

EXHIBIT A



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13 *Attorneys for Caesars World, Inc.*

14 UNITED STATES DISTRICT COURT
15 DISTRICT OF NEVADA

16 CAESARS WORLD, INC., a Florida
17 corporation,
18 Plaintiff,
19 v.
20 MARCEL JULY, an individual; and OCTAVIUS
21 TOWER LLC, a Nevada limited liability
22 company,
23 Defendants.

CASE NO.: 2:11-CV00536-GMN-PAL
CAESARS WORLD, INC.'S FIRST SET
OF INTERROGATORIES TO MARCEL
JULY

24 Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure (the "Federal
25 Rules"), Caesars World, Inc. ("Caesars") serves these interrogatories upon Defendant Marcel
26 July ("July") and requests that July serve upon Caesars sworn answers to each Interrogatory in
27 writing within thirty (30) days of service hereof.



1 12. “Person” or “persons” refers to individuals, companies, corporations, partnerships,
2 sole proprietorships, trade groups, unincorporated associations and all other entities of every kind
3 and description.

4 13. “Document” or “documents” means original and every non-identical copy of any
5 original of all mechanically written, handwritten, typed or printed material, electronically-stored
6 data, microfilm, microfiches, sound recordings, films, photographs, slides, and other physical
7 objects of every kind and description, including but not limited to, all transcripts, letters, notes,
8 memoranda, tapes, records, telegrams, periodicals, pamphlets, brochures, circulars,
9 advertisements, leaflets, reports, research studies, test data, working papers, drawings, sketches,
10 diagrams, graphs, charts, diaries, logs, agreements, contracts, rough drafts, analyses, ledgers,
11 inventories, financial information, books of account, understandings, minutes of meetings,
12 minute books, resolutions, assignments, computer printouts, purchase orders, invoices, bills of
13 lading, written memoranda or notes of oral communications, reports, laboratory or engineering
14 notebooks, blueprints, drawings, operator manuals, software manuals, advertising information,
15 consumer letters and complaints, trade journals, magazines, technical manuals, archive records
16 expired or “dead” files electronically stored or recorded files, and any other tangible thing of
17 whatever nature.

18 14. “Identify” or “identification” with respect to a person or persons shall mean to
19 disclose the full name, present address, or if unknown, last known address, telephone number,
20 the employer(s) of such person(s), and title and job description.

21 15. “Identify” or “identification” with respect to a document shall mean to disclose:

- 22 (1) the title of the document;
- 23 (2) the date of the document;
- 24 (3) the name(s) of the person(s) who signed or prepared such document;
- 25 (4) the name(s) of the recipient(s) of the document;
- 26 (5) the nature and subject of the document or thing; and
- 27 (6) the names and current addresses of any and all persons who have possession,

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custody or control of the document or copies thereof.

16. The phrase "contact or communication" includes all instances in which information has been transmitted from one person or entity to another, including, but not limited to, telephone conversations, meetings, conferences, correspondence, other mailings, telexes, cables, telecopied transmissions, or other data transmissions of any type or nature, whether oral, electronic or written.

17. To "identify" a contract or communication means to state the date of the contract or communication, the person or persons involved in, participating in, or present at the contract or communication, and the nature or type of the contact or communication.

18. The term "entity" means corporations, companies, businesses, proprietorships, or any other business form.

19. "Identify" or "identification" with respect to a business or other entity shall mean to disclose:

- (1) its full name;
- (2) the type of entity;
- (3) its present or last known address of each established place of business; and
- (4) the officers and/or partners of each entity.

20. "Identify" or "identification" with respect to an event or circumstances shall mean to disclose:

- (1) the date of such event;
- (2) the location of such event; and
- (3) the identity of each person present at the event

21. Words of gender shall be construed as including all genders, without limitation.

22. Words in the singular shall be construed to mean the plural and vice versa as appropriate.

23. The present tense shall include the past tense and vice versa.



1 24. “And” and “or” shall be read in the conjunctive or disjunctive in a manner to provide
2 the broadest scope of an interrogatory.

3 25. “Each” includes the word “every” and “every” includes the word “each.”

4 26. “Any” includes the word “all” and “all” includes the word “any.”

