name is specified in the "registrant" section. In most cases, GoDaddy.com, LLC is not the registrant of domain names listed in this database.

related domain names

[godaddy.com](#) [icann.org](#) [domaincontrol.com](#) [domainsbyproxy.com](#) [internic.net](#)

Domains

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[Enterprise Email](#)
[SSL Certificates](#)
[Sitelock](#)

Infrastructure

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EXHIBIT 4



EXHIBIT 5

Ready to Eat



Chicken Caesar Salad

Ready to eat with Caesar dressing. Tossed with chicken, light cheddar cheese, croutons, and a hint of lemon juice dressing.



2

Ready to Heat & Eat



Fenno Arrabbiata

Ready to heat and eat. Fenno Arrabbiata with chicken, hot sauce, and a hint of lemon juice. Served with a hint of Parmesan cheese.



Ready to Heat & Eat



Fenno Arrabbiata

Ready to heat and eat. Fenno Arrabbiata with chicken, hot sauce, and a hint of lemon juice. Served with a hint of Parmesan cheese.



2



EXHIBIT 6

Ready to Eat

alleg
cuisine

Chicken Caesar Salad

Complete salad with Romaine lettuce, seasoned white chicken, aged Parmesan cheese, dill pickles, tomatoes, and our signature Caesar dressing.



Ready to Heat

Ready to Heat

300 Calories

Penne Arrabbiata

Penne Pasta with a spicy Marinara Sauce made with tomatoes, red garlic, spices, and Extra Virgin Olive Oil topped with Parmesan Cheese.



© 2010 Alleg Cuisine, LLC. All rights reserved. Alleg Cuisine, LLC. 10000 1st Street, Suite 100, San Diego, CA 92121

EXHIBIT 7

to Eat

Ready to Heat

al lez
cuisine

Caesar Salad

... with Romaine Lettuce, Seasoned
... Aged Parmesan Cheese, Croutons,
... and our Signature Caesar Dressing.

Penne Arrabbiata

Penne Pasta with a spicy Marinara
... Tomatoes, Basil, Garlic, Spices, and
... topped with Parmesan Cheese.

FRESH MEALS
WITH FIBER
2



EXHIBIT 8



Brian Prince
President
brian@allezcuisinefoods.com

14501 Calvert Street
Van Nuys, CA 91401
☎ 310.308.5252 📠 818.781.6633
www.allezcuisinefoods.com

EXHIBIT 9

BY - TRUCK FRE.

to individually determined rates or contracts that have been agreed upon in writing between the carrier and shipper, otherwise to the rates, classifications and rules that have been established by the carrier and are available, on request, described below, in apparent good order, except as noted (contents and condition of contents of packages unknown), marked, consigned, and destined as indicated below, which said carrier (the word carrier being understood throughout this contract as the person or corporation in possession of the property under the contract) agrees to carry to its usual place of delivery at said destination, if on its route, otherwise to deliver to another carrier on the route to said destination. It is mutually agreed, as to each carrier of said property over all or any portion of said route to destination, and as to each party at any time interested in all or any of said property, that every service to be performed hereunder shall be subject to all the terms and conditions of the Uniform Domestic Bill of Lading set forth (1) in Official, Southern, Western and Illinois Freight Classifications in effect on the date hereof, if this is a rail or a rail-water shipment, or (2) in the applicable motor carrier classification or tariff if this is a motor carrier shipment. Shipper hereby certifies that he is familiar with all the terms and conditions of the said bill of lading, including those on the back thereof, set forth in the classification or tariff which governs the transportation of this shipment, and the said terms and conditions are hereby agreed to by the shipper and accepted for himself and his assigns.

FROM **FOODS INC.**
AT
ON COLLECT ON DELIVERY SHIPMENTS, THE LETTERS "C.O.D." MUST APPEAR BEFORE CONSIGNEE'S NAME - OR AS OTHERWISE PROVIDED IN ITEM 430, SEC. 1.

