



REPRINT  
copy

**HOPONE INTERNET CORPORATION**

1010 Wisconsin Avenue NW, Suite 303 • Washington, DC 20007-3603  
Tel: (202) 298-6520 • Fax: (202) 298-6522 • E-mail: info@hopone.net • Web: www.hopone.net

*The foundation of Internet success.™*

March 9, 2002

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

**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 11<sup>th</sup>, 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 11<sup>th</sup>, 2002, instead of November 2<sup>nd</sup>, 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 11<sup>th</sup>, 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 2<sup>nd</sup>, 2001 (mailed to us on February 11<sup>th</sup>, 2002).

Response to Opposer's original pleading (Notice of Opposition), dated January 3<sup>rd</sup>, 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.

*reprinted on*  
April 8, 2002

● Page 2

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

For PIN # Shipment Status	Date (mm/dd/yyyy)/Time Delivery Depot	Delivery To Company Delivery Address	Delivery Location Delivery Recipient
4011078757 DELIVERED	03/12/2002 10:56am U.S.A. POINTS		C LAND
4011078815 DELIVERED	03/12/2002 8:39am U.S.A. POINTS		M EAGLIN



### Tracking Details

<b>For PIN #</b>	4011078815
<b>Status</b>	DELIVERED
<b>Date/Time</b>	MARCH 12, 2002 AT 08:39
<b>To Company</b>	
<b>Address</b>	
<b>Delivery Location</b>	
<b>Delivery Recipient</b>	M EAGLIN
<b>Depot</b>	U.S.A. POINTS
<b>Tracking Phone #</b>	1 888 SHIP-123 or 1-888-744-7123
<b>Delivery Signature</b>	NOT AVAILABLE

*recd. by USPTO*



PuroLator PuroLink

File Edit View Activity Setup Help

Prepare Label Pickup QuickShip Supplies Track Search Address

History List

Activity	Summary Information
✓ Pickup	1 shipment - 1 piece - pickup# 30508697
✓ Shipment	4011156835 - Weilly, Rein, and Fielding LLP \$27.04
✓ Pickup	1 shipment - 1 piece - pickup# 30470537
✓ Shipment	4011148097 - US Bank \$13.85
✓ Pickup	1 shipment - 1 piece - pickup# 30401063
✓ Shipment	4011131747 - RB Associates Inc. \$27.04
✓ Pickup	3 shipments - 3 pieces - pickup# 30195032
✓ Shipment	4011082098 - US Bank \$13.85
✓ Shipment	4011078815 - Trademark Trial & Appeal Board \$27.04

Shipment

Status

4011078815 - Trademark Trial Appeal Board  
\$27.04



Link

Date: Mar 11/2002 Time: 9:57am

To: Trademark Trial Appeal Board  
Ass't Commission for Trademark  
2900 Crystal Drive

Delete

Details...

Arlington, Virginia  
United States Of America 222023513

Void

Pin Number: 4011078815  
Package Type: PuroLetter  
Number of pieces: 1 Adjusted Weight: 1 lb  
Transport Mode: Air Transit Time (days): N/A  
Premium Services: None  
Hold for Pickup: No  
Declared Value: \$0.00  
Bill To: Sender  
Dangerous Goods: No

Help

Cost: \$27.04  
Tax: \$0.00

Close

\* Total: \$27.04

Note: \* - Subject to Change Based on Actual Weight/Volume

Start Inbo... TSE/... VSU... Groo... Find ... Calc...

