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

Proceeding	91175280
Party	Plaintiff Magnadyne Corporation
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Date	01/12/2009
Attachments	Magnadyne Corp's Main Trial Brief with Appendix.pdf ( 91 pages )(4139347 bytes )

**UNITED STATES PATENT AND TRADEMARK OFFICE  
TRADEMARK TRIAL AND APPEAL BOARD**

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MAGNADYNE CORPORATION

Opposer,

v.

Opposition No. 91175280  
Serial No. 76/655,958  
Mark: MOVIEVISION

MOVIEVISION, INC.

Applicant.

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**OPPOSER'S MAIN BRIEF**

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## **I. DESCRIPTION OF THE RECORD**

### **A. Application File**

Pursuant to 37 CFR 2.122 (b), the file of each application against which a notice of opposition is filed forms part of the record of the proceeding without any action by the parties and “reference may be made to the file for any relevant and competent purpose.” Therefore, the application file for Application Serial No. 76/655,958 forms part of the record, and is referenced throughout this trial brief. References to materials from the application file for Serial No. 76/655,958 are cited as: (App. File, \_\_\_\_.)

### **B. Registrations**

Opposer’s pleaded Federal registrations – Registration Nos. 2,518,066 and 2,520,719 for the marks MOVIE VISION and MOVIE VISION MV and Design – also form part of the record. A Federal registration owned by any party to the proceeding “may be made of record by that party by appropriate identification and introduction during the taking of testimony, that is, by introducing a copy of the registration as an exhibit to testimony, made by a witness having knowledge of the current status and title of the registration, establishing that the registration is still subsisting, and is owned by the offering party.” TBMP 704.03(b)(1)(A); *see also* 37 CFR 2.122(d)(2). Opposer’s pleaded registrations were identified and introduced during Barry Lawrence Caren’s testimony deposition, referenced below.

**C. Opposer's Testimony**

Opposer's testimony is presented through the testimony deposition of its President and CEO, Barry Lawrence Caren. Mr. Caren's testimony in Opposer's case-in-chief was taken on July 15, 2008. Mr. Caren's testimony deposition is cited as: (Caren Dep., p. \_\_, l. \_\_.)

Opposer also presents testimony through the testimony deposition of Applicant's President, Indiana Retana. Ms. Retana's testimony in Opposer's case-in-chief was taken on July 15, 2008. Ms. Retana's testimony deposition is cited as: (Retana Dep., p. \_\_, l. \_\_.)

Opposer's Exhibits No. 1 - 7 were marked and offered in the testimony deposition of Barry Lawrence Caren, and Opposer's Exhibites No 8 - 15 were marked and offered in the testimony deposition of Indiana Retana. 37 CFR 2.123(e)(2) ("Exhibits which are marked and identified at the deposition will be deemed to have been offered into evidence, without any formal offer thereof, unless the intention of the party marking the exhibits is clearly expressed to the contrary").

The testimony transcripts and exhibits have been duly and timely filed with the Board, forming part of the record. 37 CFR 2.123. *See also* TBMP 404.09 ("Every testimony deposition taken *must* be filed, and, when filed, becomes part of the record, a notice of reliance thereon is not necessary").

For the convenience of the Board, Opposer has attached the relevant portion of the record referred to herein as Appendices to this brief. This reference appears following Opposer's citation to the record.

## II. STATEMENT OF THE ISSUE

Does Applicant's proposed mark MOVIEVISION for:

“pay-per-view television transmission services featuring recently released movies in English, Spanish, Cantonese and Russia via cable,” in International Class 38,

so resemble Opposer's previously used and registered marks MOVIE VISION and MOVIE VISION

MV for:

“video entertainment systems for vehicles; namely, electronic audio, video and video game components in the nature of video cassette tape players, digital video disk players, video game players and television receivers with video display devices,” in International Class 9,

that confusion would be likely to result from Applicant's use of MOVIEVISION in commerce in connection with the services specified in its application?

Opposer answers: *Yes*.

### **III. INTRODUCTION AND RECITATION OF THE FACTS**

This is a §2(d) opposition filed by Magnadyne Corporation (“Opposer”) against Movievision Inc.’s (“Applicant”) application for the mark MOVIEVISION, based on Opposer’s previously used and registered MOVIE VISION and MOVIE VISION MV trademarks.

The marks are identical. In the following, the relevant *DuPont* factors are applied analytically. Opposer submits that the correct legal inference to be drawn is that confusion is likely. If the Board agrees, Opposer asks that the opposition be sustained, and that U.S. Application Serial No. 76/655,958 be refused.

#### **A. Applicant**

The application-in-opposition is Application Serial No. 76/655,958 for the mark MOVIEVISION in stylized form for “pay-per-view television transmission services featuring recently released movies in English, Spanish, Cantonese and Russia via cable,” in International Class 38 (“Applicant’s MOVIEVISION mark”). The application was filed based on use under Lanham Act §1(a), and amended to an intent-to use application under §1(b) during examination.

#### **B. Opposer**

Opposer is the owner of incontestable U.S. Registration No. 2,518,066 for the mark MOVIE VISION and incontestable U.S. Registration No. 2,520,719 for the mark MOVIE VISION MV and Design, both for use in connection with “video entertainment systems for vehicles, namely, electronic audio, video and video game components in the nature of video cassette tape players, digital video disk players, video game players and television receivers with video display devices,” in International Class 9 (“Opposer’s MOVIE VISION marks”). These registrations are valid,

subsisting and constitute prima facie evidence of the validity of the Opposer's MOVIE VISION marks and registrations, of Opposer's ownership of and exclusive right to use Opposer's MOVIE VISION marks in commerce, and provide constructive notice of ownership thereof by Opposer. Opposer has used its MOVIE VISION marks from a date at least as early as July, 1999 in connection with the above-identified goods and related services. Moreover, Opposer's registrations are incontestable. (**Appendix 1** – Caren Dep., p. 7, l. 25 – p. 8, l. 24.)

**C. Procedural History**

It is telling that Opposer's marks were cited against the subject application in examination. (**Appendix 2** – App. File, Office Action, Aug. 21, 2006.) Unfortunately, the application file for Serial No. 76/655,958 does not reflect a formal written response by the Applicant, although the §2(d) refusal appears to have been withdrawn.

In lieu of submitting written arguments in response to the August 21, 2006 §2(d) refusal, the Trademark Office's Trademark Document Retrieval ("TDR") system shows the following September 13, 2006 response from the Applicant's President, Indiana Retana:

Dear Mrs. Hardy Ludlow,

It was indeed a pleasure talking to you and I would like to congratulate you for your knowledge and professionalism.

...

Please advise how I can register the Trademark.

Very truly yours,

MOVIEVISION

Indiana Retana

(**Appendix 3** – App. File, Applicant's Letter to Examiner, Sep. 13, 2006.)

Indiana Retana also sent the following to the Commissioner for Trademarks on the same day:

Dear Sirs,

I had the pleasure of talking to Mrs. Tarah Ludlow this morning regarding MOVIEVISION Trademark Serial Number 76/655958.

I would like to express my sincere appreciation for her assistance in this matter. Mrs. Ludlow was very precise and professional. Please be aware of the excellent job she is doing.

Very truly yours,

MOVIEVISION

Indiana Retana

(**Appendix 4** – App. File, Applicant’s Letter to Commissioner, Sep. 13, 2006.)

Contrary to PTO practice, the Examiner’s Amendment following the above-mentioned phone communication does not expressly withdraw the §2(d) refusal. (**Appendix 5** – App. File, Examiner’s Amendment, Sep. 19, 2006.) Examiner Amendments generally are not used when there is a statutory refusal. TMEP 707. The September 19, 2006 Examiner’s Amendment addresses amendments to the filing basis and recitation of services, and clarifies Applicant’s entity type. The Examiner’s Amendment makes no mention of the remaining issues raised in the August 21, 2006 Office Action, namely, the refusal based on a likelihood of confusion with Opposer’s Registrations Nos. 2,518,066 and 2,520,719, and whether the Applicant intended to make a standard character claim. It is not entirely clear whether the remaining issues were addressed during the September 13, 2006 phone conversation:

Q. Now, did the examiner ever discuss with you whether or not there was a likelihood of confusion between your mark, your proposed mark and the Magnadyne registrations?

A. No.

Q. It never came up at all?

A. When I -- I was on the phone with them, they wanted me to send in exactly what I was going to do and that's when the amendment was approved.

Q. And did you file an amendment or just have a telephone call with the examiner?

A. I did the phone call and the amendment was done.

(**Appendix 6** – Retana Dep., p. 33, ll. 9-21.)

The TMEP states the following regarding telephone conversations between applicants and examining attorneys: “The action of the USPTO is based exclusively on the written record. Therefore, the examining attorney must use an examiner’s amendment, priority action memo to the file, or notation in the ‘Notes to the File’ section of the record to make the substance of the call or the resolution of any issue part of the record.” TMEP 709.04 (internal citations omitted) (emphasis added). *See also* 37 C.F.R. 2.191 (“No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt”) (emphasis added); TMEP 709.03 (“The substance of an interview must always be made of record in the application, since the action of the USPTO is based exclusively on the written record. This should be done promptly after the interview while the matters discussed are fresh in the minds of the parties.”). In this case, the record is void of any explanation as to why the Examining Attorney withdrew the §2(d) refusal:

Q. ...Did the examiner ever give any reason as to why he changed his position? Did the examiner ever give you any reasoning as to why he changed his position as to likelihood of confusion?

A. I don't remember.

Q. Okay. I guess the record will speak for itself.

(Appendix 7 – Retana Dep., p. 34, ll. 4-10.)

The record speaks for itself. The §2(d) refusal was not withdrawn. As such, this §2(d) opposition should be sustained, or the subject application remanded to the Examining Attorney for appropriate examination supported by a written record:

If a party to the proceeding believes that the facts disclosed therein appear to render the mark of an involved application unregistrable, but the matter was not pleaded or tried by the express or implied consent of the parties pursuant to Fed. R. Civ. P. 15(b), the party may request that the Board include, in its decision in the proceeding, a 37 CFR § 2.131 remand to the examining attorney. The request may be made in the party's brief on the case, at oral hearing, or by separate motion.

TBMP 515.

The following will show that the Examining Attorney's initial refusal was well-founded and should have been maintained. Given the identity of the Applicant's mark to Opposer's, and the relatedness of the goods/services, confusion would be likely to result from Applicant's use of MOVIEVISION.

## IV. ARGUMENT

### A. Section 2(d) Legal Standards

The likelihood of confusion determination is a question of law, based on underlying factual determinations. *Recot, Inc. v. M.C. Becton*, 214 F.3d 1322, 1326, 54 USPQ2d 1894, 1896 (Fed. Cir. 2000). The factors to be considered by the Board *en route* to determining whether a likelihood of confusion exists are those set forth in *In re E.I. DuPont DeNemours & Co.*, 476 F.2d 1357, 1361, 177 USPQ 563, 567 (CCPA 1973). The *DuPont* factors are:

- (1) the similarity or dissimilarity of the marks in their entireties as to appearance, sound, connotation and commercial impression;
- (2) the similarity or dissimilarity and nature of the goods or services as described in an application or registration or in connection with which a prior mark is in use;
- (3) the similarity or dissimilarity of established, likely-to-continue trade channels;
- (4) the conditions under which and buyers to whom sales are made, i.e., “impulse” vs. careful, sophisticated purchasing;
- (5) the fame of the prior mark (sales, advertising, length of use);
- (6) the number and nature of similar marks in use on similar goods;
- (7) the nature and extent of any actual confusion;
- (8) the length of time during and conditions under which there has been concurrent use without evidence of actual confusion;
- (9) the variety of goods on which a mark is or is not used (house mark, “family” mark, product mark);
- (10) the market interface between applicant and the owner of a prior mark;
- (11) the extent to which applicant has a right to exclude others from

use of its mark on its goods;

(12) the extent of potential confusion (de minimis or substantial); and

(13) any other established fact probative of the effect of use.

*Recot*, 214 F.3d at 1326, 54 USPQ2d at 1896.

Although all *DuPont* factors may be relevant to the likelihood of confusion analysis, the factors of similarity of the marks and relatedness of the goods may dominate the inquiry. *Han Beauty, Inc. v. Alberto-Culver Co.*, 236 F.3d 1333, 1336, 57 USPQ2d 1557, 1559 (Fed. Cir. 2001). See also *In re Dixie Rests., Inc.*, 105 F.3d 1405, 1406-07, 41 USPQ2d 1531, 1533 (Fed. Cir. 1997) (“any one of the factors may control a particular case”).

In this case, the most important factors are the similarity of the marks, the similarity of the goods and services, and the similarity of the trade channels. As is clear from the evaluation set forth below, Application Serial No. 76/655,958 should be refused as being confusingly similar to Opposer’s incontestable U.S. Registration Nos. 2,518,066 and 2,520,719.

It is also a rule that all doubts about likelihood of confusion are resolved against the newcomer, who has both the opportunity and obligation to avoid confusion with existing marks. *In re Shell Oil Co.*, 992 F.2d 1204, 1209, 26 USPQ2d 1687, 1691 (Fed. Cir. 1993).

**B. Analysis Of The Relevant *DuPont* Factors**

**1. Similarity Of The Marks**

*DuPont* factor 1 is: “The similarity or dissimilarity of the marks in their entireties as to appearance, sound, connotation and commercial impression.” The Federal Circuit stated that the first *DuPont* factor “is a predominant inquiry.” *Hewlett-Packard Co. v. Packard Press, Inc.*, 281 F.3d 1261, 1265, 62 USPQ2d 1001, 1003 (Fed. Cir. 2002).

The parties’ marks are reproduced below:

**MOVIE VISION**



Opposer’s Marks



Applicant’s Mark

It is evident that the marks are pronounced identically, and their meanings and commercial impressions will be virtually the same, if not identical. As noted by the Examining Attorney: “In this instance, the marks are either identical in sound or virtually identical in appearance” and “the addition of the design element does not obviate the similarity between the marks.” (See **Appendix 2** – App. File, Office Action at p. 2, Aug. 21, 2006.)

The near-identical nature of the marks is a significant factor in the likelihood of confusion analysis. *Shell Oil*, 992 F.2d at 1206, 26 USPQ2d at 1688 (“The identity of the words, connotation, and commercial impression weighs heavily against the applicant”). Given the identity of the marks, the first *DuPont* factor weighs in Opposer’s favor.

## 2. Similarity Of The Goods And Services

*DuPont* factor 2 is: “The similarity or dissimilarity and nature of the goods or services as described in an application or registration or in connection with which a prior mark is in use.” When the marks are identical, the goods and/or services do not have to be as close in order to hold that there is a likelihood of confusion. *Ancor, Inc. v. Ancor Industries, Inc.*, 210 USPQ 70, 78 (TTAB 1981) (When both parties are using or intend to use the identical designation, “the relationship between the goods on which the parties use their marks need not be as great or as close as in the situation where the marks are not identical or strikingly similar”). *See also Shell Oil*, 992 F.2d at 1207, 26 USPQ2d at 1689 (“[E]ven when goods or services are not competitive or intrinsically related, the use of identical marks can lead to an assumption that there is a common source”). Moreover, even if the goods and services in question are not identical, the consuming public may perceive them as related enough to cause confusion about the source or origin of the goods and services. *Recot*, 214 F.3d at 1329, 54 USPQ2d at 1898.

In the present situation, the parties’ marks are identical and the services recited in the subject application are highly related to Opposer’s goods. The Examining Attorney agreed that in this instance, “the goods/services are closely related” as “both involve movie entertainment.” (See **Appendix 2** – App. File, Office Action at p. 3, Aug. 21, 2006.) Applicant intends to use its mark for “a cable network channel” and the subject application covers “pay-per-view television transmission services featuring recently released movies in English, Spanish, Cantonese and Russia via cable.” (**Appendix 8** – Retana Dep., p. 22, l. 12.) Opposer provides devices for people to watch videos, defined in its registrations as “video entertainment systems for vehicles; namely, electronic audio, video and video game components in the nature of video cassette tape players, digital video disk players, video game players and television receivers with video display devices.” The term

“vehicle” encompasses all types of vehicles, including recreational. Opposer’s products are capable of playing CDs, DVDs, content downloaded from the Internet, and are also capable of receiving air band through an antenna. (**Appendices 9-12** – Caren Dep., Exhibits 5 and 6, “MOVIE VISION Catalogue” and “Owners Manual Mobile DVD/CD Player”; Caren Dep., p. 12, ll. 16-18; p. 16, ll. 5-11.)

It is well recognized that confusion is likely to occur from the use of the same or similar marks for goods and for services involving those goods. TMEP 1207.01(a)(ii). As explained by Opposer Magnadyne’s President, Mr. Barry Caren, “Content and usage are more or less one in the same. People are going to be downloading product via the Internet, via whatever means they can. And they will be played on our units, and that’s where I consider the confusion.” (**Appendix 13** – Caren Dep, p. 25, ll. 5-9.)

