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Filing date: **04/28/2008**

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

Proceeding	91156321
Party	Plaintiff The Chamber of Commerce of the United States of America
Correspondence Address	William M. Merone Kenyon & Kenyon 1500 K Street N.W., Suite 700 Washington, DC 20005 UNITED STATES ekane@kenyon.com
Submission	Testimony For Plaintiff
Filer's Name	Erik C. Kane
Filer's e-mail	ekane@kenyon.com, tmdocketdc@kenyon.com
Signature	/Erik C. Kane/
Date	04/28/2008
Attachments	Chrissi Jones Declaration.pdf ( 8 pages )(293990 bytes )

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

THE CHAMBER OF COMMERCE OF  
THE UNITED STATES OF AMERICA

*Opposer,*

v.

UNITED STATES HISPANIC CHAMBER  
OF COMMERCE FOUNDATION,

*Applicant.*

Opposition No.: 91/156,321

Serial No.: 78/081,731

**DECLARATION OF CHRISTINE BLADEN JONES**

1. The undersigned, Christine (“Chrissi”) Bladen Jones, 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 all statements made of his/her own knowledge are true; and all statements made on information and belief are believed to be true. Further, the undersigned states that the following is true and accurate to the best of her information and belief and if called to testify, could and would testify competently as follows:

2. I am currently the Purchasing Manager at the Chamber of Commerce of the United States of America (“U.S. Chamber”). I have been employed by the U.S. Chamber for 2.5 years.

3. As part of my responsibilities as Purchasing Manager, I am in charge of procurement at the U.S. Chamber, as well as working in tandem with the mailroom. In working with the mailroom, if a piece of mail comes into the U.S. Chamber addressed to someone not employed by the U.S. Chamber or not identifiable, that mail is redirected from the mailroom to me. When such mail is directed to me, I open the mail and try to assess who would be the best person or department within the U.S. Chamber to handle that mail and then route the mail to that person.

4. Attached to my declaration is a true and correct copy of a letter received by the U.S. Chamber on February 19, 2008. The letter failed to identify someone working for the U.S. Chamber and was thus directed to my attention. Upon opening and reviewing this letter, I determined the letter pertained to legal matters and thus directed the letter to the General Counsel's office of the U.S. Chamber. Upon making this determination, I wrote "general council" [sic] on the envelope and then returned the letter to the mailroom to deliver to the General Counsel's office.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: April 28, 2008

  
Christine Bladen Jones



250 NORTH ORANGE AVENUE, SUITE 550 ORLANDO, FLORIDA 32801 (407) 313-5900  
FAX (407) 313-5901

January 31, 2008

**First Class Mail**

General Counsel  
~~Philip Morris USA~~  
P.O. Box 26603  
Richmond, Virginia 23261

**Re: NHCA, Inc., et al. v. HACR, 07-CV-1949 (MDFL)**

Dear General Counsel:

This office has the pleasure to represent National Hispanic Corporate Achievers, Inc. ("NHCA"), and its President and CEO, Daniel Ramos. I write to you in reference to my client's recent filing of a trademark infringement action in the United States District Court for the Middle District of Florida against the Hispanic Association on Corporate Responsibility ("HACR").

Mr. Ramos has in the past done business with Philip Morris USA ("Philip Morris") under the business names "Hispanic Achievers," "Hispanic Corporate Achievers," and "National Hispanic Corporate Achievers." At some point in 2006, HACR, which engages in the same type of Hispanic community outreach projects and promotions, adopted the confusingly similar name "Young Hispanic Corporate Achievers" and entered into some form of relationship with Philip Morris, as evidenced by HACR's website listing of Philip Morris as a sponsor.

We have attached a copy of the complaint for your review. In the near future we will be seeking discovery from Philip Morris relating to your relationship with HACR and HACR's unlawful use of NHCA's trademarks. As part of our request, we will seek disclosure of the existence and content of any communications by and between Ford and HACR and the existence and amount of any disbursements of funds from Philip Morris to HACR, among other requests. We respectfully ask that at this time you take all necessary steps to ensure preservation of all information, whether electronic or otherwise, relevant to our claims.

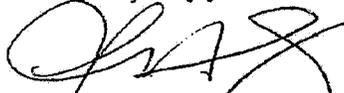
In addition, we note that your own trademarks are being prominently displayed by HACR in conjunction with their continued unlawful use of NHCA's brand. For example, your company logo and name is prominently displayed on the HACR website, and we have reason to believe that the same is being used and/or displayed on other HACR material such as advertising brochures, business proposals, fliers, and other like media. We hereby request that you take any and all necessary steps to dissociate yourselves from any continued participation in HACR's unlawful activity in an effort to

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ATTORNEYS AND COUNSELORS AT LAW

mitigate the current situation. We view HACR's actions as predatory in nature and wholly unbecoming of a nonprofit organization dedicated to the advancement of Hispanics in business. Any continued association with HACR's trademark infringements can only be seen as ratification of their conduct and will reflect poorly upon your company both in the Hispanic business community and the public at large.