5 27. The terms “refer,” “relatE” or “concerning” shall mean in any way, directly or
6 indirectly, in whole or in part, discussing, referring to, regarding, constituting, comprising,
7 involving, about, pertaining to, reflecting, considering, underlying, modifying, amending,
8 confirming, mentioning, endorsing, evidencing, summarizing, memorializing, describing,
9 analyzing; evaluating, representing, supporting, qualifying, terminating, contradicting, revoking,
10 canceling or negating.

11 28. The interrogatories propounded herein are continuing in nature to the extent permitted
12 by the Federal Rules, and to the extent information is received or circumstances are known
13 which may modify in any way or add to the responses given to these interrogatories,
14 supplemental answers reflecting all such subsequently acquired information or known
15 circumstances promptly shall be provided.

16 29. If any privilege is claimed with respect to any documents or oral communications, the
17 identification of which would otherwise be required by these interrogatories, you need not
18 produce or disclose the contents thereof at this time, but with respect to each document and oral
19 communication for which a privilege is claimed, you shall:

20 (1) identify the date thereof;

21 (2) state the particular privilege believed applicable and concisely state
22 sufficient facts to support the claim of privilege; and

23 (3) if the privilege is asserted with respect to a document, identify all persons
24 to whom its contents were disclosed, including all recipients thereof.

INTERROGATORIES

25 **INTERROGATORY NO. 1** Identify and describe in detail each musical
26 performance or concert you or any licensee has given under the July OT Marks in the United
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1 States, including, without limitation, the date, location and venue of each performance or
2 concert.

3 ANSWER:

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6 INTERROGATORY NO. 2 For each performance or concert identified in response
7 to Interrogatory No. 1, identify the approximate number of persons present at the performance or
8 concert.

9 ANSWER:

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12 INTERROGATORY NO. 3 For each performance or concert identified in response
13 to Interrogatory No. 1, identify and describe in detail all advertising, promotion and marketing
14 done by you or any third party regarding the performance or concert.

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17 INTERROGATORY NO. 4 Identify the location of the concert shown in the poster
18 submitted by you on July 23, 2009 to the U.S. Patent and Trademark Office as a specimen to
19 support the Floor Show Registration.

20 ANSWER:

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23 INTERROGATORY NO. 5 Identify and describe in detail each variety show you or
24 any licensee has given under the July OT Marks in the United States, including, without
25 limitation, the date, location and venue of each show.

26 ANSWER:

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INTERROGATORY NO. 6

For each variety show identified in response to Interrogatory No. 5, identify and describe in detail all advertising, promotion and marketing done by you or any third party regarding the show.

ANSWER

INTERROGATORY NO. 7

Identify and describe in detail each news show you or any licensee has given under the July OT Marks in the United States, including, without limitation, the date, location, venue and, to the extent the show was not live, the method of transmission of each show.

ANSWER:

INTERROGATORY NO. 8

For each news show identified in response to Interrogatory No. 7, identify and describe in detail all advertising, promotion and marketing done by you or any third party regarding the show.

ANSWER:

INTERROGATORY NO. 9

Identify and describe in detail each comedy show you or any licensee has given under the July OT Marks in the United States, including, without limitation, the date, location, venue and, to the extent the show was not live, the method of transmission of each show.

ANSWER:



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INTERROGATORY NO. 10 For each comedy show identified in response to Interrogatory No. 9, identify and describe in detail all advertising, promotion and marketing done by you or any third party regarding the show.

ANSWER:

INTERROGATORY NO. 11 Identify and describe in detail each floor show you or any licensee has given under the July OT Marks in the United States, including, without limitation, the date, location, venue and, to the extent the show was not live, the method of transmission of each show.

ANSWER:

INTERROGATORY NO. 12 For each floor show identified in response to Interrogatory No. 11, identify and describe in detail all advertising, promotion and marketing done by you or any third party regarding the show.

ANSWER:

INTERROGATORY NO. 13 Identify and describe in detail each instance in which you or any licensee engaged in the services described in Paragraph 76 of your Answer and Counterclaims, namely “renting sound systems, stages, lighting and laser-light equipment and also setting up, testing and dismantling the stages and related equipment,” under the July OT Marks in the United States.

ANSWER:



1 **INTERROGATORY NO. 14** Identify and describe in detail any goods or services you
2 or any licensee has sold or offered for sale in the United States at any time under the July OT
3 Marks that is not identified in Interrogatory Nos. 1-13.