In fact, this Board has held that television broadcasting services are similar to television sets. *Corinthian Broadcasting Corporation v. Nippon Electric Co., Ltd.*, 219 USPQ 733 (TTAB 1983) (“TVS” for transmitters and receivers of still television pictures held likely to be confused with “TVS” for television broadcasting services). Therefore, in light of the similarity of the parties’ respective goods and services, Opposer submits that the second *DuPont* factor weighs strongly toward determining confusion is likely.

### 3. Similarity Of The Trade Channels

*DuPont* factor 3 is: “The similarity or dissimilarity of established, likely-to-continue trade channels.” The identity of trade channels for the parties’ respective goods and services cannot be doubted. Applicant defines its market as “cable users,” while Opposer describes its consumer base as “[a]nyone who would like to watch a movie.” (**Appendices 14, 15** – Retana Dep., p. 20, ll. 7-8; Caren Dep., p. 13, ll. 17-19.)

It well settled that, when evaluating the issue of likelihood of confusion in Board proceedings regarding the registrability of marks, the Board is constrained to compare the goods/services as identified in the application with the goods/services as identified in the registration. *See Octocom Systems, Inc. v. Houston Computer Services, Inc.*, 918 F.2d 937, 1 USPQ2d 1813 (Fed. Cir. 1990). Applicant’s goods are defined as “pay-per-view television transmission services featuring recently released movies in English, Spanish, Cantonese and Russia via cable.” There is no limitation of customer class or field of application for the services recited in the subject application. Therefore, the Board must consider that the parties’ respective goods and services could be offered and sold to the same class of purchasers through all normal channels of trade. *See In re Smith and Mehaffey*, 31 USPQ2d 1531 (TTAB 1994); and *In re Elbaum*, 211 USPQ 639 (TTAB 1981). In other words, the channels of trade and class of customers of the parties’ respective goods and services are the same. *See Canadian Imperial Bank v. Wells Fargo*, 811 F.2d 1490, 1493, 1 USPQ2d 1813, 1815 (Fed. Cir. 1987).

It is clear that the services encompassed by Applicant’s application could be purchased by the same consumers that purchase Opposer’s video entertainment systems. *See CBS Inc. v. Morrow*, 708 F.2d 1579, 1581, 218 USPQ 198, 199 (Fed.Cir.1983) (the issue of likelihood of confusion is resolved by considering the “normal and usual channels of trade and method of distribution”). Opposer submits that the third *DuPont* factor also weighs in its favor.

The overwhelming proofs established by the first three *DuPont* factors are in Opposer's favor. The remaining *DuPont* factors are inapplicable due to the fact that the Applicant has not commenced use in commerce.

## V. CONCLUSION

Based on the foregoing analysis of the first three *DuPont* factors, a likelihood of confusion exists between Applicant's proposed MOVIEVISION trademark and Opposer's previously used and registered MOVIE VISION and MOVIE VISION MV trademarks.

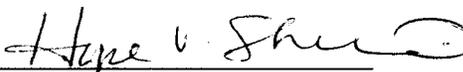
Opposer will be harmed if Application Serial No. 76/655,958 is granted registration.

Accordingly, Opposer respectfully requests the Board to determine there to be a likelihood of confusion, and sustain the opposition.

In the alternative, Opposer requests that the Board remand the subject application to the Examining Attorney for a complete examination supported by a written record.

Respectfully submitted,

**BROOKS KUSHMAN P.C.**

By: 

**KEVIN J. HEINL**

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Twenty-Second Floor  
Southfield, Michigan 48075

*Attorneys for Opposer*

Dated: January 12, 2009

**CERTIFICATE OF SERVICE**

I certify that I served:

**OPPOSER'S MAIN BRIEF**

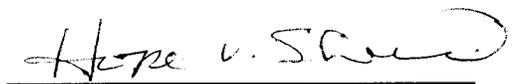
on January 12, 2009 by:

- delivering
- mailing (via First-Class mail)

a copy to:

Indiana Retana  
9435 Charleville Blvd.  
Beverly Hills, CA 90212

*Applicant*

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**HOPE V. SHOVEIN**

Opposition No. 91175280  
Serial No. 76/655,958  
Mark: MOVIEVISION

Opposer's Ref.: MGDN01870C

## APPENDIX 1

09:37 1 And the Movie Vision logo?

2 A. Movie Vision logo, correct.

3 Q. And the registrations -- I won't have you read  
4 them, but the registrations identify what goods are

09:38 5 identified --

6 A. Yes, they do.

7 Q. -- by those trademarks?

8 A. Yes, it does.

9 MR. HEINL: Let me show them to Ms. Retana.

09:38 10 MS. RETANA: (Indicating.)

11 MR. HEINL: Thank you.

12 Q. I ask you to read what the goods are and ask  
13 you to confirm if it's true that you sell all those  
14 products and identify those products when they're sold  
09:39 15 with the Movie Vision trademark.

16 A. Okay. "Video entertainment systems for  
17 vehicles; namely, electronic audio, video and video game  
18 components in the nature of video cassette tape players,  
19 digital video disk players, video game players, and  
09:39 20 television receivers with video display devices."

21 Q. And those are the products that are identified  
22 by your Movie Vision trademark?

23 A. Yes, they are.

24 Q. Thank you.

09:39 25 Now, a document was filed in the trademark office

09:39 1 that is known to trademark attorneys as a Section 8 and  
2 15 renewal. And it requires the following declaration  
3 to obtain incontestable status under those sections of  
4 the trademark act. And I wanted to confirm with you

09:40 5 that Magnadyne was using the Movie Vision marks in the  
6 two registrations in connection with the goods or  
7 services that were identified in those applications at  
8 the time that this affidavit was filed in December, I  
9 believe, of '06. So were you selling the products at

09:40 10 that time --

11 A. December of '06?

12 Q. Yes.

13 A. Yes. Yes. We currently -- We have been -- We  
14 have been selling the products since its inception

09:40 15 through today.

16 Q. So you've continuously used the mark in  
17 commerce in connection with the goods or services that  
18 were identified --

19 A. Correct.

09:40 20 Q. -- in the five years after that registration?

21 And to your knowledge, have there been any adverse  
22 decisions regarding your claim of ownership of that mark  
23 prior to the date of the filing of the affidavit in '06?

24 A. No.

09:41 25 Q. So there were no final -- This is sort of a

Opposition No. 91175280  
Serial No. 76/655,958  
Mark: MOVIEVISION

Opposer's Ref.: MGDN01870C

## APPENDIX 2

# UNITED STATES PATENT AND TRADEMARK OFFICE

**SERIAL NO:** 76/655958

**APPLICANT:** INDIANA RETANA-MOVIEVISION INC.

**\*76655958\***

**CORRESPONDENT ADDRESS:**  
INDIANA RETANA  
9601 CHARLEVILLE BLVD APT 10  
BEVERLY HILLS, CA 90212-2346

**RETURN ADDRESS:**  
Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451

**MARK:** MOVIEVISION

**CORRESPONDENT'S REFERENCE/DOCKET NO:** N/A

Please provide in all correspondence:

**CORRESPONDENT EMAIL ADDRESS:**

1. Filing date, serial number, mark and applicant's name.
2. Date of this Office Action.
3. Examining Attorney's name and Law Office number.
4. Your telephone number and e-mail address.

## OFFICE ACTION

**RESPONSE TIME LIMIT:** TO AVOID ABANDONMENT, THE OFFICE MUST RECEIVE A PROPER RESPONSE TO THIS OFFICE ACTION WITHIN 6 MONTHS OF THE MAILING OR E-MAILING DATE.

**MAILING/E-MAILING DATE INFORMATION:** If the mailing or e-mailing date of this Office action does not appear above, this information can be obtained by visiting the USPTO website at <http://tarr.uspto.gov/>, inserting the application serial number, and viewing the prosecution history for the mailing date of the most recently issued Office communication.

Serial Number 76/655958

The assigned examining attorney has reviewed the referenced application and preliminary amendments dated March 20<sup>th</sup>, 27<sup>th</sup> and May 26<sup>th</sup> and determined the following.

### **Section 2(d) – Likelihood of Confusion**

Registration of the proposed mark is refused because of a likelihood of confusion with the marks in U.S. Registration Nos. 2518066 and 2520719. Trademark Act Section 2(d), 15 U.S.C. §1052(d); TMEP §§1207.01 *et seq.* See the enclosed registrations.

Trademark Act Section 2(d) bars registration where an applied-for mark so resembles a registered mark that it is likely, when applied to the goods and/or services, to cause confusion, mistake or to deceive the potential consumer as to the source of the goods and/or services. TMEP §1207.01. The Court in *In re E. I. du Pont de Nemours & Co.*, 476 F.2d 1357, 177 USPQ 563 (C.C.P.A. 1973), listed the principal factors to consider in determining whether there is a likelihood of confusion. Among these factors are the similarity of the marks as to appearance, sound, meaning and commercial impression, and the relatedness of the goods and/or services. The overriding concern is to prevent buyer confusion as to the source of the goods and/or services. *In re Shell Oil Co.*, 992 F.2d 1204, 1208, 26 USPQ2d 1687, 1690 (Fed. Cir. 1993). Therefore, any doubt as to the existence of a likelihood of confusion must be resolved in favor of the registrant. *In re Hyper Shoppes (Ohio), Inc.*, 837 F.2d 463, 6 USPQ2d 1025 (Fed. Cir. 1988); *Lone Star Mfg. Co. v. Bill Beasley, Inc.*, 498 F.2d 906, 182 USPQ 368 (C.C.P.A. 1974).

The applicant applies to register the mark MOVIEVISION for use in connection with pay-per-view channel distributing recently released movies in English, Spanish, Cantonese and Russian via cable company. Registrants are: MV MOVIE VISION and MOVIE VISION for use in connection with video entertainment systems for vehicles, namely, electronic audio, video and video game components in the nature of video cassette tape players, digital video disk players, video game players and television receivers with video display devices.

Regarding the issue of likelihood of confusion, the question is not whether people will confuse the marks, but whether the marks will confuse people into believing that the goods they identify come from the same source. *In re West Point-Pepperell, Inc.*, 468 F.2d 200, 175 USPQ 558 (C.C.P.A. 1972). For that reason, the test of likelihood of confusion is not whether the marks can be distinguished when subjected to a side-by-side comparison. The question is whether the marks create the same overall impression. *Recot, Inc. v. M.C. Becton*, 214 F.2d 1322, 54 USPQ2d 1894, 1890 (Fed. Cir. 2000); *Visual Information Inst., Inc. v. Vicon Indus. Inc.*, 209 USPQ 179 (TTAB 1980). The focus is on the recollection of the average purchaser who normally retains a general rather than specific impression of trademarks. *Chemetron Corp. v. Morris Coupling & Clamp Co.*, 203 USPQ 537 (TTAB 1979); *Sealed Air Corp. v. Scott Paper Co.*, 190 USPQ 106 (TTAB 1975); TMEP §1207.01(b).

When the applicant's mark is compared to a registered mark, "the points of similarity are of greater importance than the points of difference." *Esso Standard Oil Co. v. Sun Oil Co.*, 229 F.2d 37, 108 USPQ 161 (D.C. Cir.), *cert. denied*, 351 U.S. 973, 109 USPQ 517 (1956).

The marks are compared in their entireties under a Section 2(d) analysis. Nevertheless, one feature of a mark may be recognized as more significant in creating a commercial impression. Greater weight is given to that dominant feature in determining whether there is a likelihood of confusion. *In re National Data Corp.*, 753 F.2d 1056, 224 USPQ 749 (Fed. Cir. 1985); *Tektronix, Inc. v. Daktronics, Inc.*, 534 F.2d 915, 189 USPQ 693 (C.C.P.A. 1976). *In re J.M. Originals Inc.*, 6 USPQ2d 1393 (TTAB 1987); TMEP §1207.01(b)(viii). In this instance the marks are either identical in sound or virtually identical in appearance.

Please note that the addition of the design element does not obviate the similarity between the marks in this case. *In re Shell Oil Company*, 992 F.2d 1204, 26 USPQ2d 1687 (Fed. Cir. 1993); *Coca-Cola Bottling Co. v. Joseph E. Seagram & Sons, Inc.*, 526 F.2d 556, 188 USPQ 105 (C.C.P.A. 1975); TMEP §1207.01(c)(ii).

If the goods or services of the respective parties are closely related, the degree of similarity between marks required to support a finding of likelihood of confusion is not as great as would apply with diverse goods or services. *Century 21 Real Estate Corp. v. Century Life of America*, 970 F.2d 874, 877, 23 USPQ2d 1698, 1701 (Fed. Cir. 1992), *cert. denied* 506 U.S. 1034 (1992); *In re J.M. Originals Inc.*, 6 USPQ2d 1393 (TTAB 1987); *ECI Division of E-Systems, Inc. v. Environmental Communications Inc.*, 207 USPQ 443 (TTAB 1980); TMEP §1207.01(b). **In this instance the goods/services are closely related both involve movie entertainment.**

Although the examining attorney has refused registration, the applicant may respond to the refusal to register by submitting evidence and arguments in support of registration.

If the applicant chooses to respond to the refusal to register, the applicant must also respond to the following informalities.

### **Entity Type Unclear**

The applicant has applied as Indiana Retana Movievision Inc., a corporation organized under the laws of California. The applicant must confirm whether this is in fact the name of the corporation. Applicant's entity type is specified inconsistently in the application, and clarification is required. The name of an *individual* person appears in the section of the application intended for the trademark owner's name, but the entity type is set forth as a *corporation*. TMEP §803.03.

If applicant is an individual and the owner of the mark, then applicant may simply request that the entity be amended to "individual" and indicate his/her country of citizenship for the record. 15 U.S.C. §1051(a)(2); 37 C.F.R. §2.32(a)(3)(i); TMEP §§803.02(a) and 1201.02(c). Alternatively, if applicant is in fact a corporation, the correct name of the corporation (and U.S. state or foreign country of incorporation or organization) should be set forth. TMEP §§803.02(c) and 803.03(c).

If, in response to the above request, applicant provides information indicating that it is not the owner of the mark, then the trademark examining attorney will refuse registration under Trademark Act Section 1, 15 U.S.C. §1051, because the application was void as filed. Only the owner of a mark may apply to register the mark. TMEP §§803.01, 803.06, and 1201.02(b).

### **Unclear If Standard Character Mark Intended**

Because of the degree of stylization of the font used to depict the mark on the drawing page, applicant must clarify whether a standard character drawing format or a special-form drawing format was intended. TMEP §§807.03 *et seq.* and 807.04 *et seq.* If a standard character drawing was intended, then applicant must submit the following statement: "*The mark consists of standard characters without claim to any particular font, style, size, or color.*" 37 C.F.R. §2.52(a). If a special-form drawing was intended, then applicant must state so for the record. 37 C.F.R. §2.52(b).

### **Recitation of Services**

The recitation of services is unacceptable. Furthermore, the applicant attempted to amend the recitation three times to add more items to the recitation. This is not acceptable, because the applicant must stay within the scope of the original recitation. Applicant may change this wording to the following if accurate. TMEP §1402.01.

Pay-per-view television transmission services featuring recently released movies in English, Spanish, Cantonese, and Russia via cable, in International Class 38.

For assistance with identifying and classifying goods and/or services in trademark applications, please see the online searchable *Manual of Acceptable Identifications of Goods and Services* at <http://tess2.uspto.gov/netahtml/tidm.html>.

Please note that, while the identification of services may be amended to clarify or limit the services, adding to the services or broadening the scope of the services is not permitted. 37 C.F.R. §2.71(a); TMEP §1402.06. Therefore, applicant may not amend the identification to include services that are not within the scope of the services set forth in the present identification.

### **Specimen Unacceptable for Services**

Applicant must submit (1) a substitute specimen showing the mark as it is used in commerce in the sale or advertising of the services, and (2) a statement that “the substitute specimen was in use in commerce at least as early as the filing date of the application,” verified with a notarized affidavit or a signed declaration under 37 C.F.R. §2.20. 37 C.F.R. §§2.56 and 2.59(a); TMEP §904.09.

The current specimen of record comprises a logo and is unacceptable as evidence of actual service mark use because it does not identify the services. Examples of acceptable specimens for services are signs, photographs, brochures, website printouts or advertisements that show the mark used in the sale or advertising of the services. TMEP §§1301.04 *et seq.*

The following is a sample declaration under 37 C.F.R. §2.20 with a supporting statement for a substitute specimen:

The undersigned 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 there from, declares *that the substitute specimen was in use in commerce at least as early as the filing date of the application*; all statements made of his/her own knowledge are true; and all statements made on information and belief are believed to be true.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Print or Type Name and Position)

\_\_\_\_\_  
(Date)

Applicant may overcome this specimen refusal by amending the application to assert a different basis for filing the application and submitting the requirements for the new basis. TMEP §§806.03 *et seq.*

In this case, applicant may wish to amend the application to assert a Section 1(b) basis.

### **Date of First Use in Commerce Omitted**

Applicant must specify the date of first use of the mark in commerce and verify this date with a notarized affidavit or a signed declaration under 37 C.F.R. §2.20. 37 C.F.R. §2.71(c); TMEP §903.