We look forward to your cooperation in this important matter. If you have any questions or concerns, please do not hesitate to contact me.

Very truly yours,



Adam H. Sudbury, Esq.  
Soto Sudbury LLP

Encls.

cc: National Hispanic Corporate Achievers, Inc.

**Soto Sudbury LLP**  
ATTORNEYS AND COUNSELORS AT LAW

250 NORTH ORANGE AVENUE, SUITE 550 ORLANDO, FLORIDA 32801 (407) 313-5900  
FAX (407) 313-5901



January 31, 2008

**First Class Mail**

General Counsel  
Ford Motor Company  
16800 Executive Plaza Drive, MD3E-B  
Deerborn, Michigan 48126-4207

**Re: NHCA, Inc., et al. v. HACR, 07-CV-1949 (MDFL)**

Dear General Counsel:

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Mr. Ramos has in the past done business with Ford Motor Company ("Ford") under the business names "Hispanic Achievers," "Hispanic Corporate Achievers," and "National Hispanic Corporate Achievers." At some point in 2006, HACR, which engages in the same type of Hispanic community outreach projects and promotions, adopted the confusingly similar name "Young Hispanic Corporate Achievers" and entered into some form of relationship with Ford, as evidenced by HACR's website listing of Ford as a HACR sponsor.

We have attached a copy of the complaint for your review. In the near future we will be seeking discovery from Ford relating to your relationship with HACR and HACR's unlawful use of NHCA's trademarks. As part of our request, we will seek disclosure of the existence and content of any communications by and between Ford and HACR and the existence and amount of any disbursements of funds from Ford to HACR, among other requests. We respectfully ask that at this time you take all necessary steps to ensure preservation of all information, whether electronic or otherwise, relevant to our claims.

In addition, we note that your own trademarks are being prominently displayed by HACR in conjunction with their continued unlawful use of NHCA's brand. For example, your company logo and name is prominently displayed on the HACR website, and we have reason to believe that the same is being used and/or displayed on other HACR material such as advertising brochures, business proposals, fliers, and other like media. We hereby request that you take any and all necessary steps to dissociate yourselves from any continued participation in HACR's unlawful activity in an effort to

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Tel. (407) 313-5900 • Fax (407) 313-5901

Page 1 of 2

250 N. Orange Avenue • Suite 550  
Orlando, Florida 32801

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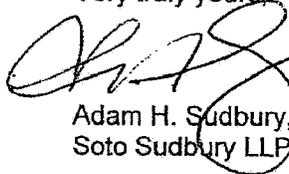
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**Soto Sudbury LLP**  
ATTORNEYS AND COUNSELORS AT LAW

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We look forward to your cooperation in this important matter. If you have any questions or concerns, please do not hesitate to contact me.

Very truly yours



Adam H. Sudbury, Esq.  
Soto Sudbury LLP

Encls.

cc: National Hispanic Corporate Achievers, Inc.

Hispanic Achievers  
PO Box 160912  
Altamonte Springs, FL 32746

*PAH*

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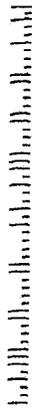


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Michael L. Barrera  
United States Chamber of Commerce  
1615 H Street, NW  
Washington, DC 20062-2000

*general council*

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## CERTIFICATE OF SERVICE

I hereby certify that the required number of copies of the foregoing *Declaration of Christine Bladen Jones* was served on counsel on the date and as indicated below:

***By U.S. Mail (Postage Prepaid)***

Jill M. Pietrini  
Andrew Eliseev  
MANATT PHELPS & PHILLIPS, LLP  
11355 W. Olympic Boulevard  
Los Angeles, CA 90064-1614

I hereby further certify that the foregoing *Declaration of Christine Bladen Jones* was electronically filed on the date indicated below with the U.S. Patent and Trademark Office, Trademark Trial and Appeal Board through ESTTA.

Date: April 28, 2008

/Erik C. Kane/  
Edward T. Colbert  
William M. Merone  
Erik C. Kane  
KENYON & KENYON LLP  
1500 K Street, N.W.; Suite 700  
Washington, D.C. 20005  
Tel.: (202) 220 – 4200  
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*Counsel for Opposer*