

**EXH**

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



In the matter of Trademark Application :  
Serial **76-342,386** filed November 27, 2001 :  
by Samick Music Corporation :  
for the trademark :

**04-29-2003**

U.S. Patent & TMO/TM Mail Rcpt Dt. #22

OPPOSITION NO. \_\_\_\_\_

**"Samick"**

EXPRESS MAIL NO.: EU 937887155 US  
Date: April 29, 2003

**LAWRENCE MUSIC, INC.**

Opposer,

v.

**SAMICK MUSIC CORPORATION**

Applicant.

I hereby certify that this paper  
paper or fee is being deposited  
with the United States Postal  
Service "Express Mail Post Office  
to Addressee" service under 37  
C.F.R. 1.10 on the date indicated  
above and is addressed to the  
Assistant Commissioner of  
Trademarks, 2900 Crystal Drive,  
Arlington, VA 22202-3513 by:

Gregg R. Zegarelli  
Counsel for Opposer

**NOTICE OF OPPOSITION**

In the matter of the above-identified application, published in the  
Official Gazette of December 31, 2002.

1. Lawrence Music, Inc., Opposer, is a Pennsylvania corporation  
having a principal place of business at 985 Castle Shannon Boulevard, Pittsburgh,  
PA 15234.

2. Samick Music, Inc., Applicant, is a California corporation with  
its principal place of business at 18521 East Railroad Street, Rowland Heights,  
CA 91748-1353, USA.

3. Opposer hereby opposes the registration of Applicant's mark  
referenced. Opposer believes that it would be damaged by the registration of the  
of the opposed mark.

4. Opposer believes that it would be damaged for the reasons set  
forth in the pleadings filed by it in United States District Court for the

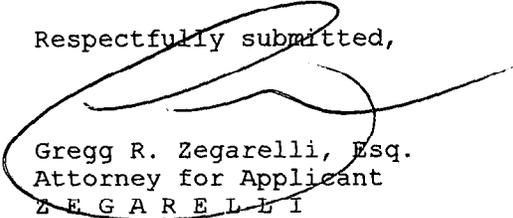
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Western District of Pennsylvania, Lawrence Music v. Samick Music, Case No.: 01 1029, in which potential Opposer is Plaintiff. A copy of the pleadings are attached hereto as Group Exhibit A, and the averments and defenses made by Opposer are incorporated herein by this reference as it fully stated again herein. Furthermore, and in addition thereto, Opposer believes that it would be damaged because Applicant has abandoned the mark, Applicant has otherwise granted naked licenses to the mark, and because Opposer is senior user to the mark in question for the goods claimed in the applicant; a registration would injure Opposer because it would create legal presumptions that controvert the rights of Opposer.

WHEREFORE, Opposer Lawrence Music requests that Applicant Samick Music application, Serial No. 76-342,386, be refused registration; and that this opposition be sustained in favor of Opposer.

April 29, 2003

Respectfully submitted,

  
Gregg R. Zegarelli, Esq.  
Attorney for Applicant

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