Although the application specifies the date of first use anywhere, it omits the required date of first use in commerce. Trademark Act Section 1(a)(2), 15 U.S.C. §1051(a)(2); 37 C.F.R. §2.34(a)(1)(iii); TMEP §§903 and 903.02.

### **Response Guidelines**

Please note that there is no required format or form for responding to this Office action. However, applicant should include the following information on all correspondence with the Office: (1) the name and law office number of the examining attorney; (2) the serial number of this application; (3) the mailing date of this Office action; and, (4) applicant's telephone number.

When responding to this Office action, applicant must make sure to respond in writing to each refusal and requirement raised. If there is a refusal to register the proposed mark, then applicant may wish to argue against the refusal, i.e., explain why it should be withdrawn and why the mark should register. If there are other requirements, then applicant should simply set forth in writing the required changes or statements and request that the Office enter them into the application record. Applicant must also sign and date its response.

Applicant may wish to hire a specialist attorney to assist in prosecuting this application because of the technicalities involved. The Office cannot aid in the selection of a trademark attorney. 37 C.F.R. §2.11. Applicant may wish to consult the Yellow Pages for a listing of attorneys specializing in trademark or intellectual property law, or seek guidance from its local Bar Association attorney-referral service.

/Tarah Hardy Ludlow/  
Tarah Hardy Ludlow  
Trademark Attorney  
Law Office 110  
571-272-9361  
571-273-9110 fax

### **HOW TO RESPOND TO THIS OFFICE ACTION:**

- **ONLINE RESPONSE:** You may respond using the Office's Trademark Electronic Application System (TEAS) Response to Office action form available on our website at <http://www.uspto.gov/teas/index.html>. If the Office action issued via e-mail, you must wait 72 hours after receipt of the Office action to respond via TEAS. **NOTE: Do not respond by e-**

**mail. THE USPTO WILL NOT ACCEPT AN E-MAILED RESPONSE.**

- **REGULAR MAIL RESPONSE:** To respond by regular mail, your response should be sent to the mailing return address above, and include the serial number, law office number, and examining attorney's name. **NOTE: The filing date of the response will be the *date of receipt in the Office*, not the postmarked date.** To ensure your response is timely, use a certificate of mailing. 37 C.F.R. §2.197.

**STATUS OF APPLICATION:** To check the status of your application, visit the Office's Trademark Applications and Registrations Retrieval (TARR) system at <http://tarr.uspto.gov>.

**VIEW APPLICATION DOCUMENTS ONLINE:** Documents in the electronic file for pending applications can be viewed and downloaded online at <http://portal.uspto.gov/external/portal/tow>.

**GENERAL TRADEMARK INFORMATION:** For general information about trademarks, please visit the Office's website at <http://www.uspto.gov/main/trademarks.htm>

**FOR INQUIRIES OR QUESTIONS ABOUT THIS OFFICE ACTION, PLEASE CONTACT THE ASSIGNED EXAMINING ATTORNEY SPECIFIED ABOVE.**

Print: Aug 21, 2006

75684324

**TYPED DRAWING**

**Serial Number**

75684324

**Status**

REGISTERED

**Word Mark**

MOVIE VISION

**Standard Character Mark**

No

**Registration Number**

2518066

**Date Registered**

2001/12/11

**Type of Mark**

TRADEMARK

**Register**

PRINCIPAL

**Mark Drawing Code**

(1) TYPED DRAWING

**Owner**

MAGNADYNE CORPORATION CORPORATION CALIFORNIA 1111 West Victoria Street  
Compton CALIFORNIA 902205898

**Goods/Services**

Class Status -- ACTIVE. IC 009. US 021 023 026 036 038. G & S:  
VIDEO ENTERTAINMENT SYSTEMS FOR VEHICLES; NAMELY, ELECTRONIC AUDIO,  
VIDEO AND VIDEO GAME COMPONENTS IN THE NATURE OF VIDEO CASSETTE TAPE  
PLAYERS, DIGITAL VIDEO DISK PLAYERS, VIDEO GAME PLAYERS AND TELEVISION  
RECEIVERS WITH VIDEO DISPLAY DEVICES. First Use: 1999/07/09. First  
Use In Commerce: 1999/07/09.

**Disclaimer Statement**

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "MOVIE" APART FROM THE  
MARK AS SHOWN.

**Filing Date**

1999/04/15

**Examining Attorney**

BENZMILLER, ANDREW

**Print: Aug 21, 2006**

**75684324**

**Attorney of Record**  
Kevin J. Heintz

**Print: Aug 21, 2006**

**75691252**

**DESIGN MARK**

**Serial Number**

75691252

**Status**

REGISTERED

**Word Mark**

MOVIE VISION MV

**Standard Character Mark**

No

**Registration Number**

2520719

**Date Registered**

2001/12/18

**Type of Mark**

TRADEMARK

**Register**

PRINCIPAL

**Mark Drawing Code**

(3) DESIGN PLUS WORDS, LETTERS AND/OR NUMBERS

**Owner**

MAGNADYNE CORPORATION CORPORATION CALIFORNIA 1111 West Victoria Street  
Compton CALIFORNIA 902205898

**Goods/Services**

Class Status -- ACTIVE. IC 009. US 021 023 026 036 038. G & S:  
VIDEO ENTERTAINMENT SYSTEMS FOR VEHICLES; NAMELY, ELECTRONIC AUDIO,  
VIDEO AND VIDEO GAME COMPONENTS IN THE NATURE OF VIDEO CASSETTE TAPE  
PLAYERS, DIGITAL VIDEO DISK PLAYERS, VIDEO GAME PLAYERS AND TELEVISION  
RECEIVERS WITH VIDEO DISPLAY DEVICES. First Use: 1999/07/09. First  
Use In Commerce: 1999/07/09.

**Disclaimer Statement**

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "MOVIE" APART FROM THE  
MARK AS SHOWN.

**Filing Date**

1999/04/26

**Examining Attorney**

BENZMILLER, ANDREW

**Print: Aug 21, 2006**

**75691252**

**Attorney of Record**  
Kevin J. Heintz



Opposition No. 91175280  
Serial No. 76/655,958  
Mark: MOVIEVISION

Opposer's Ref.: MGDN01870C

### APPENDIX 3

September 13, 2006

Mrs. Tarah Hardy Ludlow  
Trademark Attorney  
U.S. Patent and Trademark Office  
Alexandria, Virginia 22313-1451

Dear Mrs. Hardy Ludlow,

It was indeed a pleasure talking to you and I would like to congratulate you for your knowledge and professionalism.

My new correspondence address for Movievision  
Serial Number 76/65598 is: - 76, 655, 958

9435 Charleville Boulevard  
Beverly Hills, California 90212  
Telephone (323) 972-6767

Please advise how I can register the Trademark.

Very truly yours,

MOVIEVISION



Indiana Retana  
9435 Charleville Boulevard  
Beverly Hills, California 90212



09-22-2006

U.S. Patent & TMOfc/TM Mail Rcot Dt. #30

Opposition No. 91175280  
Serial No. 76/655,958  
Mark: MOVIEVISION

Opposer's Ref.: MGDN01870C

#### APPENDIX 4

September 13, 2006

Comissioner for Trademark  
Managing Attorney  
for Law Office 110  
P.O. Box 1451  
Alexandria, Virginia 22313-1451

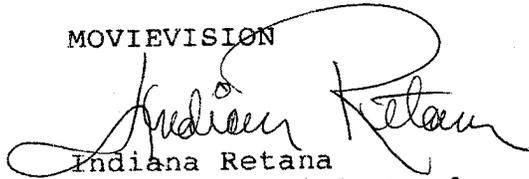
Dear Sirs,

I had the pleasure of talking to Mrs. Tarah Ludlow this morning regarding MOVIEVISION Trademark Serial Number 76/655958.

I would like to express my sincere appreciation for her assistance in this matter. Mrs. Ludlow was very precise and professional. Please be aware of the excellent job she is doing.

Very truly yours,

MOVIEVISION



Indiana Retana  
9435 Charleville Boulevard  
Beverly Hills, California 90212  
Telephone (323) 972-6767



09-18-2006

U.S. Patent & TMOfc/TM Mail RcptDt. #

Opposition No. 91175280  
Serial No. 76/655,958  
Mark: MOVIEVISION

Opposer's Ref.: MGDN01870C

## APPENDIX 5

**UNITED STATES PATENT AND TRADEMARK OFFICE**

**SERIAL NO:** 76/655958

**APPLICANT:** INDIANA RETANA-MOVIEVISION INC.

**\*76655958\***

**CORRESPONDENT ADDRESS:**

INDIANA RETANA  
9601 CHARLEVILLE BLVD APT 10  
BEVERLY HILLS, CA 90212-2346

**RETURN ADDRESS:**

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451

If no fees are enclosed, the address should include the words "Box Responses - No Fee."

**MARK:** MOVIEVISION

**CORRESPONDENT'S REFERENCE/DOCKET NO:** N/A

Please provide in all correspondence:

**CORRESPONDENT EMAIL ADDRESS:**

1. Filing date, serial number, mark and applicant's name.
2. Date of this Office Action.
3. Examining Attorney's name and Law Office number.
4. Your telephone number and email address.

Serial Number 76/655958

**EXAMINER'S AMENDMENT**

**ADVISORY – AMENDMENTS TO GOODS/SERVICES** If the identification of goods and/or services has been amended below, any future amendments must be in accordance with 37 C.F.R. §2.71(a) and TMEP §1402.07(e).

**AMENDMENT(S) AUTHORIZED:** As authorized by Indiana Retana on September 14, 2006, the application is amended as noted below. *If applicant disagrees with or objects to any of the amendments below, please notify the undersigned trademark examining attorney immediately.* Otherwise, no response is necessary. TMEP §707.

**Filing Basis**

The applicant hereby deletes the Section 1(a) filing basis and wishes to proceed under Section 1(b).

**Applicant**

The applicant is Movievision Inc., a corporation organized under the laws of California.

**Recitation of Services**

The identification of services is amended to read as follows:

Pay-per-view television transmission services featuring recently released movies in English, Spanish, Cantonese, and Russia via cable, in International Class 38.

TMEP §1402.01(e).

The application will now proceed to publication in the Official Gazette.

/Tarah Hardy Ludlow/  
Tarah Hardy Ludlow  
Trademark Attorney  
Law Office 110  
571-272-9361  
571-273-9110 fax

Opposition No. 91175280  
Serial No. 76/655,958  
Mark: MOVIEVISION

Opposer's Ref.: MGDN01870C

## APPENDIX 6

11:04 1 A. They wanted me to define about the company.

2 Q. Right.

3 A. Yes.

4 Q. And -- But initially, the examiner rejected  
11:04 5 your application based upon Magnadyne's Movie Vision  
6 marks; is that correct?

7 A. I don't remember it, but if they did --

8 Q. Okay.

9 Now, did the examiner ever discuss with you whether  
11:04 10 or not there was a likelihood of confusion between your  
11 mark, your proposed mark and the Magnadyne  
12 registrations?

13 A. No.

14 Q. It never came up at all?

11:04 15 A. When I -- I was on the phone with them, they  
16 wanted me to send in exactly what I was going to do and  
17 that's when the amendment was approved.

18 Q. And did you file an amendment or just have a  
19 telephone call with the examiner?

11:04 20 A. I did the phone call and the amendment was  
21 done.

22 Q. Did you ever explain to the examiner why there  
23 is no likelihood of confusion between your proposed mark  
24 and those of Magnadyne?

11:05 25 A. Well, I've been saying all along that's it's a

Opposition No. 91175280  
Serial No. 76/655,958  
Mark: MOVIEVISION

Opposer's Ref.: MGDN01870C

## APPENDIX 7

11:05 1 cable --

2 Q. Did you ever tell the examiner that?

3 A. I may have. I don't remember.

4 Q. You don't remember. Did the examiner ever give

11:05 5 any reason as to why he changed his position? Did the

6 examiner ever give you any reasoning as to why he

7 changed his position as to likelihood of confusion?

8 A. I don't remember.

9 Q. Okay. I guess the record will speak for

11:05 10 itself.

11 Okay. Now, after -- your mark was -- passed

12 publication, as you just testified. And then do you

13 recall receiving a notice of opposition from Magnadyne

14 Corporation? And I'll hand you what will be marked as

11:06 15 Exhibit 14. [EXH-14]

16 A. Yes, I remember that. Yes.

17 Q. Okay.

18 And then did you prepare a response to that?

19 Please mark this as Exhibit 14. We'll have to stop

11:06 20 talking.

21 (Whereupon the document referred to is marked by

22 the reporter as Exhibit 14 for identification.)

23 MR. HEINL:

24 Q. Do you recognize the Exhibit 14 as a document

11:06 25 that you received as a notice of opposition?

Opposition No. 91175280  
Serial No. 76/655,958  
Mark: MOVIEVISION

Opposer's Ref.: MGDN01870C

## APPENDIX 8

10:40 1 Movievision on the actual movies or --

2 A. The rights of the movies is totally different.

3 Do you understand?

4 Q. No.

10:40 5 A. My -- The company is Movievision. The films  
6 is -- is a totally different thing. They're not going  
7 to say the company -- the film and Movievision. It  
8 doesn't go that way.

9 Q. So how do you plan to actually put the word --  
10:41 10 use the word "Movievision" in conjunction with your  
11 movies?

12 A. It's going to be a cable network channel.

13 Q. And are they going to actually use the word  
14 "Movievision," to your knowledge?

10:41 15 A. In the cable -- The cable network channel is  
16 going to be Movievision.

17 Q. You want it to be a channel?

18 A. Yes.

19 Q. You want to have a channel dedicated to --

10:41 20 A. That is correct.

21 Q. So you'll be like an MTV or a -- that's your  
22 dream is to have your own channel that would be  
23 identified as Movievision like Turner Classic Movies?

24 A. It's not a dream. It is a -- Movievision, it  
10:42 25 is going to be a cable network channel.

Opposition No. 91175280  
Serial No. 76/655,958  
Mark: MOVIEVISION

Opposer's Ref.: MGDN01870C

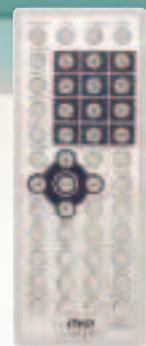
## APPENDIX 9



**MOVIEVISION**<sup>®</sup>  
MOBILE ENTERTAINMENT SYSTEMS



MV7000C



# 10.2" WIDE SCREEN ALL-IN-ONE FLIP-DOWN SYSTEM

**MV7000**  
**MV7000C** (Cream)

## 10.2" Flip-Down System with Built-in Screen-Load DVD Player

- 10.2" high resolution, 16:9 aspect ratio, flip-down screen.
- Ultra-slim DVD player compatible with over 14 different file formats including: DVD, CD, JPEG and KODAK Picture CD.
- SD card slot. Compatible with JPEG, MP3, AVI and DIVX file formats (SD card not included).
- Full-function wireless remote control.
- Multi-language on-screen display menu.
- RCA audio/video input.
- RCA audio/video output.
- IR headphone audio output.
- Built-in FM transmitter audio output.
- Built-in dome light system.
- Front panel controls.
- MovieVision custom shroud and mounting system compatible.
- 2 single-channel foldable IR headphones (HP-400).
- Headphones include storage pouches.
- Headphone rotary volume control.
- Headphone auto power off when IR signal is lost.

PK. 1 WT. 9



DVD  
VIDEO



# 10.2" <sup>WIDE</sup> <sup>SCREEN</sup> ALL-IN-ONE FLIP-DOWN SYSTEM

## MV6800

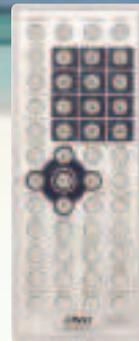
### 10.2" Flip-Down System with Built-in Housing-Load DVD Player

- 10.2" high resolution, 16:9 aspect ratio, flip-down screen.
- Ultra-slim DVD player compatible with DVD, CD and MP3.
- Full-function wireless remote control.
- Multi-language on-screen display menu.
- Audio/video input jack.
- Audio/video output jack.
- IR headphone audio output.
- RCA audio out.
- Built-In dome light system.
- Front panel controls.
- Mounting bracket and trim shroud included.
- 2 single-channel foldable IR headphones (HP-400).
- Headphones include storage pouches.
- Headphone rotary volume control.
- Headphone auto power off when IR signal is lost.

PK. 1 WT. 12



**DVD**  
VIDEO



# **8.5" WIDE SCREEN ALL-IN-ONE FLIP-DOWN SYSTEM**

## **MV6600**

### **8.5" Flip-Down System with Built-in Screen-Load DVD Player**

- 8.5" high resolution, 16:9 aspect ratio, flip-down screen.
- Ultra-slim DVD player compatible with over 14 different file formats including: DVD, CD, JPEG and KODAK Picture CD.
- Full-function wireless remote control.
- Multi-language on-screen display menu.
- RCA audio/video input.
- RCA audio/video output.
- IR headphone audio output.
- Built-in dome light system.
- Front panel controls.
- Mounting bracket included.
- Universal shroud compatible (see page 9).
- 2 Single-channel foldable IR headphones (HP-400).
- Headphones include storage pouches.
- Headphone rotary volume control.
- Headphone auto power off when IR signal is lost.

