



HOPONE INTERNET CORPORATION

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The foundation of Internet success.™



March 9, 2002

03-12-2002

U.S. Patent & TM Office TM Mail Rcpt Dt. #66

To:
Assistant Commission for Trademarks
Trademark Trial & Appeal Board
2900 Crystal Drive
Arlington, VA 22202-3513
*via courier (signature-on-delivery)
sent March 11th, 2002
proof of delivery & receipt on file*

CC:
Molly Buck Richard
Strasburger & Price, LLP
901 Main St., Suite 4300
Dallas, TX 75202
*via courier (signature-on-delivery)
sent March 11th, 2002
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE TRADEMARK TRIAL & APPEAL BOARD

Hewlett-Packard Company (Opposer)
v.
HopOne Internet Corporation (Applicant)

Re: Opposition No.: 121,759
Re: Trademark Application No.: 75/858,178

APPLICANT'S RESPONSE TO BOARD'S ORDER AND MOTION FOR DEFAULT JUDGEMENT & TO OPPOSER'S RESPONSE TO BOARD'S ORDER AND MOTION FOR DEFAULT JUDGEMENT

The USPTO Trademark Trial & Appeal Board responded to this case in the form of an Order stamped "Mailed Nov 2, 2001." However, the said Order was not received by us, nor, allegedly, the Opposer. The Opposer has seized this opportunity to falsely claim that we had received this response of the Board (we had not; consequently, we infer that the said notice was not mailed neither to the Opposer nor to us, or was "lost in the mail" if it was indeed mailed) and have consciously not responded to it. This statement is false and not based on any fact (similar to a number of Opposer's previous statements – it is a false and not based on any fact, nor has the Opposer even attempted to verify the facts before making the statement). We have first received this Order of the Board as an attachment to the Opposer's Response dated February 11th, 2002. Therefore, we motion the board to consider the mailing date of the Order as being the actual mailing date of it to us; namely, February 11th, 2002, instead of November 2nd, 2001. Consequently, we oblige to the Board's request by filing a response to the Opposer's original pleading, given the fact that an amended pleading has not been filed within twenty (20) days of February 11th, 2002, and that our response is within the allowed forty (40) day period. We further motion the Board to dismiss the Opposer's unfounded request for default judgment in its favor and request the Board to dismiss this case as per its Order dated November 2nd, 2001 (mailed to us on February 11th, 2002).

Response to Opposer's original pleading (Notice of Opposition), dated January 3rd, 2001.

Note: each numeral refers to the allegation in the aforementioned pleading numbered the same.

1. Admitted
2. Denied, as earlier outlined and detailed.
3. Admitted.
4. Admitted.
5. Admitted.
6. Admitted.
7. Admitted.

tlab

J.P.

March 9, 2002

8. Admitted.
9. Admitted.
10. Admitted.
11. Admitted.
12. Admitted.
13. Admitted.
14. Admitted.
15. Admitted.
16. Admitted.
17. Admitted.
18. Admitted.
19. Admitted.
20. Admitted.
21. Admitted.
22. Admitted.
23. Admitted.
24. Admitted.
25. Admitted.
26. Admitted.
27. Admitted.
28. Denied, as earlier outlined and detailed.
29. Denied, as earlier outlined and detailed.
30. Denied, as earlier outlined and detailed.
31. Denied, since we believe that the registration of our unique Mark would cause no harm to the Opposer.
32. Denied, as earlier outlined and detailed, as we believe that the registration of our unique Mark would not dilute the Opposer's marks, given no real or noticeable similarity between our Mark and those of the Opposer.

If any further details regarding the admissions and denials above are required, please advise us accordingly.

We thank the Board in advance for its anticipated prompt attention to this matter and trust that the case will be dismissed as detailed in the earlier Order of the Board.

Sincerely,



Haralds Jass
President