4 **ANSWER:**
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7 **INTERROGATORY NO. 15** Identify and describe in detail all instances of actual
8 confusion you contend have occurred as a result of Caesars' use of the Caesars OT Marks,
9 including without limitation the phone calls and emails referenced in Paragraph 95 of your
10 Answer and Counterclaims.

11 **ANSWER:**
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14 **INTERROGATORY NO. 16** Identify all facts that support your allegation in
15 Paragraph 100 of the Answer and Counterclaims that the July OT Marks is famous.

16 **ANSWER:**
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19 **INTERROGATORY NO. 17** Identify all shows that you are currently under contract
20 to perform in the United States.

21 **ANSWER:**
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24 **INTERROGATORY NO. 18** Identify with specificity all monetary damages that you
25 claim to have suffered as a result of the actions of Caesars complained of in the Answer and
26 Counterclaims, describe in detail all facts that support all such damages, and itemize your
27 damage calculations for each such damage amount.

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ANSWER:

INTERROGATORY NO. 19 Identify each person or entity to which you have licensed the July OT Marks for use in the United States.

ANSWER:

INTERROGATORY NO. 20 Identify each and every person who was consulted or provided information in connection with the preparation of your answers to the foregoing interrogatories, or who provided information or documents in connection with your responses to Caesars World, Inc.'s First Set of Requests for the Production of Documents and Things.

ANSWER:

Dated this 2nd day of September, 2011.

**SANTORO, DRIGGS, WALCH,
KEARNEY, HOLLEY & THOMPSON**

A handwritten signature in black ink, appearing to read 'Nicholas J. Santoro', is written over a horizontal line.

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VERIFICATION

I, Marcel July, declare under penalty of perjury pursuant to the laws of the United States of America that I have read the foregoing Answers to Caesars World, Inc.'s First Set of Interrogatories to Marcel July and know the contents thereof, and that the same are true and correct to the best knowledge of my knowledge, or that I believe the Answers to be true based upon all of the information in my possession, as of the date of execution of this Verification.

DATED this _____ day of _____, 2011.

Marcel July

EXHIBIT B



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Attorneys for Caesars World, Inc.

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CAESARS WORLD, INC., a Florida
corporation,

Plaintiff,

v.

MARCEL JULY, an individual; and OCTAVIUS
TOWER LLC, a Nevada limited liability
company,

Defendants.

CASE NO.: 2:11-CV00536-GMN-PAL

CAESARS WORLD, INC.'S FIRST
REQUEST FOR PRODUCTION OF
DOCUMENTS AND THINGS TO
MARCEL JULY

Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure (the "Federal Rules"), Caesars World, Inc. ("Caesars") serves these requests for the production of documents and things upon Defendant Marcel July ("July").



1 Responsive documents and information should be served on Caesars via its counsel,
2 David J. Stewart, at Alston & Bird LLP, One Atlantic Center, 1201 West Peachtree Street,
3 Atlanta, Georgia, 30309, within thirty (30) days of service hereof.

4 Each Request set forth below is addressed to the knowledge of July, as well as to the
5 knowledge, information and documents in the possession, custody or control of July's attorneys,
6 accountants, agents, employees, investigators, consultants and other representatives. Thus, when
7 a Request is directed to July, it is also directed to each of the above-described persons.

8 **DEFINITIONS AND INSTRUCTIONS**

9 Caesars incorporates herein the Definitions set forth in Caesars World, Inc.'s First Set of
10 Interrogatories to Marcel July, served concurrently herewith.

11 **REQUESTS FOR PRODUCTION OF DOCUMENTS AND THINGS**

- 12 1. All documents that refer or relate to each musical performance you or a licensee has
13 given under the July OT Marks in the United States.
- 14 2. All documents that refer or relate to each variety show you or a licensee has given
15 under the July OT Marks in the United States.
- 16 3. All documents that refer or relate to each news show you or a licensee has given
17 under the July OT Marks in the United States.
- 18 4. All documents that refer or relate to each comedy show you or a licensee has given
19 under the July OT Marks in the United States.
- 20 5. All documents that refer or relate to each floor show you or a licensee has given
21 under the July OT Marks in the United States.
- 22 6. All documents that refer or relate to "renting sound systems, stages, lighting and
23 laser-light equipment and also setting up, testing and dismantling the stages and related
24 equipment" provided by you or a licensee under the July OT Marks in the United States.
- 25 7. Documents sufficient to identify each good and service offered under the July OT
26 Marks in the United States not listed in Requests 1-6.