PK. 1 WT. 10

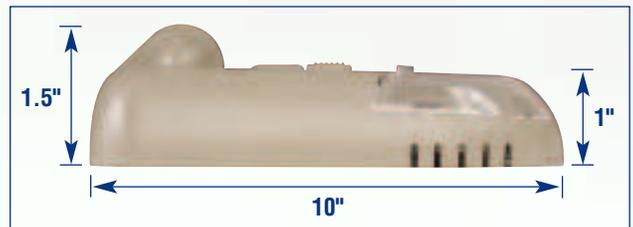


# 7.0" WIDE SCREEN FLIP-DOWN MONITOR

## MV700 7.0" Flip-Down Monitor

- 7.0" high resolution, 16:9 aspect ratio, flip-down screen.
- Ultra-slim profile.
- Display adjustment menu.
- 2 audio/video inputs.
- Audio output.
- IR headphone output.
- Built-in dome light system.
- Front panel controls.
- Built-in remote eye with output.
- Trim ring.

PK. 4 WT. 14



**Slim Side Profile**

## Flip-Down Screens with Built-in DVD Players

# 10.2"

### Flip-Down System with Built-in Screen-Load DVD Player

**MV1020**  
**MV1020C (Cream)**

- 10.2" high resolution, 16:9 aspect ratio, flip-down screen.
- Ultra-slim DVD player compatible with over 14 different file formats including: DVD, CD, JPEG and KODAK Picture CD.
- SD card slot.
- Full-function wireless remote control.
- Multi-language on-screen display menu.
- RCA audio/video input.
- RCA audio/video output.
- IR headphone audio output.
- Built-in FM transmitter audio output.
- Built-in dome light system.
- Front panel controls.
- MovieVision custom shroud and mounting system compatible.

PK. 2 WT. 12



# 10.2"

### Flip-Down System with Built-in Housing-Load DVD Player

**MV1025**

- 10.2" high resolution, 16:9 aspect ratio, flip-down screen.
- Ultra-slim DVD player compatible with file formats including: DVD, CD and MP3.
- Full-function wireless remote control.
- Multi-language on-screen display menu.
- Audio/video input jack.
- Audio/video output jack.
- RCA audio out.
- IR headphone audio output.
- Built-in dome light system.
- Front panel controls.
- Mounting bracket and trim shroud included.

PK. 3 WT. 26



# 8.5"

### Flip-Down System with Built-in Screen-Load DVD Player

**MV850**

- 8.5" high resolution, 16:9 aspect ratio, flip-down screen.
- Ultra-slim DVD player compatible with over 14 different file formats including: DVD, CD, JPEG and KODAK Picture CD.
- Full-function wireless remote control.
- Multi-language on-screen display menu.
- RCA audio/video input.
- RCA audio/video output.
- IR headphone audio output.
- Built-in dome light system.
- Front panel controls.
- Universal shroud available (see page 9).

PK. 4 WT. 28



## DVD Players



### Single-Disc Slot-Load DVD Player MV-DVD-PL8

- 12 volt DC operation.
- Slim compact size: 7" x 7/8".
- DVD, DVD-R, CD, CD-R/RW compatible.
- Wireless remote control with external IR eye.
- Anti-shock buffer.
- Multi-lingual on-screen display menu.

PK. 6 WT. 20



### Compact Slot-Load Single-Disc DVD Player with TV Tuner and Auxiliary Input MV-DVD-PL5

- 12 volt DC operation.
- DTS and Dolby digital capable.
- MP3, DVD, CD and CD-RW compatible.
- Wireless remote control with wired remote eye.
- Night illuminated buttons.
- Multi-lingual on-screen display menu.
- Audio/video outputs.
- Digital audio output.
- Anti-vibration top or bottom mounting kit.
- Parental control.

PK. 4 WT. 24



### Compact Single-Disc DVD Player MV-DVD-PL2

- 12 volt DC operation.
- DVD, DVD-R, CD, CD-R/RW and JPEG Picture CD compatible.
- Wireless remote control with external IR eye.
- Multi-lingual on-screen display menu.
- Front panel second source A/V inputs.
- Anti-shock buffer.
- Last position playback memory.

PK. 4 WT. 18

## DVD Remotes



### Remote Control for MV-DVD-PL8 RC-PL8

- Replacement remote for MovieVision DVD player MV-DVD-PL8.

PK. 1 WT. 1



### Remote Control for MV-DVD-PL5 MV2000RM

- Replacement remote for MovieVision systems: MV6100, MV6000, MV5760 and MV2760.

PK. 1 WT. 1



### Remote Control for MV-DVD-PL2 RC-PL2

- Replacement remote for MovieVision DVD player MV-DVD-PL2.

PK. 1 WT. 1



### Remote Control for MV7000 and MV1020 MV1020RM

- Replacement remote for MovieVision systems: MV7000 and MV1020

PK. 1 WT. 1

## Audio/Video Port Expander



### Audio/Video Auxiliary Input Port Expander MV-VS2

- Mechanical video and audio switching device used to increase the number of inputs.
- 6 ft. RCA male patch cord included.
- S-video input.

PK. 12 WT. 10



### Antenna Selection Switcher VCS-3

- Provides greater system flexibility by increasing the number of inputs to a television set.
- Antenna control: front panel 3-position selector switch used to select the signal source to the system: TV antenna, AUX/satellite or cable TV.
- 3 antenna inputs / 3 antenna outputs.
- Screw on "F" type connectors.
- RF shielded design.
- Wall, shelf or under-shelf mount.

PK. 12 WT. 8

## Power Inverters



### 300 Watt Power Inverter MV-PI300A

- Converts DC into AC power.
- For use with 12V negative ground electrical systems only.
- Hi/low input voltage protection.
- Short circuit protection.
- Rated power: 300W.
- 2 AC power sockets.
- Replaceable fuse: 30A.
- Thermal protection.

PK. 6 WT. 13



### 150 Watt Power Inverter MV-PI150A

- Converts DC into AC power.
- For use with 12V negative ground electrical systems only.
- Hi/low input voltage protection.
- Short circuit protection.
- Rated power: 150W.
- 1 AC power socket.
- Replaceable fuse: 20A.
- Thermal protection.

PK. 6 WT. 8

## Cables

### Male-to-Male Audio/Video RCA Patch Cables



- Color coded RCA plugs with black cables
- Gold plated connectors

PK. 12 WT. 10

**WC3-3** - 3 ft. Cable

**WC6-3** - 6 ft. Cable

**WC12-3** - 12 ft. Cable

**WC20-3** - 20 ft. Cable

## IR Wireless Headphones

### Single-Channel Foldable IR Headphones

#### HP-400

- Storage pouch.
- Fold for convenient storage.
- Rotary volume control.
- Auto power off when IR signal is lost.
- Uses 2 AAA batteries (supplied).

PK. 1 WT. 1



Foldable



Storage Pouch



### Two 2-Channel Foldable Headphones and IR Transmitter

#### HP-800

- Storage pouch.
- Fold for convenient storage.
- Rotary volume control.
- Auto power off when IR signal is lost.
- CH 1/CH 2 selection switch.
- Requires 2 AAA batteries (supplied).

PK. 1 WT. 2



Foldable



IR Transmitter



Storage Pouch



## Digital FM Wireless Headphones

### Digital FM Radio Headphones

#### HP-200

- Separate volume, power and seek up/seek down station selection controls.
- Pre-programmed MovieVision station presets for easy selection of MovieVision stations.
- Digital LCD information panel.
- Fully adjustable (fits children and adults).
- Requires 2 AAA batteries (supplied).
- Port for extra headphone operation.

PK. 1 WT. 1



Close-Up



### Two Digital FM Radio Headphones with FM Transmitter

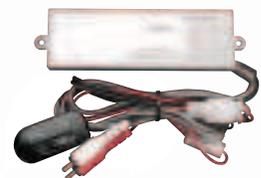
#### HP-200K

- Separate volume, power and seek up/seek down station selection controls.
- Pre-programmed MovieVision station presets for easy selection of MovieVision stations.
- Digital LCD information panel.
- Fully adjustable (fits children and adults).
- Requires 2 AAA batteries (supplied).
- Port for extra headphone operation.
- FM transmitter allows the audio signal from a source unit to be heard through MovieVision headphone or through vehicle radio.

PK. 1 WT. 4



Close-Up



## Antenna

### UHF / VHF / FM Antenna RV74

- Weather or salty air will not influence or damage the antenna.
- Frequency 50-900MHz.
- Gain: VHF 7-10db, UHF5-8dB.
- For 12 Volt negative ground systems only.
- Dimensions: 12" x 10".  
PK. 12 WT. 10



### Audio Transmitter Antenna System for GM Vehicles

#### MVAD-GM1

- Enhances audio transmitter performance.  
PK. 24 WT. 3



### Audio Transmitter Antenna System for Universal Vehicles

#### MVAD-UNV1

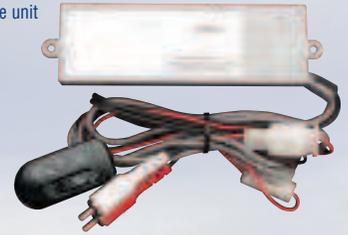
- Vehicles must use a standard Motorola antenna type connector.
- Enhances audio transmitter performance.  
PK. 24 WT. 3



## FM Transmitter

### External Audio Transmitter with RCA Stereo Jack Inputs MV-TX2

- Allows the audio signal from a source unit to be heard through MovieVision headphone or through the car radio.
- RCA inputs.
- 3 selectable frequencies.
- Wired station controller.  
PK. 6 WT. 3



## Display

### Free Standing MovieVision Display MV-DIS-FD1

- Allows dealers to demonstrate the functions of MovieVision systems.
- Accommodates a 7", 8.5" or 10.2" flip-down system.
- MovieVision system not included.  
PK. 1 WT. 75



## Universal Installation Kits

Universal

8.5"

### 8.5" Universal Installation Shroud For MV6600 and MV850

MVS-850-C Cream

- Shroud.  
PK. 1 WT. 2



Universal

10"

### 10" Universal Installation Bucket Kit For MV7000 and MV1020

MVS-00-4G-10 Gray  
MVS-00-4T-10 Tan  
MVS-00-4C-10 Cream

- Deep universal shroud.
- Universal mounting bracket.
- Audio transmitter antenna system for vehicles with standard Motorola antenna type connectors.
- Complete with mounting hardware, bracket, adhesive tape and instructions.  
PK. 1 WT. 2



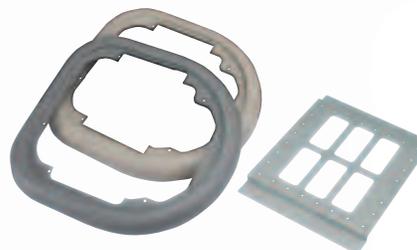
Universal

10"

### 10" Universal Installation Kit For MV7000 and MV1020

MVS-00-1G-10 Tan  
MVS-00-1C-10 Cream

- Shroud.
- Universal mounting bracket.
- Audio transmitter antenna system for vehicles with standard Motorola antenna type connectors.
- Complete with mounting hardware, bracket, adhesive tape and instructions.  
PK. 1 WT. 4



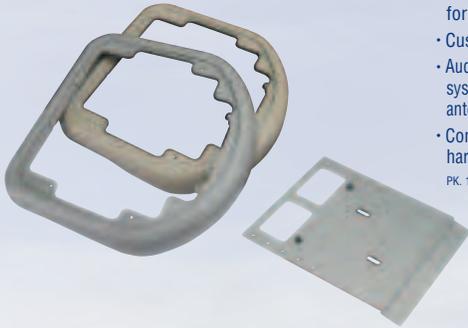
# 10" Custom Installation Shrouds

Chevrolet / GMC

10"

**Chevrolet:** 2003-2006 Tahoe, Suburban with sunroof and without rear overhead air controls

**GMC:** 2003-2005 Yukon, Yukon XL, Denali with sunroof and without rear overhead air controls



**MVS-06-3-10G** Gray  
**MVS-06-3-10C** Cream

- 10.0" screens require minor shroud modifications for proper fit.
- Custom mounting bracket.
- Audio transmitter antenna system for vehicles with GM antenna type connectors.
- Complete with mounting hardware and instructions.

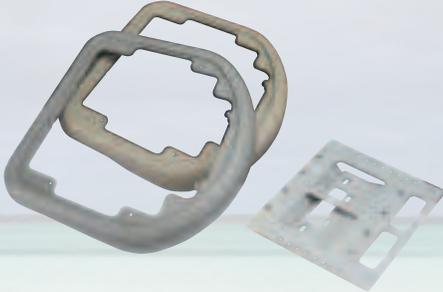
PK. 1 WT. 4

Chevrolet / GMC

10"

**Chevrolet:** 2003-2006 Tahoe, Suburban without sunroof and without rear overhead air controls

**GMC:** 2003-2005 Yukon, Yukon XL, Denali without sunroof and without rear overhead air controls



**MVS-06-4B-10G** Gray  
**MVS-06-4B-10C** Cream

- 10.0" screens require minor shroud modifications for proper fit.
- Custom mounting bracket.
- Audio transmitter antenna system for vehicles with GM antenna type connectors.
- Complete with mounting hardware and instructions.

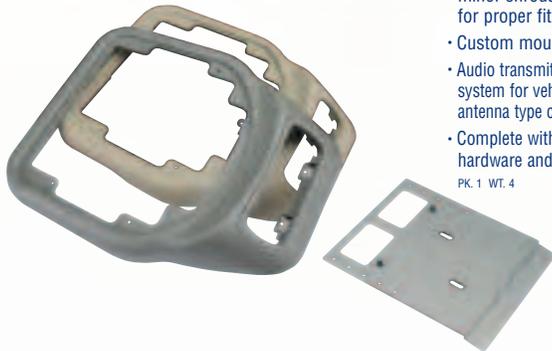
PK. 1 WT. 4

Chevrolet / GMC

10"

**Chevrolet:** 2003-2006 Tahoe, Suburban without sunroof and with rear overhead air controls

**GMC:** 2003-2005 Yukon, Yukon XL, Denali without sunroof and with rear overhead air controls



**MVS-06-4-10G** Gray  
**MVS-06-4-10C** Cream

- 10.0" screens require minor shroud modifications for proper fit.
- Custom mounting bracket.
- Audio transmitter antenna system for vehicles with GM antenna type connectors.
- Complete with mounting hardware and instructions.

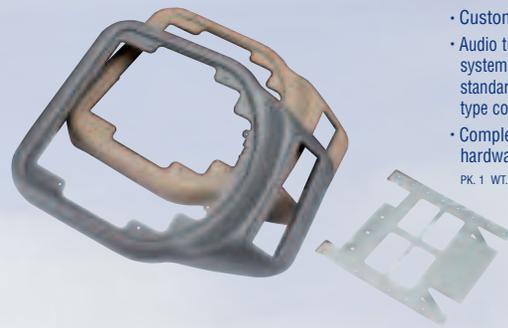
PK. 1 WT. 4

Ford

10"

**Ford:** 2000-2002 "Eddie Bauer" Expedition with rear air controls on the ceiling

**Lincoln:** 2000-2002 Navigator with rear air controls on the ceiling



**MVS-08-1-10G** Gray  
**MVS-08-1-10C** Cream

- Custom shroud (see model number for color).
- Custom mounting bracket.
- Audio transmitter antenna system for vehicles with standard Motorola antenna type connectors.
- Complete with mounting hardware and instructions.

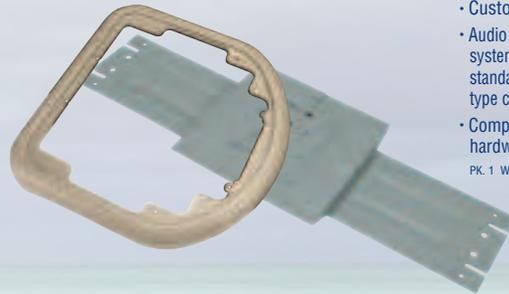
PK. 1 WT. 4

Ford

10"

**Ford:** 2003-2006 Expedition without sunroof

**Lincoln:** 2003-2006 Navigator without sunroof



**MVS-08-5-10T** Tan

- Custom shroud.
- Custom mounting bracket.
- Audio transmitter antenna system for vehicles with standard Motorola antenna type connectors.
- Complete with mounting hardware and instructions.

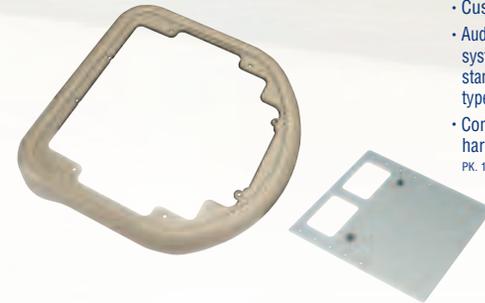
PK. 1 WT. 4

Ford

10"

**Ford:** 2003-2006 Expedition with sunroof

**Lincoln:** 2003-2006 Navigator with sunroof



**MVS-08-6-10T** Tan

- Custom shroud.
- Custom mounting bracket.
- Audio transmitter antenna system for vehicles with standard Motorola antenna type connectors.
- Complete with mounting hardware and instructions.