CONSIGNEE AND DESTINATION **ALLEZ CUISINE**

DATE **10-10-17** SHIPPER'S NO. **2158**
CARRIER **CARRIER** CARRIER'S NO.
BY **10-10-17** (SCA)
ROUTE DELIVERING CARRIER
CAR OR VEHICLE INITIALS & NO.

(Mail or street address of consignee - For purposes of notification only.)

No. Units	HM	KIND OF PACKAGE, DESCRIPTION OF MATERIALS, SPECIAL MARKS, AND EXCEPTIONS	* WEIGHT (Sub. to Cor.)	Class or Rate	Ck. Col.
5		5 GAL DAIL GALIC SPINNER MACHINERY	43.00		
5		5 GAL DAIL KALBI MACHINERY	43.00		
5		5 GAL DAIL MISO STRONG MACHINERY	42.00		

Subject to Section 7 of Conditions of applicable bill of lading, if this shipment is to be delivered to the consignee without recourse to the consignor, the consignor shall sign the following statement:
The carrier shall not make delivery of this shipment without payment of freight and all other law charges.
(Signature of Consignor)
If charges are to be prepaid write or stamp here, "To be Prepaid."
Received \$ _____ to apply in prepayment of the charges on the property described hereon.
(Agent or Cashier)
Per _____ (The signature here acknowledges on the amount prepaid)

REMIT C.O.D. TO: **C.O.D. AMT. \$**
ADDRESS
* If the shipment moves between two ports by a carrier by water, the law requires that the bill of lading shall state whether it is carrier's or shipper's weight.
† The fibre boxes used for this shipment conform to the specifications set forth in the box maker's certificate thereon, and all other requirements of Consolidated Freight Classification.
‡ Shipper's imprint in lieu of stamp, not a part of bill of lading approved by the Interstate Commerce Commission.
Note-Where the rate is dependent on value, shippers are required to state specifically in writing the agreed or declared value of the property.
The agreed or declared value of the property is hereby specifically stated by the shipper to be not exceeding \$ _____ per _____ This is to certify that the above-named materials are properly classified, described, packaged, marked and labeled and are in proper condition for transportation according to the applicable regulations of the Department of Transportation.
Signature

Charges advanced: \$ _____
C.O.D. CHARGE TO BE PAID BY
SHIPPER
CONSIGNEE

Permanent post office address of shipper
Shipper
Agent must detach and retain this Shipping Order and must sign the Original Bill of Lading.
TO DESIGNATE HAZARDOUS MATERIAL AS DEFINED IN TITLE 49 OF FEDERAL REGULATIONS
6A-73N

EXHIBIT 10

allez
Cuisine

100% Chicken
LUMPY STYLE TERIYAKI BEEF
100% Chicken



allez
Cuisine

100% Chicken
PASSION FRUIT CHICKEN
100% Chicken



EXHIBIT 11

alleg
cuisine

NO ANTIBIOTICS EVER • READY IN MINUTES

FULLY COOKED

LUAU STYLE TERIYAKI BEEF

SIRLOIN STRIPS SLOW ROASTED
IN A SESAME SOY SAUCE



EXHIBIT 12

aliez
cuisine

NO ANTIBIOTICS EVER • HORMONE FREE • READY IN MINUTES

FULLY COOKED

PASSION FRUIT CHICKEN

GRILLED CHICKEN BREAST TENDERS
IN A TROPICAL FRUIT GLAZE



EXHIBIT 13

aliez
cuisine

NO ANTIBIOTICS EVER • READY IN MINUTES

FULLY COOKED

HAWAIIAN STYLE BBQ RIBS

CHARBROILED PORK BACK RIBS
IN A HOISIN BBQ SAUCE



NET WT 20 OZ (1.25 LBS)