- 1 8. Documents sufficient to identify target customers for goods and services offered
- 2 under the July OT Marks in the United States.
- 3 9. Documents sufficient to identify the date you first used the July OT Marks in the
- 4 United States.
- 5 10. All documents that refer or relate to your reasons for adopting the July OT Marks.
- 6 11. All trademark searches regarding any mark or name that includes the term
- 7 "Octavius."
- 8 12. All non-privileged documents relating to any applications you filed to register a mark
- 9 that includes the term "octavius" in the United States, including, but not limited to, notes,
- 10 correspondence, communications, forms, memorandums, specimens of use, office actions, office
- 11 action responses, and registrations.
- 12 13. Copies of all consumer satisfaction surveys, feedback cards, consumer complaints, or
- 13 other documents that reflect any feedback, response, impression or opinion by any consumer
- 14 regarding you or your goods or services.
- 15 14. All surveys, studies, polls, or focus group interviews of any kind or nature regarding
- 16 the mark OCTAVIUS TOWER.
- 17 15. Documents sufficient to identify by year the number of unique visitors to the
- 18 Octavius Tower Website from the United States.
- 19 16. Documents sufficient to identify by year the number of unique visitors to the website
- 20 located at the domain name <octaviustower.Plexiglas-verarbeitung.com> from the United States.
- 21 17. All documents that refer or relate to your reasons for registering the domain names
- 22 <caesarspalacetower.com>, <caesarspalacetowers.com>, <caesarspalacetowerslasvegas.com>,
- 23 <caesarstowers.com>, and <caesarstower.com>.
- 24 18. All documents that refer or relate to the domain names identified in Request 17.
- 25 19. Copies of all websites that have been available over the Internet at any time at any of
- 26 the domain names identified in Request 18.
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- 1 20. All documents that refer or relate to your reasons for registering the domain names
2 <octaviustower.com>, <octaviustowers.com>, <octaviustowerlasvegas.com>, and
3 <octaviustowerlasvegas.com>.
- 4 21. All documents that refer or relate to the domain names identified in Request 20.
- 5 22. Copies of all websites that have been available over the Internet at any time at any of
6 the domain names identified in Request 20.
- 7 23. All documents that evidence or support the allegation in Paragraph 75 of your
8 Answer and Counterclaims that “[d]uring the years 1996 through 2003, Octavius Tower, LLC
9 maintained the Website promoting concerts, bands, and streaming videos of performances.”
- 10 24. Copies of all advertising, marketing or promotional materials, whether by you or any
11 third party, that refer or relate to any goods or services you have offered in the United States
12 under the July OT Marks, including, but not limited to, the following: newspaper, magazine or
13 other print advertisement; brochures, stationery, pamphlets, posters, flyers, or other printed
14 materials; all text or scripts and video or audio recordings of all television, radio, or other
15 broadcast materials; all screen images, websites or banner advertisements; and all photographs,
16 specifications and drawings of all billboards and signage.
- 17 25. Documents sufficient to identify where and when the advertising, marketing or
18 promotional materials produced in response to Document Request No. 24 above were broadcast,
19 published, disseminated, distributed, displayed or otherwise used.
- 20 26. Documents sufficient to identify by year all amounts spent on advertising, promoting
21 and marketing any goods or services you have offered under the July OT Marks in the United
22 States.
- 23 27. Documents sufficient to identify individuals responsible for advertising, promoting
24 and marketing your goods or services under the July OT Marks in the United States.
- 25 28. Copies of all newspaper, magazine, Internet or other articles, press or other publicity
26 regarding goods or services offered by you under the July OT Marks in the United States.
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- 1 29. All correspondence or communications between you or your counsel and any third
2 party regarding Caesars or its use of the Caesars OT Marks.