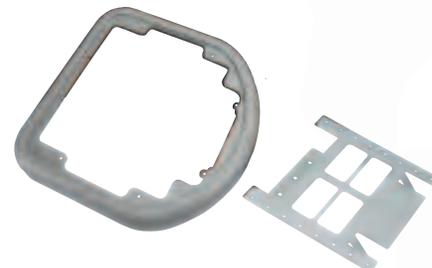
PK. 1 WT. 4

Ford

10"

**Ford:** 2000-2002 "Eddie Bauer" Expedition without rear air controls on the ceiling

**Lincoln:** 2000-2002 Navigator without rear air controls on the ceiling



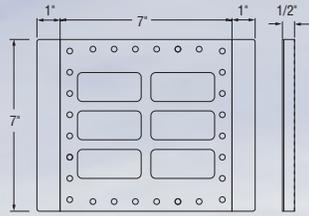
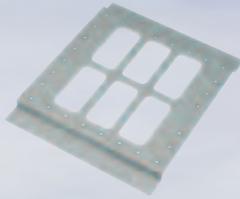
**MVS-08-1B-10G** Gray

- Custom shroud (see model number for color).
- Custom mounting bracket.
- Audio transmitter antenna system for vehicles with standard Motorola antenna type connectors.
- Complete with mounting hardware and instructions.

PK. 1 WT. 4

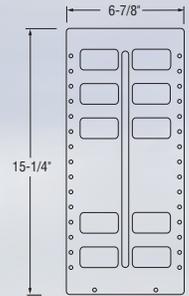
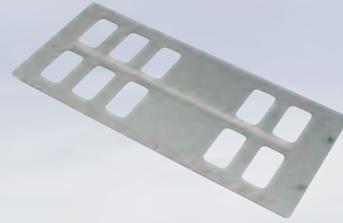
# 10" Specialty Mounting Brackets

**MVSBK-00-1**  
Specialty Mounting Bracket



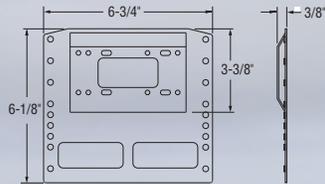
**MVSBK-01-2**  
Specialty Mounting Bracket

**Fits:**  
**Acura:** 2001-Present MDX



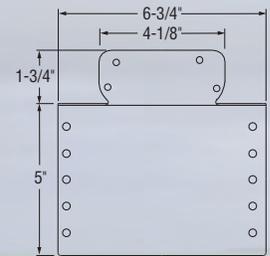
**MVSBK-03-1**  
Specialty Mounting Bracket

**Fits:**  
**Toyota:** 4Runner, Sienna Van



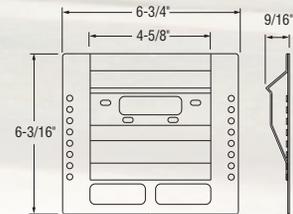
**MVSBK-06-1**  
Specialty Mounting Bracket

**Fits:**  
**Chevrolet:** Up to 1999 Suburban and Tahoe  
**GMC:** Up to 1999 Suburban, Yukon, Denali  
**Cadillac:** Up to 2000 Escalade



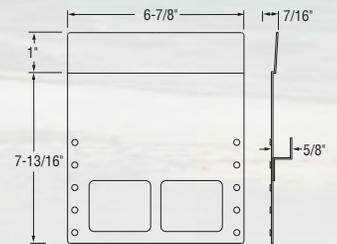
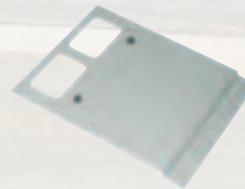
**MVSBK-06-4**  
Specialty Mounting Bracket

**Fits:**  
**Chevrolet:** 2001-2002 Suburban and Tahoe without sunroofs  
**GMC:** 2001-2002 Suburban, Yukon, Yukon SL and Denali without sunroofs



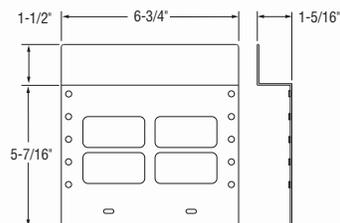
**MVSBK-06-5**  
Specialty Mounting Bracket

• Fits 2000-2006 Chevrolet: Suburban and Tahoe  
• Fits 2000-2006 GMC: Yukon, Yukon XL and Denali with sunroof



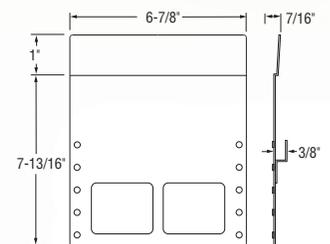
**MVSBK-08-2**  
Specialty Mounting Bracket

**Fits:**  
**Ford:** 2000-2002 Explorer without sunroofs  
**Mercury:** 2000-2002 Mountaineer without sunroofs



**MVSBK-08-3**  
Specialty Mounting Bracket

**Fits:**  
**Ford:** 2000-2002 Explorer with sunroofs  
**Mercury:** 2000-2002 Mountaineer with sunroofs



Los Angeles

Elkhart

Taipei

Hong Kong

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CAT0107MV



Opposition No. 91175280  
Serial No. 76/655,958  
Mark: MOVIEVISION

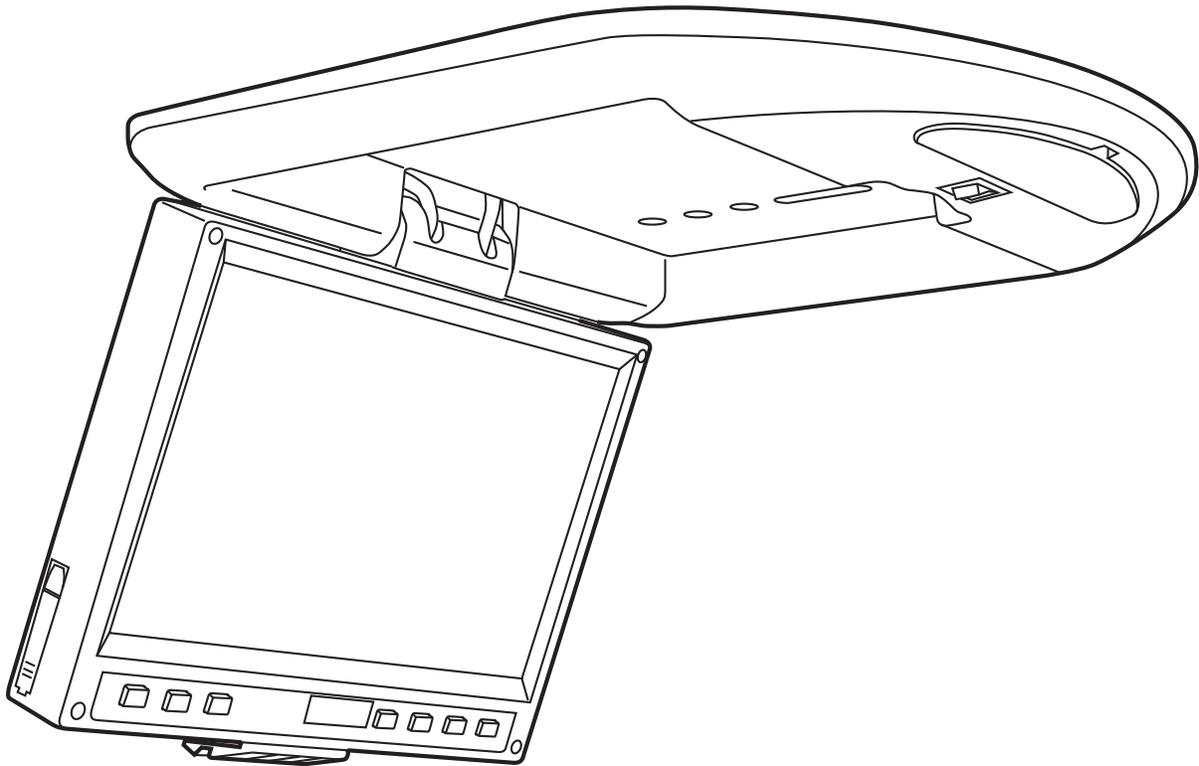
Opposer's Ref.: MGDN01870C

## APPENDIX 10



**MOVIE  
VISION®**

# **Owner's Manual Mobile DVD/CD Player with 10.2" TFT Monitor**



**Model: MV1020 / MV1020C**

For operational or technical assistance, after reading this manual,  
please call us toll free at (800) 638-3600 or visit [www.magnadyne.com](http://www.magnadyne.com)

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## Safety Information

### CAUTION:

THIS MOBILE DVD PLAYER IS A CLASS I LASER PRODUCT. HOWEVER, THIS MOBILE DVD PLAYER USES A VISIBLE/INVISIBLE LASER BEAM WHICH COULD CAUSE HAZARDOUS RADIATION EXPOSURE IF DIRECTED. BE SURE TO OPERATE THE MOBILE DVD PLAYER CORRECTLY AS INSTRUCTED. USE OF CONTROLS OR ADJUSTMENTS OR PERFORMANCE OF PROCEDURES OTHER THAN THOSE SPECIFIED HEREIN MAY RESULT IN HAZARDOUS RADIATION EXPOSURE. DO NOT OPEN COVERS AND DO NOT REPAIR YOURSELF. REFER SERVICING TO QUALIFIED PERSONNEL.

### CAUTION:

FCC REGULATIONS STATE THAT ANY UNAUTHORIZED CHANGES OR MODIFICATIONS TO THIS EQUIPMENT MAY VOID THE USER'S AUTHORITY TO OPERATE IT.

### WARNING:

- TO REDUCE THE RISK OF FIRE OR ELECTRIC SHOCK, DO NOT EXPOSE THIS EQUIPMENT TO RAIN OR MOISTURE.
- THIS DEVICE IS INTENDED FOR CONTINUOUS OPERATION.
- TO REDUCE THE RISK OF FIRE OR ELECTRIC SHOCK AND ANNOYING INTERFERENCE, USE ONLY THE RECOMMENDED ACCESSORIES.

This product incorporates copyright protection technology that is protected by method claims of certain U.S. patents and other intellectual property rights owned by Magnadyne Corporation and other rights owners. Use of this copyright protection technology must be authorized by Magnadyne Corporation and is intended for home and other limited viewing uses only unless otherwise authorized by Magnadyne Corporation. Reverse engineering or disassembly is prohibited.

### Region Management Information:

This Mobile DVD Player is designed and manufactured to respond to the Region Management Information that is recorded on a DVD disc. If the Region number described on the DVD disc does not correspond to the Region number of this Mobile DVD Player, this Mobile DVD Player cannot play this disc.

## Use this Product Safely

### Driving

Be aware of road and traffic conditions. Keep the volume at a low level.

### Moisture

Do not expose the product to water or excessive moisture. This could cause electrical shorts, fire or other damage.

### Parking

Parking in direct sunlight can produce very high temperatures inside your vehicle. Give the car interior a chance to cool down before starting disc playback.

### Proper Power Supply

This product is designed to operate with a 12 Volt DC, negative ground battery system.

### Protecting the Disc Mechanism

Avoid inserting any foreign objects into the disc slot of this player. Failure to observe this precaution may cause malfunction of this unit.

### Repairs

Do not attempt to disassemble or repair this product yourself. Contact our customer service representatives.

### Installation

The unit should be installed in a horizontal position (see pages 15-17).

### Cleaning

Use a soft dry cloth to clean the screen. The cloth can be dampened with purified water, but do not use any cleaners or chemicals.

### Warning

Be careful not to drop or apply undue pressure to the front panel of monitor. If the screen cracks due to misuse, the warranty will be voided!

## Features

- This unit can play compatible discs recorded in either PAL or NTSC format.
- CD, DVD, CD-R, CD-RW and MP3 Compatible.
- SD Card Support.
- Full-Function Wireless Remote Controller.
- Multi-Language On-Screen Display Menu.
- Built-In Dome Light System.
- Front Panel Controls.
- Wireless IR Transmitter Module so audio can be heard through IR headphones.
- Wireless FM Stereo Transmitter Module so audio can be heard through the vehicle's radio.
- L/R stereo analog audio outputs for connection to existing head unit auxiliary inputs. Output is composite video.

## Disc and SD Card Notes

### Disc Formats Supported by this Player:



**DVD** 12 cm disc  
(Single-sided disc only)



**CD** 12 cm disc  
8 cm disc

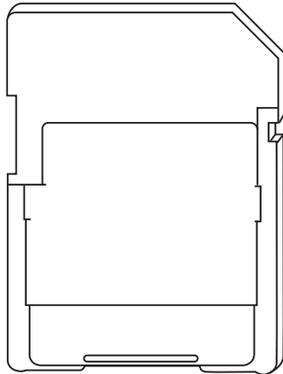
**MP3** 12 cm disc  
8 cm disc

### Discs which cannot be played with this player:

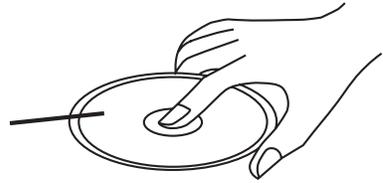
- DVD-ROM
- DVD-R/DVD-RAM
- CDV
- CD-G

### SD Card File Format Compatibility:

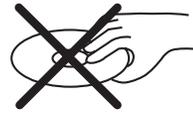
- AVI (Video)
- MP3 (Audio)
- JPEG (Pictures)



Label side up



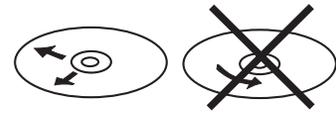
Do not touch  
the underside  
of the disc



Do not bend



Wipe the disc  
from center  
toward the  
outside edge.



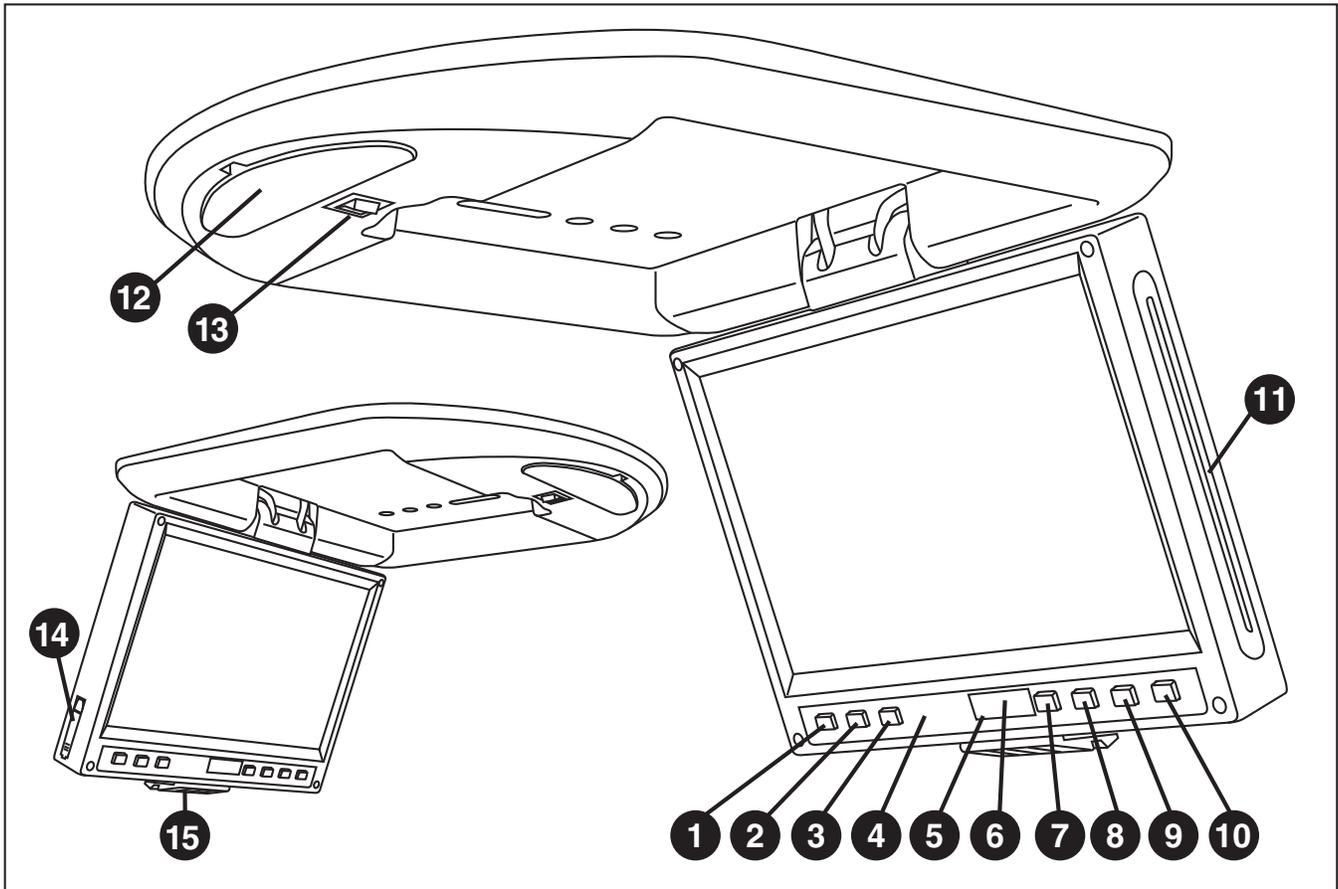
### Disc Handling

- Dirt, dust, scratches on disc may cause malfunctions.
- Do not place labels on disc.
- Do not warp discs.
- A disc should always be kept in its case when not in use to prevent damage.
- Do not place discs in the following places:
  1. Direct sunlight.
  2. Dirty, dusty and damp areas.
  3. Near car heaters.
  4. Car seats or dashboard.