EXHIBIT 14



FedEx Office

Address: 4578 394 NITE ROAD
 BERRAN DAM
 CA 91402
 Location: INWC
 Service ID: -87C13
 Transaction: 910130412128

FedEx Zip

0000000000 12.5 lbs. 15.1 125.63
 Declared Value 100

Recipient Address:
 KYLE HEINER
 Kyle Heiner Atty
 240 S LYMAN ST
 WOODBURY, OH 44291
 772625912

Scheduled Delivery Date 4/27/2010

Pricing option:
 STANDARD RATE

Package Information:
 YOUR PACKAGING
 16 x 14 x 11

Shipment subtotal: \$135.63

Total Due: \$135.63

(0) CreditCard: \$135.63

*****0000

Transaction:

9101

FedEx 2Day

780686839857 12.5 lbs.

Declared Value 100

Recipient Address:

KEVIN KEENER

Kevin Keener Atty

246 N LYMAN ST

WADSWORTH, OH 44281

7735625902

Scheduled Delivery Date 4/

EXHIBIT 15



October 14,2018

Dear Customer:

The following is the proof-of-delivery for tracking number **780686839857**.

Delivery Information:

Status:	Delivered	Delivery location:	WADSWORTH, OH
Service type:	FedEx 2Day	Delivery date:	Apr 27, 2018 11:47
Special Handling:	Deliver Weekday Residential Delivery		

NO SIGNATURE REQUIRED

Proof-of-delivery details appear below; however, no signature is available for this FedEx Express shipment because a signature was not required.

Shipping Information:

Tracking number:	780686839857	Ship date:	Apr 25, 2018
Recipient:	WADSWORTH, OH US	Shipper:	VAN NUYS, CA US

Thank you for choosing FedEx.

EXHIBIT 16



If you're interested in being a distributor, please contact:
brian@allezcuisinefoods.com

New items continually in development.



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

In the matter of:
Registration No. 4,376,833
Registration Date: July 30, 2013
Mark: ALLEZ CUISINE

)	
)	
Fuji Television Network, Inc.)	
)	
Petitioner,)	
)	
v.)	Opposition No. 92068100
)	
Brian Prince)	
)	
Respondent.)	
)	
)	

DECLARATION OF ANGIE LANE

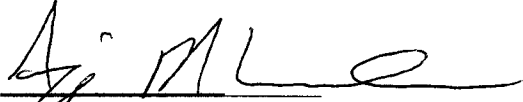
I, Angie Lane, being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements and the like may jeopardize the validity of the application or document or any registration resulting therefrom, declares that the following statements made of his own knowledge are true; and all statements made on information and belief are believed to be true.

1. I am over the age of 18 and am a resident of Wadsworth, Ohio.
2. I am a paralegal by profession and work for Keener and Associates, P.C.
3. I have reviewed Exhibit 11, Exhibit 12, and Exhibit 13 to Respondent's Motion for Summary Judgment in the above captioned matter.
4. I recognize the frozen meals displayed in Exhibit 11, Exhibit 12, and Exhibit 13 to be frozen meals that I personally received into my possession for my personal enjoyment.

5. I personally prepared the Passion Fruit Chicken bearing the ALLEZ CUISINE mark displayed in Exhibit 12. I served the Passion Fruit Chicken bearing the ALLEZ CUISINE mark to my husband and children in my personal residence in Wadsworth, Ohio.
6. I personally prepared the Hawaiian Style BBQ Ribs bearing the ALLEZ CUISINE mark displayed in Exhibit 13. I served the Hawaiian Style BBQ Ribs bearing the ALLEZ CUISINE mark to my husband and children in my personal residence in Wadsworth, Ohio.
7. I have no personal relationship with Brian Prince, the Respondent in this matter, and from my recollection have never communicated with Mr. Prince.
8. I do not work for Mr. Prince or otherwise have any contractual relationship with Mr. Prince.

12-18-18

Date



Angie Lane