- 3 30. All correspondence or communications between you and any third party regarding
4 your use of the July OT Marks.
- 5 31. Documents sufficient to identify by year all amounts you have spent on advertising,
6 promoting or marketing your goods and services in the United States under the July OT Marks.
- 7 32. Documents sufficient to identify all Google Adwords and other search engine
8 keywords you have purchased that include the term "Caesars" or "Octavius."
- 9 33. All documents that refer or relate to any Facebook or Twitter accounts for your goods
10 or services sold under the July OT Marks.
- 11 34. All documents that refer or relate to any state trademark registration or application for
12 the July OT Marks.
- 13 35. Documents sufficient to identify when you first learned of Caesars' use of the Caesars
14 OT Marks.
- 15 36. All documents that refer or relate to the entertainment center referenced in Paragraph
16 87 of your Answer and Counterclaims.
- 17 37. All documents that refer or relate to the advice received from your German attorney,
18 as referenced in Paragraph 90 of your Answer and Counterclaims.
- 19 38. All documents that refer or relate to each phone call and email referenced in
20 Paragraph 95 of your Answer and Counterclaims.
- 21 39. All documents that refer or relate to any instance of consumer confusion or inquiry
22 you contend has occurred as a result of Caesars' use of the Caesars OT Marks.
- 23 40. To the extent not produced in response to the foregoing requests, all documents that
24 support your allegation that the Caesars OT Marks infringes the July OT Marks.
- 25 41. All documents that support your claim that the July OT Marks is famous.
- 26 42. To the extent not produced in response to the foregoing requests, all documents that
27 support your allegation that the Caesars OT Marks dilutes the July OT Marks.
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- 1 43. All documents that support your affirmative defenses listed in your Answer and
2 Counterclaims.
- 3 44. All trademark license agreements between you and any third party that relate to use of
4 the mark OCTAVIUS TOWER in the United States.
- 5 45. All agreements between you and Octavius Tower LLC.
- 6 46. All documents that relate to any planned concerts for the band Octavius Tower in the
7 United States.
- 8 47. All documents that relate to your planned opening of the Octavius Tower
9 Entertainment Center in Las Vegas.
- 10 48. To the extent not produced in response to the foregoing requests, all non-privileged
11 documents that refer or relate to Caesars or the Caesars OT Marks.
- 12 49. All documents that evidence or support any damages you claim to have suffered as a
13 result of the actions of Caesars complained of in your Answer and Counterclaims.
- 14 50. All documents that evidence or support any other monetary recovery you seek in this
15 action.
- 16 51. Documents sufficient to identify your gross and net sales by year from the sale of
17 your goods and services offered under the July OT Marks in the United States.
- 18 52. Documents sufficient to identify your gross and net revenues by year from the sale of
19 your goods and services offered under the July OT Marks in the United States.
- 20 53. Documents sufficient to identify your gross and net profit by year from the sale of
21 your goods and services offered under the July OT Marks in the United States.
- 22 54. Readable copies of all exhibits you have filed with the Court in this Action.
- 23 55. All documents and things you relied upon or referenced in responding to Caesars'
24 First Set of Interrogatories.
- 25 56. All written statements or other documents pertaining to the testimony or possible
26 testimony of any fact witnesses you may call to testify in this proceeding, including documents
27 sufficient to show the identity of any such person.
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57. All documents relating to any work performed for you, or at your request or direction, by any person or persons whom you intend to call as an expert witness on your behalf in this proceeding, including, but not limited to, *curricula vitae* of any such persons, correspondence with any such persons, engagement or fee arrangements with any such persons, any documents you have provided to or received from any such persons, and any preliminary or final opinion or observations of any such persons.