### Disc Cleaning

Use a dry soft cloth to wipe the surface. If the disc is quite dirty, use a cloth slightly dampened with isopropyl (rubbing) alcohol. Never use solvents such as benzine, thinner or conventional record cleaners as they may mar the surface of the disc.

## Screen and DVD/CD Functions



- 1. POWER Button:** Press this button to turn the unit On/Off.
- 2. SOURCE Button:** Press this button to change the play source between DVD/CD player and an auxiliary input source.
- 3. STOP Button:** Stops play of picture or audio.
- 4. Power On LED Indicator**
- 5. Infrared Remote Sensor:** Receives the signals from the remote control.
- 6. Wireless Transmitter Module:** The audio signal is converted to an infrared light or FM frequency and transmitted to the headphones or vehicle's FM stereo receiver.
- 7. PREVIOUS Button:** In DVD/CD mode, pressing this button searches for the beginning of the previous track or chapter.
- 8. NEXT Button:** In DVD/CD mode, pressing this button searches for the beginning of the next track or chapter.
- 9. PLAY/PAUSE Button:** Press this button to play or pause a disc.
- 10. EJECT Button:** Press to eject the disc.
- 11. Disc Slot:** To play a DVD/CD disc, insert into slot with label facing forward.
- 12. Dome Lights**
- 13. Dome Light Switch:** Switch to the ON position to activate the dome lights.
- 14. SD Card Slot:** To play a SD Card, insert into slot with label facing forward.
- 15. Viewing Screen Release:** To release the screen, push the tab then gently pull down the screen. Place the screen to the desired viewing position.

## Screen and DVD/CD Functions

### Turning the Unit On:

Press the **POWER** on either the remote or the screen housing.

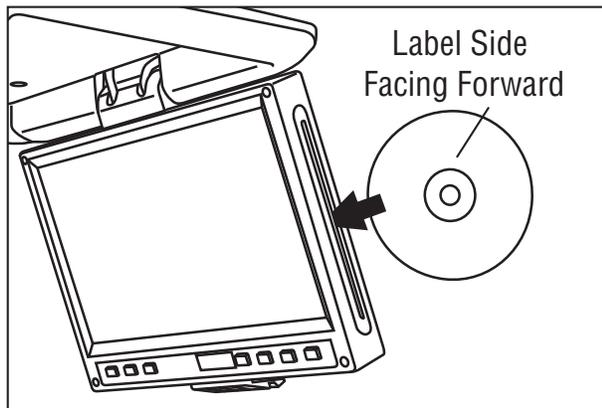
### Adjusting the Monitor:

1. Press the **MODE** button on the remote to activate the monitor adjustment menu. The following will be displayed on the screen:



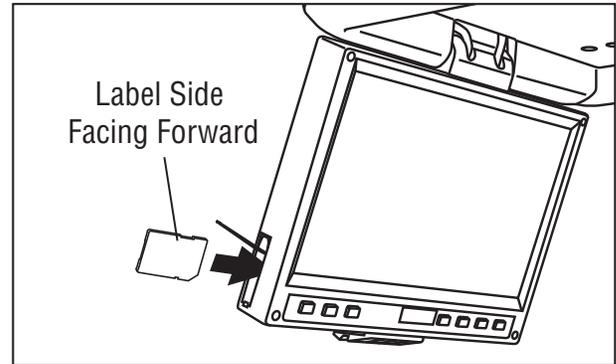
2. Press the **MODE** button again to select the adjustment bar.
3. Use the **UP** and **DOWN** buttons on the remote to adjust the screen's brightness.
4. Press the **MODE** button again then the **DOWN** button to select the next desired monitor adjustment item:
  - Saturation
  - Contrast
  - Hue
  - FM (Wireless Transmitter Frequency)
  - Rotate
  - Source (DVD or AVIN)
  - SD Card
  - Reset (Reset to factory settings)
5. Press the **MODE** button again until the **EXIT** item appears or wait 10 seconds and the menu will automatically disappear.

### Inserting a DVD/CD



To play a DVD/CD, insert a disc into slot with label side facing forward.

### Inserting a SD Card



To play a SD card, insert a card into slot with label side facing forward.

### Selecting the SD Card Format

Once the SD card is inserted push the **SD** button on the remote. The screen will prompt you to select the format for the inserted SD card. Use the **▲** or **▼** button on the remote to select the desired format. Once you have selected the desired format press the **ENTER** button.

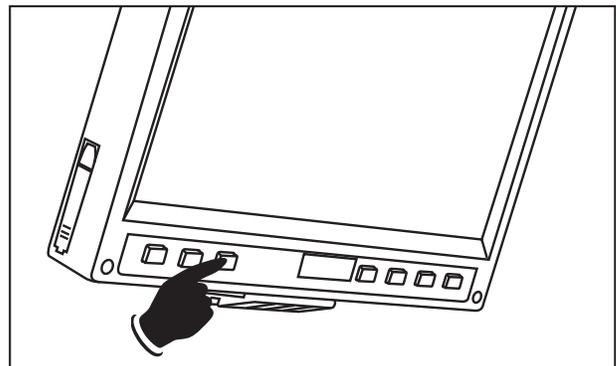
#### Format Selection

**1:Audio/Picture**  
**2:Video File**

**Note:** To go back to this selection screen, press the **STOP** button twice and then press the **TITLE** button.

**Note:** Large video files will take extra time to Load/Buffer before video playback begins.

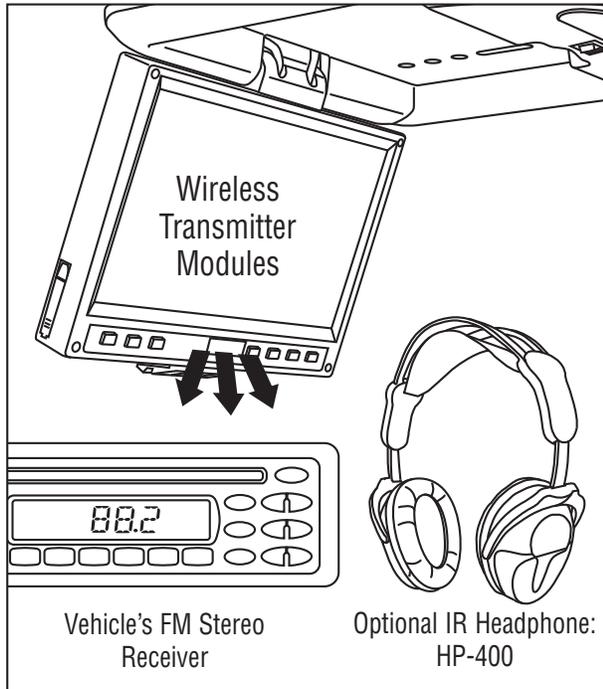
### Changing to an Auxiliary Input Source



Press the **SOURCE** button to change the play source between DVD/CD player and a Auxiliary Input Source.

## Screen and DVD/CD Functions

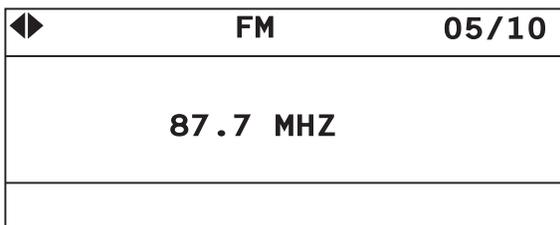
### Wireless Transmitter Modules:



The audio signal is converted to an infrared light and FM frequency that is transmitted to the IR headphones or the vehicle's FM stereo receiver.

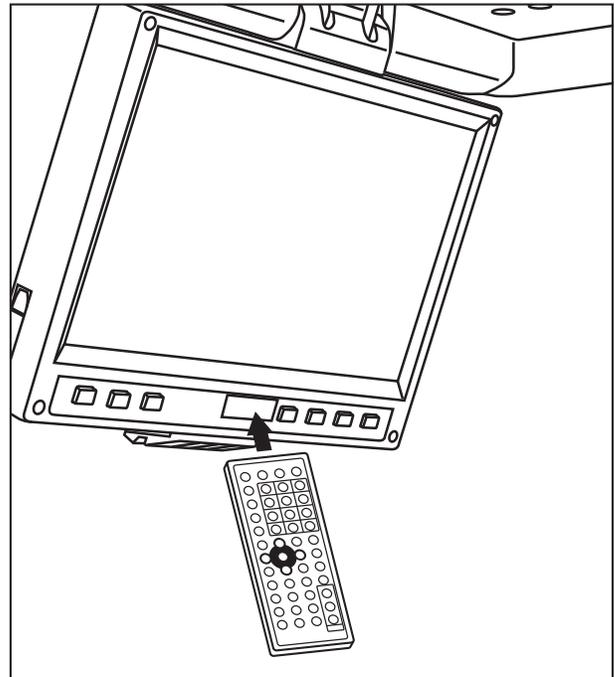
### Selecting the Wireless Transmitter Frequency:

1. Press the **MODE** button on the remote to activate the monitor adjustment menu.
2. Use the **UP** and **DOWN** buttons on the remote to select the FM screen.



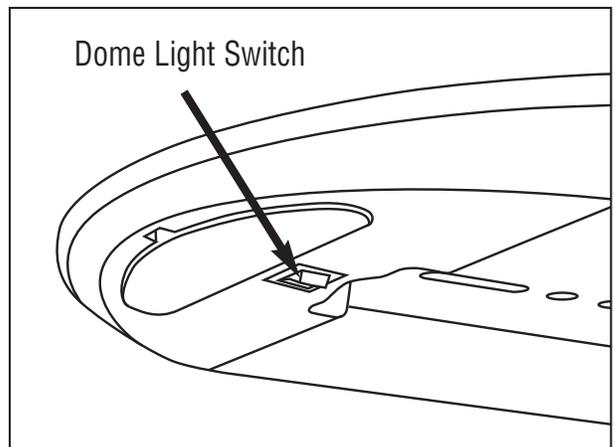
3. Press the **MODE** button again to select the frequency selection menu.
4. Use the **UP** and **DOWN** buttons on the remote to select the desired frequency to match the frequency on the wireless headphones or FM stereo receiver.
5. Press the **MODE** button again until the **EXIT** item appears or wait 10 seconds and the menu will automatically disappear.

### Infrared Remote Control Sensor:



The Infrared remote control sensor receives the signals from the remote control.

### Dome Light:



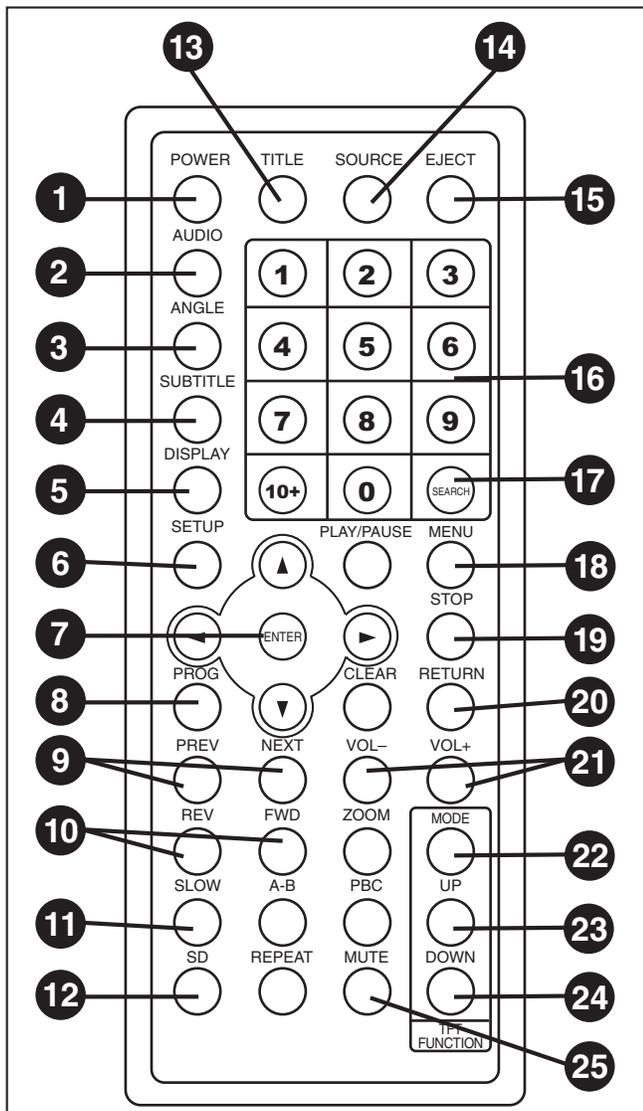
To turn "On" the dome lights, press the dome light switch. Press the dome light switch again to turn them "Off".

**Note:** The dome lights will automatically illuminate whenever the vehicle doors are open.

### Last Play Function:

See page 14.

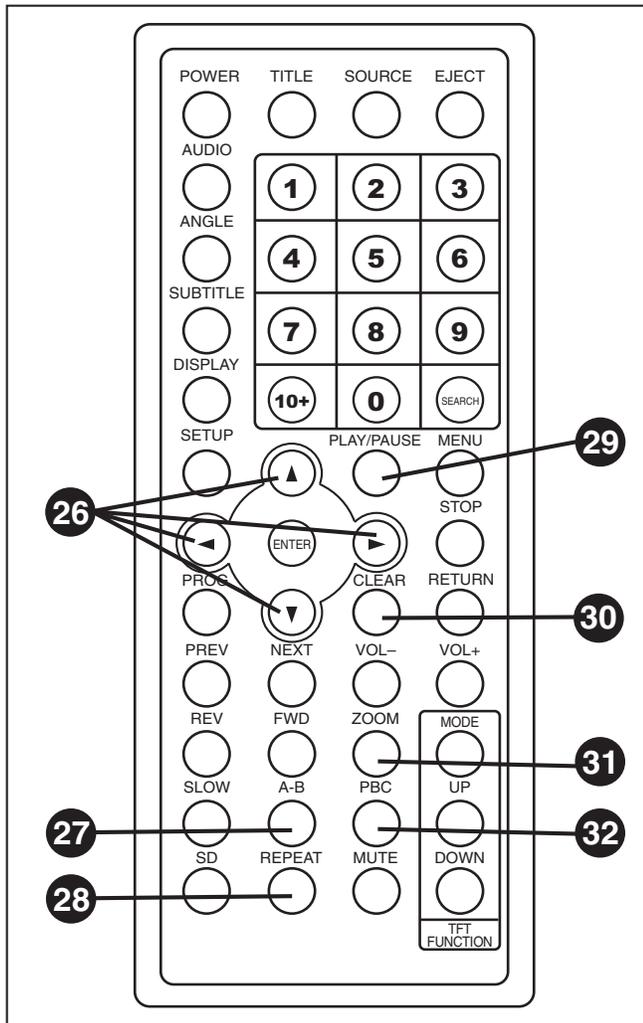
## Remote Control Locations and Operation



1. **POWER:** Turns the unit On/Off.
2. **AUDIO:** Press the button to change audio languages.
3. **ANGLE:** Press the button to change DVD's picture angle.
4. **SUBTITLE:** Press the button to change DVD's subtitle languages.
5. **DISPLAY:** Press the button to display disc information.
6. **SETUP:** Press the button to enter or cancel SETUP MENU.
7. **ENTER:** Press the button to enter a setting.
8. **PROG:** Press the button to program the play order of CD tracks.
9. **PRE/NEXT:** Press these buttons to search for the beginning of track or chapter.

10. **REV/FWD:** Scan backward and forward.
11. **SLOW:** Press the button to slow play DVD to 1/2, 1/4, 1/8, 1/16, or 1/32 speed.
12. **SD:** To play a SD card, press this button. The screen will prompt you to select the format for the inserted SD card. Use the ▲ or ▼ buttons on the remote to select the desired format. Then press ENTER button.
13. **TITLE:** Displays the DVD's title.
14. **SOURCE:** Select DVD/CD, TV Tuner or Auxiliary inputs functions.
15. **EJECT:** Ejects the disc.
16. **0 - 10+:** Press these buttons to input numbers.
17. **SEARCH:** Locate title, chapter, time and play.
18. **MENU:** Display DVD's menu screen.
19. **STOP:** Stop play of picture or audio.
20. **RETURN:** Press to return to previous item.
21. **VOL-/VOL+:** Press these buttons to decrease or increase volume level.
22. **MODE:** Activate the monitor adjustment menu.
23. **UP:** Press to adjust the monitor menus.
24. **DOWN:** Press to adjust the monitor menus.
25. **MUTE:** Press during play to stop audio.