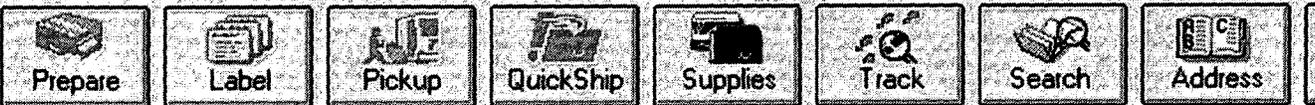


### Tracking Details

For PIN #	4011078757
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Date/Time	MARCH 12, 2002 AT 10:56
To Company	
Address	
Delivery Location	
Delivery Recipient	C LAND
Depot	U.S.A. POINTS
Tracking Phone #	1 888 SHIP-123 or 1-888-744-7123
Delivery Signature	NOT AVAILABLE

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✓ Shipment	4011082098 - US Bank \$13.85
✓ Shipment	4011078815 - Trademark Trial & Appeal Board \$27.04
Shipment	4011078757 - Strasburger & Price LLP \$27.04

**Shipment** X

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**Status**  
**4011078757 - Strasburger\_Price LLP \$27.04**

Date: Mar 11/2002      Time: 9:50am

Link

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**To: Strasburger\_Price LLP**  
**Molly Buck Richard**  
**901 Main Street**

**Dallas, Texas**  
**United States Of America 75202**

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**Pin Number: 4011078757**  
**Package Type: PuroLetter**  
**Number of pieces: 1      Adjusted Weight: 1 lb**  
**Transport Mode: Air      Transit Time (days): N/A**  
**Premium Services: None**  
**Hold for Pickup: No**  
**Declared Value: \$0.00**  
**Bill To: Sender**  
**Dangerous Goods: No**

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**Cost: \$27.04**  
**Tax: \$0.00**

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**\* Total: \$27.04**

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TAB

04-10-2002

U.S. Patent & TMO/TM Mail Rcpt Dt. #26

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April 8, 2002

To:  
Assistant Commission for Trademarks  
Trademark Trial & Appeal Board  
2900 Crystal Drive  
Arlington, VA 22202-3513  
*via courier (signature-on-delivery)*  
*sent April 8<sup>th</sup>, 2002*  
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CC:  
Molly Buck Richard  
Strasburger & Price, LLP  
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Dallas, TX 75202  
*via courier (signature-on-delivery)*  
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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.: 91-121,759  
Re: Trademark Application No.: 75/858,178

02 APR 18 PM 9:22  
TRADEMARK TRIAL AND APPEAL BOARD

**APPLICANT'S RESPONSE TO BOARD'S UNFOUNDED, COUNTER-FACTUAL DEFAULT JUDGEMENT**

The USPTO Trademark Trial & Appeal Board has failed to consider the facts in this case by counter-factually arriving at a default judgment. The facts are as follows:

1. The USPTO has never sent us a copy of the order issued on November 2, 2001<sup>1</sup>.
2. The said order has been sent to us by the Opposer, with a sent date of February 11<sup>th</sup>, 2002.
3. Therefore, the 30-day period in question is February 12<sup>th</sup> to March 14<sup>th</sup>, 2002.
4. Our response was sent on March 9<sup>th</sup>, 2002 (please see a reprint copy attached).
5. We responded within 30-days of the order mailing to us.
6. The Opposer did not respond within 30-days of its mailing to them, presumably November 2nd (please refer to the reprint of our response dated March 9<sup>th</sup>, 2002 for further details).
7. Consequently, we have obliged to the board's order and the Opposer has failed to do so. **Therefore, default judgment should be granted in our favor. We motion the board to do so at once without any further arbitrary delays.**

We also request the board to explain, in detail, why it has not considered our response of March 9<sup>th</sup>, 2002, which it has received on March 12<sup>th</sup>, 2002, signed for by "M. Eaglin"<sup>2</sup>, when drafting its arbitrary and unfounded default judgment in Opposer's favor (whereas it should have granted a default judgment in our favor) on March 28<sup>th</sup>, 2002.

<sup>1</sup> This reasonable, logical, assumption is based on the fact that such was never received by us.

<sup>2</sup> Please refer to a copy of the delivery receipt. Also, for your convinience, a copy of the receipt of delivery of the copy of the same document to the Opposer's attorney is attached.

K

April 8, 2002

**Given it's continuous delays and illogical, disconnected actions in this case, we request the board to respond and explain its action in this case promptly, as well as to issue the warranted default judgment in our favor.**

Sincerely,

A handwritten signature in black ink, appearing to be 'Haralds Jass', written in a cursive style.

Haralds Jass  
President