58. All documents that evidence or support any irreparable harm you claim to have suffered as a result of the acts of Caesars alleged in the Complaint.

Dated this 2nd day of September, 2011.

**SANTORO, DRIGGS, WALCH,
KEARNEY, HOLLEY & THOMPSON**

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EXHIBIT C

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12 *Attorneys for Caesars World, Inc.*

13
14 UNITED STATES DISTRICT COURT
15 DISTRICT OF NEVADA

16 CAESARS WORLD, INC., a Florida
17 corporation,
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19 Plaintiff,
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21 v.
22 MARCEL JULY, an individual; and OCTAVIUS
TOWER LLC, a Nevada limited liability
company,
23 Defendants.

CASE NO.: 2:11-CV-0536 GMN-CWH
CAESARS WORLD, INC.'S FIRST SET
OF INTERROGATORIES TO OCTAVIUS
TOWER LLC

24
25 Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure (the "Federal
26 Rules"), Caesars World, Inc. ("Caesars") serves these interrogatories upon Defendant Octavius
27 Tower LLC ("OTLLC") and requests that OTLLC serve upon Caesars sworn answers to each

1 Interrogatory in writing within thirty (30) days of service hereof.

2 Each Interrogatory set forth below is addressed to the knowledge of OTLLC, as well as
3 the knowledge, information and documents in the possession, custody, or control of OTLLC's
4 attorneys, accountants, agents, employees, officers, directors, investigators, consultants and other
5 representatives. Thus, when an Interrogatory is directed to OTLLC, it is also directed to each of
6 the above-described persons.

7 **DEFINITIONS AND INSTRUCTIONS**

8 1. The term OTLLC refers to Octavius Tower LLC, including any present or former
9 owners, officers, directors, employees, agents, attorneys or other representatives acting on its
10 behalf either within the United States or a foreign country.

11 2. The term "July" refers to Marcel July and his present and former employees, agents,
12 attorneys or other representative acting on its behalf.

13 3. The term "Caesars" refers to "Caesars World, Inc." including any present or former
14 owners, officers, directors, employees, agents, attorneys or other representative acting on its
15 behalf.

16 4. The term "Defendants" refers to July and Octavius Tower LLC.

17 5. The term "Complaint" refers to Caesars' complaint filed in this action.

18 6. The term "Answer" refers to OTLLC's answer filed in this action.

19 7. The term "Answer and Counterclaims" refers to July's answer and counterclaims
20 filed in this action.

21 8. The term "Floor Show Registration" means U.S. Reg. No. 3,736,945 for the mark
22 OCTAVIUS TOWER owned by July.

23 9. The term "Website Registration" means U.S. Reg. No. 3,675,168 for the mark
24 OCTAVIUS TOWER owned by July.

25 10. The term "July's Website" means the website located at the domain name
26 <octaviustower.com>.

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1 11. “Person” or “persons” refers to individuals, companies, corporations, partnerships,
2 sole proprietorships, trade groups, unincorporated associations and all other entities of every kind
3 and description.

4 12. “Document” or “documents” means original and every non-identical copy of any
5 original of all mechanically written, handwritten, typed or printed material, electronically-stored
6 data, microfilm, microfiches, sound recordings, films, photographs, slides, and other physical
7 objects of every kind and description, including but not limited to, all transcripts, letters, notes,
8 memoranda, tapes, records, telegrams, periodicals, pamphlets, brochures, circulars,
9 advertisements, leaflets, reports, research studies, test data, working papers, drawings, sketches,
10 diagrams, graphs, charts, diaries, logs, agreements, contracts, rough drafts, analyses, ledgers,
11 inventories, financial information, books of account, understandings, minutes of meetings,
12 minute books, resolutions, assignments, computer printouts, purchase orders, invoices, bills of
13 lading, written memoranda or notes of oral communications, reports, laboratory or engineering
14 notebooks, blueprints, drawings, operator manuals, software manuals, advertising information,
15 consumer letters and complaints, trade journals, magazines, technical manuals, archive records
16 expired or “dead” files electronically stored or recorded files, and any other tangible thing of
17 whatever nature.

18 13. “Identify” or “identification” with respect to a person or persons shall mean to
19 disclose the full name, present address, or if unknown, last known address, telephone number,
20 the employer(s) of such person(s), and title and job description.

21 14. “Identify” or “identification” with respect to a document shall mean to disclose:

- 22 (1) the title of the document;
- 23 (2) the date of the document;
- 24 (3) the name(s) of the person(s) who signed or prepared such document;
- 25 (4) the name(s) of the recipient(s) of the document;
- 26 (5) the nature and subject of the document or thing; and
- 27 (6) the names and current addresses of any and all persons who have possession,

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1 custody or control of the document or copies thereof.

2 15. The phrase "contact or communication" includes all instances in which information
3 has been transmitted from one person or entity to another, including, but not limited to, telephone
4 conversations, meetings, conferences, correspondence, other mailings, telexes, cables, telecopied
5 transmissions, or other data transmissions of any type or nature, whether oral, electronic or
6 written.