# Remote Control Locations and Operation



- 26. ◀ ▶ ▲ ▼ Use **CURSOR** buttons when selecting items or to move cursor up, down, left or right.
- 27. **A-B:** Press the button during play to set point A and point B, then program A and B will be played repeatedly. Press the button again to cancel.
- 28. **REPEAT:** Press to select Chapter Repeat, Title Repeat or Repeat Cancelled.
- 29. **PLAY/PAUSE:** Press the button to play or stop temporarily.
- 30. **CLEAR:** Clear numbers which have been input.
- 31. **ZOOM:** Press the button during playback of DVD to enlarge an area on the screen.
- 32. **PBC:** Video disc playback control. DVD's subtitle languages.

## BASIC OPERATION

### Turn the Unit On

1. Turn the car ignition on to the accessory position.
2. Press the **POWER** button.

### Loading a Disc

Insert the disc with printed side facing forward into the disc slot. The player will automatically search the disc.

### Volume Level Adjustment

Press the **VOL-** or **VOL+** buttons on the remote to increase or decrease volume level.

### Muting the Sound Level

Press the **MUTE** button during play to stop audio. Press the **MUTE** button again to restore sound to the previous level.

### Ejecting a Disc

Press the **EJECT** button to eject disc.

## PLAY FUNCTION

### Stopping Play

Press the **STOP** button to stop the disc playback. Press the **PLAY/PAUSE** button on the remote to continue with normal playback at the position it was stopped. When the disc is removed or **STOP** is pressed again, the resume function is cancelled.

### Pausing Play

Press the **PLAY/PAUSE** button to pause disc during playback. Press the button again to resume play.

### Scan Forward and Backward

Press the **REV** or **FWD** button to scan backward or forward.

### Return to Previous Chapter or Track

Press the **PREVIOUS** or **PREV** button during playback and the play returns to the beginning of the previous chapter or track.

# Basic Operation and Special Functions

## PLAY FUNCTION (Continued)

### Advance to Next Chapter or Track

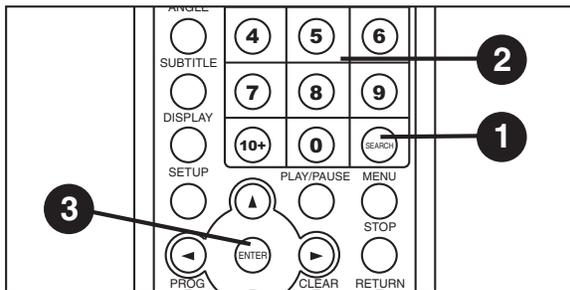
Press the **NEXT** button during playback and the play advances to the beginning of the next chapter or track.

### Removing Disc

Press the **STOP** button, then press the **EJECT** button to eject the disc.

### Searching for a Specific Chapter or Track

1. Press the **SEARCH** button on the remote.
2. Press numerical key to select track, chapter or time.
3. Press **ENTER** or **PLAY** to play the selection.



### Repeat Play

For DVD's, press the **REPEAT** button to repeat title or chapter.

For CD's, press the **REPEAT** button to repeat a track or the entire disc.

For MP3's, press the **REPEAT** button to repeat file, directory or all.

### A-B Repeat

Press the **A-B** button during play to set point A then press again to set point B. The system will repeatedly play the programmed section until the **A-B** button is pressed again which cancels the function.

## DVD SPECIAL FUNCTIONS

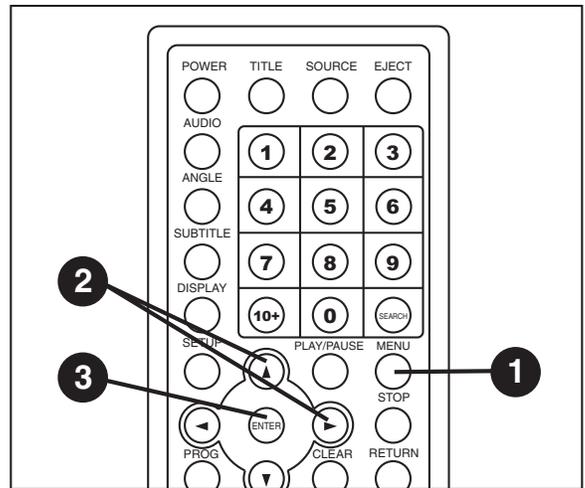
### Slow Play

Each time the **SLOW** button is pressed during DVD play the speed is reduced as follows:

Normal Playback ▶ Pause ▶ 1/2 ▶ 1/4 ▶ 1/8 ▶ 1/16 ▶ 1/32

### Display DVD Menu Screen

1. Press the **MENU** button to display the DVD menu screen.
2. Use the cursor button to select item.
3. Press **ENTER** or **PLAY** to play the selected.



### View Angles of DVD

Press the **ANGLE** button to select the different angles to view.

Note: If the DVD doesn't have multi-angle function, this function isn't applicable.

### DVD Zoom

Press the **ZOOM** button during playback of DVD to enlarge an image area on the screen.

Note: In zoom mode, press the **CURSOR** buttons to move image areas up, down, left or right.

## Special Functions and Setup Menu

### DVD SPECIAL FUNCTIONS (Continued)

#### Multi-Subtitle Language Function

Press the **SUBTITLE** button during playback. Each time the button is pressed the subtitle language on the screen changes.

#### Multi-Audio Language Function

Press the **AUDIO** button during playback. Each time the button is pressed the audio sound-track language on the screen changes.

### CD SPECIAL FUNCTIONS

#### Program CD Play

1. While the CD is playing push the **STOP** button twice (2x).
2. Use the **CURSOR** buttons to select the first desired track. Then press **ENTER** button to confirm. For additional tracks repeat Step 2.
3. Press **PLAY** button to start Program Play.

#### Random CD Play

1. While the CD is playing push the **STOP** button twice (2x).
2. Push the **PROG** buttons twice (2x) to bypass the programming screen.
3. "CD Random" will be displayed, then push **PLAY** button to start Random CD Play.

### MP3 FUNCTION

This unit supports MP3 discs. Use the **CURSOR** buttons to move the cursor through the MP3 directory. Then push **ENTER** to play desired file.

Note: While a disc is playing, push the **PREVIOUS (PREV)** or **NEXT** button to play the previous or next file on the disc.

### SETUP MENU

1. Press the **SETUP** button on the remote control, and the setup menu will be displayed. Pressing **SETUP** during disc play will pause play. Play will resume when the setup screen is cancelled.
2. Use the **CURSOR** buttons ◀ ▶ ▲ ▼ to select desired function.
3. Press the **ENTER** button to confirm the selection.



#### Descriptions of the Setup Menu Functions:

- DISC - Disc Setting
- VIDEO - Video Setting
- AUDIO - Audio Setting
- DISPLAY - OSD Language Setting
- OTHERS - Other Functions Setting

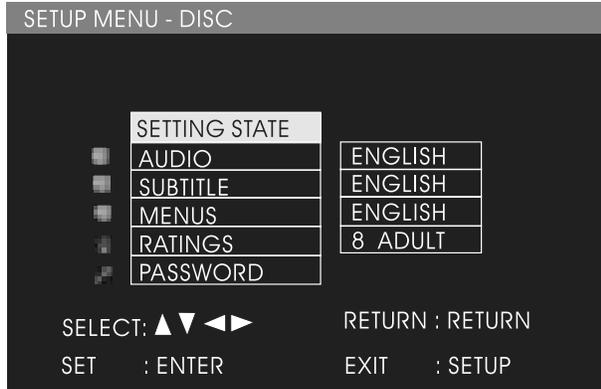
#### Note:

- If there is no disc in the player while in the "DISC" setting menu, this function is not applicable.
- Press the **RETURN** button to go back to the last setting. For example, if you input the wrong password in the "PARENTAL LOCK" function, press the **RETURN** button to return to the last setting so the password can be input again.

# Setup Menu

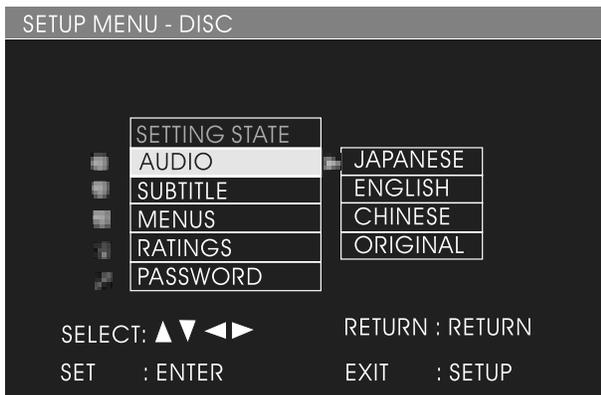
## DISC SETTINGS

Use the **CURSOR** buttons ◀ ▶ ▲ ▼ to make **DISC** setting selections. Press the **ENTER** button to confirm the setting.



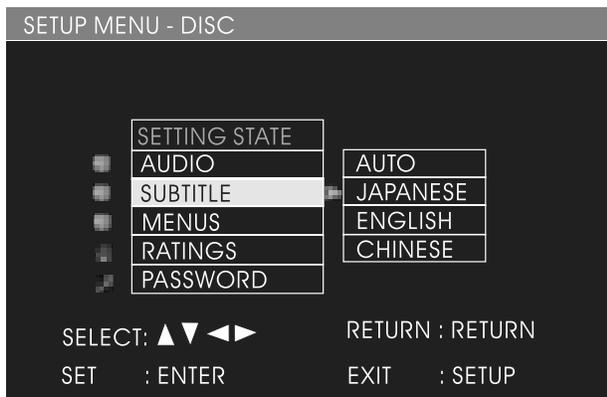
### Audio Setting

Use this screen to setup the audio language on multi-language discs.



### Subtitle Language Setting

Use this screen to setup the subtitle language on multi-subtitle language discs.



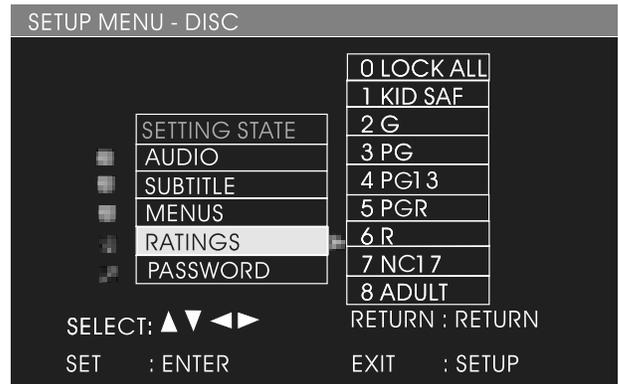
### Menu Language Setting

Use this screen to setup the disc menu language.



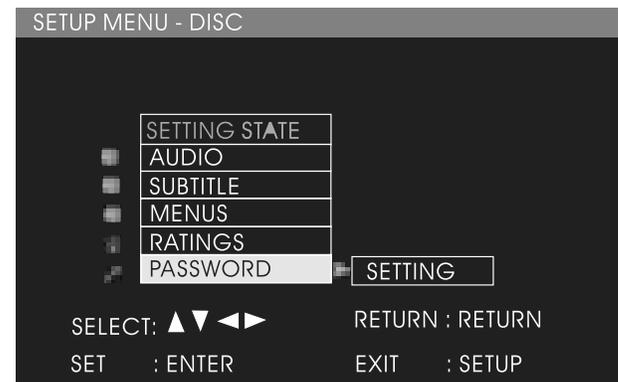
### Parental Lock Rating

Use this screen to setup the Parental Lock Rating. This function helps restrict viewing movies with certain ratings (e.g., PG-13, R, etc.) as supported by each DVD.



### Parental Lock Password Setting

Use this screen to setup a four-digit parental lock password. On the remote control, use this **NUMERIC** keys to enter the password. Press the **ENTER** button to confirm the password.



# Setup Menu

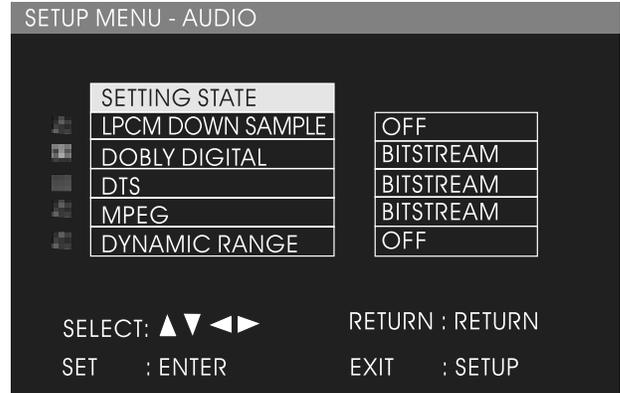
## VIDEO SETTINGS

Use the **CURSOR** buttons ◀ ▶ ▲ ▼ to make **VIDEO** setting selections. Press the **ENTER** button to confirm the setting.



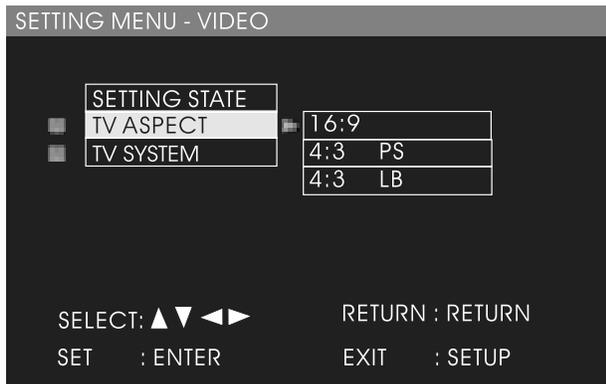
## AUDIO SETTINGS

Use the **CURSOR** buttons ◀ ▶ ▲ ▼ to make **AUDIO** setting selections. Press the **ENTER** button to confirm the setting.



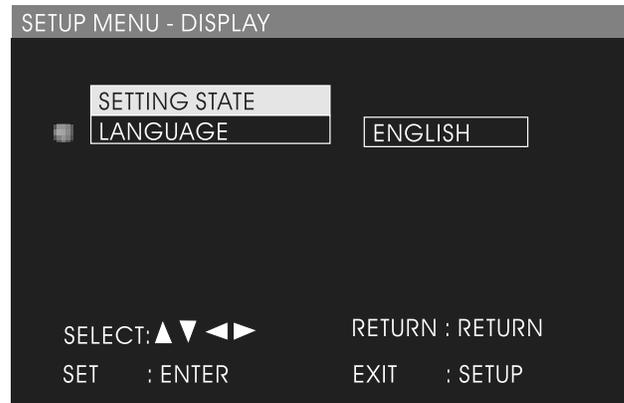
## TV Aspect Setting

Use this screen to setup the desired TV Aspect Ratio.



## DISPLAY SETTINGS

Use the **CURSOR** buttons ◀ ▶ ▲ ▼ to make OSD Language setting selections. Press the **ENTER** button to confirm the setting.



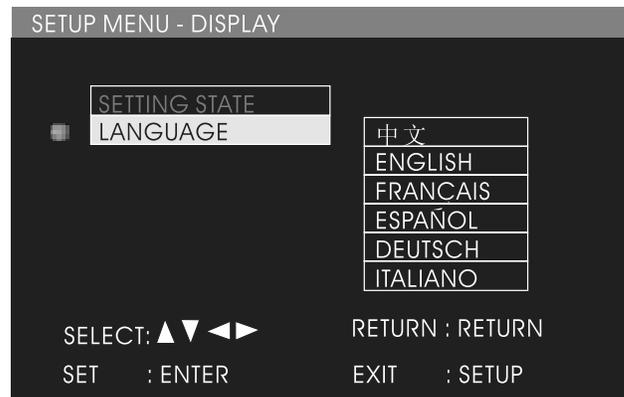
## TV System Setting

Use this screen to select the TV system. Choose between three modes: NTSC, PAL and Auto.



## OSD Language Setting

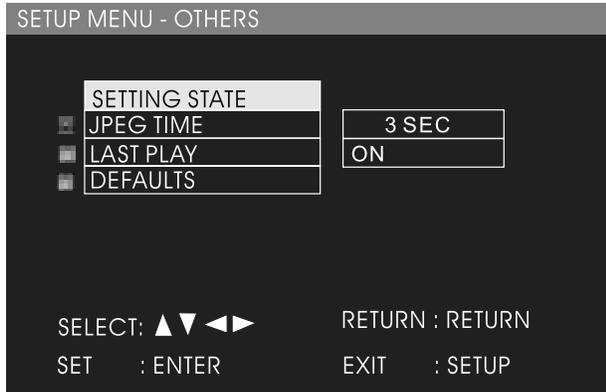
Use this screen to setup the desired OSD Language.



# Setup Menu

## OTHER FUNCTION SETTINGS

Use the **CURSOR** buttons ◀ ▶ ▲ ▼ to make **OTHERS** setting selections. Press the **ENTER** button to confirm the setting.