7 16. To "identify" a contract or communication means to state the date of the contract or
8 communication, the person or persons involved in, participating in, or present at the contract or
9 communication, and the nature or type of the contact or communication.

10 17. The term "entity" means corporations, companies, businesses, proprietorships, or any
11 other business form.

12 18. "Identify" or "identification" with respect to a business or other entity shall mean to
13 disclose:

- 14 (1) its full name;
- 15 (2) the type of entity;
- 16 (3) its present or last known address of each established place of
17 business; and
- 18 (4) the officers and/or partners of each entity.

19 19. "Identify" or "identification" with respect to an event or circumstances shall mean to
20 disclose:

- 21 (1) the date of such event;
- 22 (2) the location of such event; and
- 23 (3) the identity of each person present at the event

24 20. Words of gender shall be construed as including all genders, without limitation.

25 21. Words in the singular shall be construed to mean the plural and vice versa as
26 appropriate.

27 22. The present tense shall include the past tense and vice versa.

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ANSWER:

INTERROGATORY NO. 2 Identify by full name and title all current and former officers, directors and management level employees of OTLLC.

ANSWER:

INTERROGATORY NO. 3 Describe in detail OTLLC's ownership interest, if any, in the mark OCTAVIUS TOWER.

ANSWER:

INTERROGATORY NO. 4 Describe in detail each product or service OTLLC has offered for sale or sold at any time in the United States under any mark or name that includes the phrase OCTAVIUS TOWER.

ANSWER:

INTERROGATORY NO. 5 For each product or service OTLLC has sold under any mark or name that includes the phrase OCTAVIUS TOWER in the United States, identify the date of the sale, the customer, and the revenue derived from the sale.

ANSWER:

1 **INTERROGATORY NO. 6** For each concert or show OTLLC identified in response
2 to Interrogatory No. 4 above identify the date, location, venue and, to the extent the show was
3 not live, the method of transmission of each show.

4 **ANSWER:**

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7 **INTERROGATORY NO. 7** Identify and describe in detail all advertising, promotion
8 or marketing done by OTLLC or any third party regarding any of the products/services identified
9 in response to Interrogatory No. 4 above.

10 **ANSWER:**

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13 **INTERROGATORY NO. 8** For any concerts or shows OTLLC has given in the
14 United States under a mark or name that includes the phrase OCTAVIUS TOWER, identify the
15 number of people (or, if unavailable, the approximate number of people) in attendance at each
16 show.

17 **ANSWER:**

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20 **INTERROGATORY NO. 9** Identify all domain names owned or used by OTLLC that
21 incorporate the term "octavius."

22 **ANSWER:**

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25 **INTERROGATORY NO. 10** Identify any websites used by OTLLC or any of
26 OTLLC's licensees in connection with advertising, promoting, offering for sale, or selling any
27 goods or services sold under a mark or name that incorporates the term "octavius."

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ANSWER:

INTERROGATORY NO. 11 Describe in detail OTLLC's relationship, if any, with the band Kingscrossing.

ANSWER:

INTERROGATORY NO. 12 Identify and describe in detail all concerts or shows that OTLLC is currently under contract to perform in the United States.

ANSWER:

INTERROGATORY NO. 13 Identify each person or entity to which OTLLC has licensed the OCTAVIUS TOWER mark for use in the United States.

ANSWER:

INTERROGATORY NO. 14 Identify and describe in detail all instances of consumer confusion or inquiry OTLLC contends has occurred as a result of Caesar's use of the OCTAVIUS TOWER mark, including identifying the date of each instance and the name and all known contact information of each person involved.

ANSWER:

INTERROGATORY NO. 15 Identify any licenses to OTLLC from any third party, or by OTLLC to any third party, regarding any mark that includes the phrase OCTAVIUS TOWER,

1 and, for each license, identify: (a) the party/parties to the license; and (b) all material terms of
2 any such license.

3 ANSWER:

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6 INTERROGATORY NO. 16 Identify each and every person who was consulted or
7 provided information in connection with the preparation of OTLLC's answers to the foregoing
8 interrogatories, or who provided information or documents in connection with OTLLC's
9 responses to Caesars World, Inc.'s First Set of Requests for the Production of Documents and
10 Things.

11 ANSWER:

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14 Dated this 8th day of September, 2011.

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