### Last Play Function

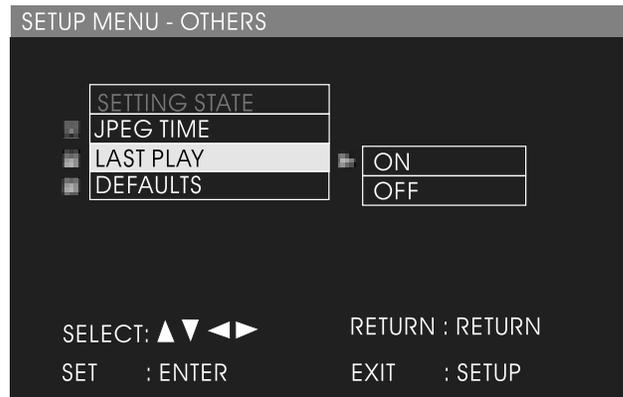
The Last Play function automatically bookmarks the position on a DVD/CD disc and remembers the playback settings. Playback will resume at the position which the player was turned off, the disc was ejected, or the power was cut off.

### Turning Off Last Play Function

Press the **SETUP** button to display the main menu. Then use the **CURSOR** buttons to select the **OTHERS** menu, then **LAST PLAY** and **ON**. Press the **ENTER** button to confirm the setting.

### JPEG Time Setting

Use this screen to setup the JPEG image display time from 1 to 180 seconds.



### Default Settings

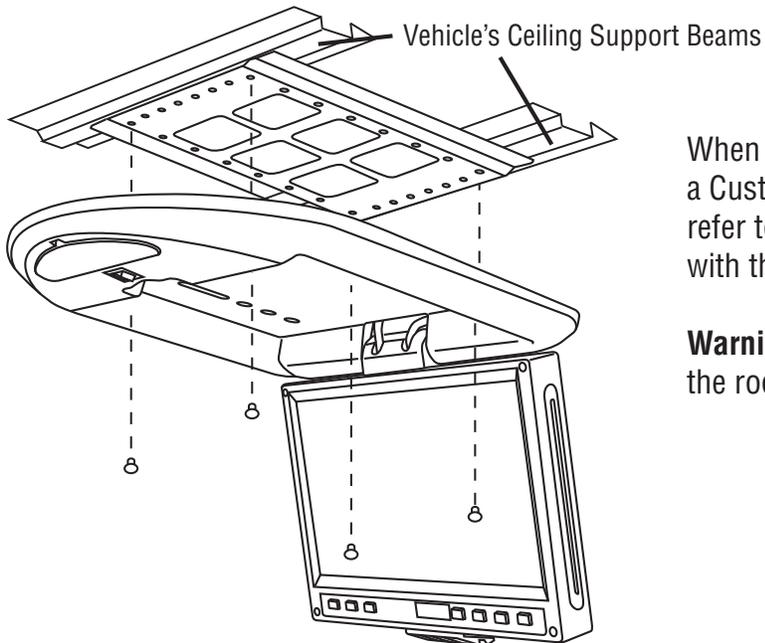
Use this screen to reset all menus to the factory default setting.



## Installation

The MV1020 can be mounted using either a Custom Bracket System or a Custom Shroud/ Bracket System (purchased separately). Visit [www.magnadyne.com](http://www.magnadyne.com) to find a custom mounting system for your vehicle.

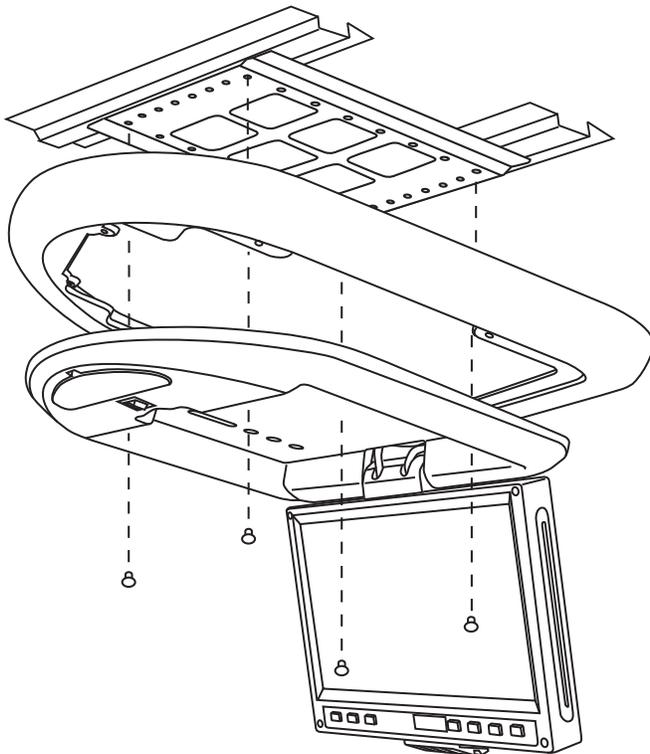
### Custom Bracket Mounting System (Optional)



When installing the MV1020 using a Custom Bracket Mounting System refer to the instructions included with with the bracket.

**Warning:** Take extra care not to penetrate the roof of your vehicle during installation.

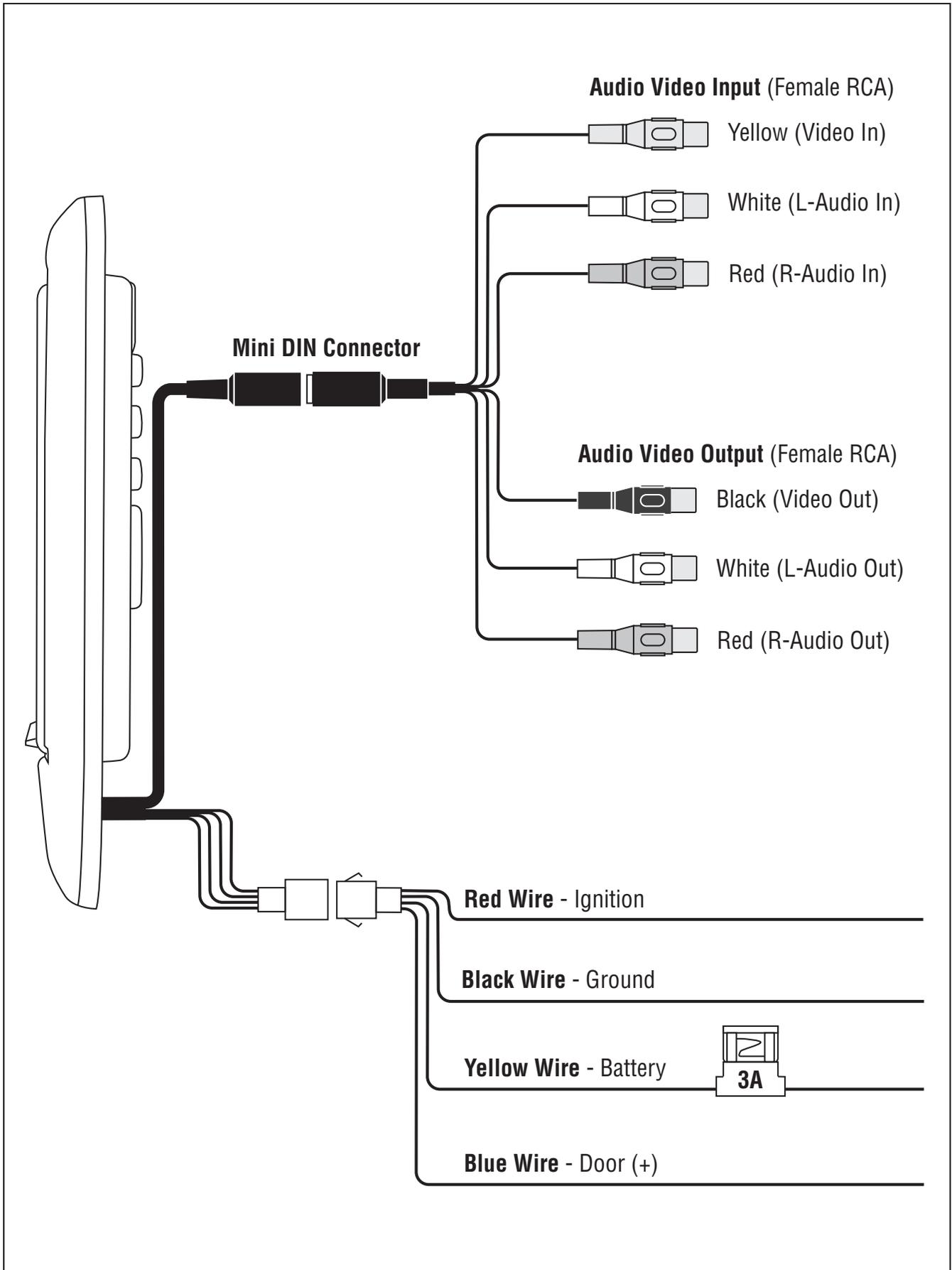
### Custom Shroud/Bracket Mounting System (Optional)



When installing the MV1020 using a Custom Shroud/Bracket Mounting System refer to the instructions included with with the shroud/bracket.

**Warning:** Take extra care not to penetrate the roof of your vehicle during installation.

# Wiring Diagram



## Wiring Instructions

### Power Harness Wiring:

The 4-wire harness provides battery and ignition 12 volts as well as a chassis ground. Route the power harness to the point in the vehicle that you will make the connections.

**Red Wire:** The red wire in the harness should be connected to a +12 volt power wire that is turned on and off by the position of the ignition key.

**Yellow Wire:** The yellow wire in the harness should be connected to a constant +12 volt wire that is NOT turned on and off by the position of the ignition key.

**Black Wire:** The black wire in the harness should be connected to the chassis of the vehicle using a ring terminal and self tapping screw or bolt and nut.

**Blue Wire:** Connect to the common trigger wire coming from all door pin switches (+).

## Specifications

Supply Voltage: 12V DC, Negative Ground  
Current Consumption: 24 Watts Maximum  
Fluorescent Dome Light: 3 Watts  
Screen Format: 16:9  
Resolution: 800 x 600 Pixels  
A/V Input: 1  
A/V Output: 1  
IR Transmitter: Yes  
FM Transmitter: Yes  
Dimensions (mm): 310 (w) x 310 (d) x 48 (h)

## Troubleshooting

**Only qualified service personnel can remove the cover or service this player. Otherwise the warranty will become invalid.**

### **No Power:**

- Check to see if the player is set to “On”.
- Check to see that the power plug of the main unit is properly connected.
- Check to see if that power to the outlet is properly working.

### **No Picture:**

- Check to see that the monitor is switched to “On”.
- Check that the correct SOURCE is selected (DVD or AV) by pushing the SOURCE button.
- Check the video connection.

### **Distorted Picture:**

- Check the disc for fingerprints and clean with soft dry cloth, wiping from center to edge.
- A small amount of picture distortion may appear. This may not be a malfunction.

### **Completely Distorted Picture:**

The disc format is not according to the monitor used (PAL/NTSC).

### **No Color in Picture:**

The disc format is not according to the monitor used (PAL/NTSC).

### **No Sound:**

- Check audio connections.
- If using a Hi-Fi amplifier, try another sound source.

### **Disc Does Not Play:**

- Ensure the disc label is facing forward.
- Clean the disc.
- Check to see if the disc is defective by trying another disc.

### **The Player Does Not Respond to the Remote Control:**

- Aim the remote control directly at the sensor on the front of the housing.
- Avoid all obstacles which may interfere with the signal path.
- Inspect or replace the remote control batteries.

### **Buttons Do Not Work:**

- Press **POWER** to turn “Off” the unit, then press it again to turn “On” the unit.

### **Volume different for DVD and CD:**

- This is due to different recording methods

# Replacement Parts Order Form

**Send Orders To:** Magnadyne Corporation  
 ATTN: Consumer Parts Sales  
 P.O. Box 5365  
 Carson, CA 90749-5365

We Accept Checks, Money Orders, Visa and Master Card  
**Make Checks Payable to: Magnadyne Corporation**

**SHIP TO: (No P.O. Boxes)**

\_\_\_\_\_  
**LAST NAME**

\_\_\_\_\_  
**FIRST NAME**

\_\_\_\_\_  
**INITIAL**

\_\_\_\_\_  
**STREET ADDRESS (IF PAYING WITH A CREDIT CARD, YOUR BILLING ADDRESS IS REQUIRED)**

\_\_\_\_\_  
**CITY**

\_\_\_\_\_  
**STATE**

\_\_\_\_\_  
**ZIP CODE**

\_\_\_\_\_  
**DAYTIME PHONE NUMBER**

**CREDIT CARD INFORMATION:**

**CARD TYPE:**  VISA  MASTER CARD

\_\_\_\_\_  
**CARD NUMBER**

\_\_\_\_\_  
**EXP. MONTH**

\_\_\_\_\_  
**YEAR**

\_\_\_\_\_  
**NAME - EXACTLY AS IT APPEARS ON YOUR CREDIT CARD**

Part #	Description	Qty.	Price Each	TOTAL
MV1020RM	Remote Control		\$39.95	

**Shipping and Handling**

Subtotal + Tax	Add
Up to \$20.00	\$5.00
20.01 to 30.00	5.95
30.01 to 45.00	6.50
45.01 to 70.00	6.95
Over 70.01	7.95

Subtotal = \_\_\_\_\_ . \_\_\_\_\_

California Residents Add Sales Tax = \_\_\_\_\_ . \_\_\_\_\_

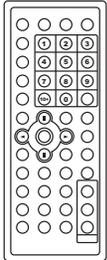
Shipping and Handling (See Chart) = \_\_\_\_\_ . \_\_\_\_\_

TOTAL = \_\_\_\_\_ . \_\_\_\_\_

**No C.O.D.'s**

On regular orders please allow 4-5 weeks for delivery. Please give a shipping address where this order may be delivered between the hours of 9 a.m. and 5 p.m. weekdays. If UPS is unable to deliver, your order will be returned and additional shipping charges will be required.

**Order By Mail**  
**Replacement Parts for MovieVision® Systems**

DESCRIPTION	MODEL #	PRICE
 <p>DVD Remote Control</p>	MV-1020RM	\$39.95 Ea.

## Warranty

### ONE (1) YEAR LIMITED WARRANTY

Magnadyne Corporation or its authorized agents will within 1 year from the date of sale to you, repair, replace or refund the retail sales price of said product or any part thereof, at the option of the Magnadyne Corporation or its authorized agents, if said product or part is found defective in materials or workmanship, when properly connected and operating on the correct power requirements designated for the specific product. This warranty and Magnadyne Corporation or its authorized agents obligations hereunder do not apply where the product was; damaged while in the possession of the consumer, subjected to unreasonable or unintended use, not reasonably maintained, utilized in commercial or industrial operations, or serviced by anyone other than Magnadyne Corporation or its authorized agents, or where the warning seal on the product is broken or the power and/or plugs are detached from the unit. Magnadyne Corporation or any of its authorized agents will not assume any labor costs for the removal and re-installation of any product found to be defective, or the cost of transportation to Magnadyne Corporation or its authorized agents. Such cost are the sole responsibility of the purchaser.

This warranty does not cover the cabinet appearance items or accessories used in connection with this product, or any damage to recording or recording tape, or any damage to the products resulting from improper installation, alteration, accident, misuse, abuse or acts of nature.

**MAGNADYNE CORPORATION OR ITS AUTHORIZED AGENTS SHALL NOT BE LIABLE TO ANYONE FOR CONSEQUENTIAL OR INCIDENTAL DAMAGES OR CLAIMS EXCEPT THOSE ACCORDED BY LAW. NO EXPRESSED WARRANTY OR IMPLIED WARRANTY IS GIVEN EXCEPT THOSE SET FORTH HEREIN. NO IMPLIED WARRANTY SHALL EXTEND BEYOND 1 YEAR FROM THE DATE OF SALE.**

This warranty extends only to the original purchaser of the product and is not transferable.

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Defective merchandise should be returned to the original point of purchase or secondly, to Magnadyne Corporation, 1111 W. Victoria Street, Compton CA 90220. Return Authorization must be obtained before sending, or merchandise may be refused.

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Serial No. 76/655,958  
Mark: MOVIEVISION

Opposer's Ref.: MGDN01870C

## APPENDIX 11

09:47 1 related video products or content?

2 A. Yes. We were one of the pioneers in developing  
3 the -- the entertainment in the car with the video  
4 drop-down, and a lot of people do associate with it via  
09:48 5 car dealers or via different areas of distribution where  
6 the product is sold.

7 Q. Can you describe generally -- I know it's shown  
8 in the brochures and everything -- but generally the  
9 features and functions of the products, the DVD player  
09:48 10 that you sell in conjunction with the Movie Vision  
11 trademark?

12 A. Well, there's many different products. Which  
13 one are we referring to?

14 Q. Well, what are the products?

09:48 15 A. Well, I mean there's different variations of  
16 the screens, but in general the units are capable of  
17 playing a DVD, a disk which could be downloaded from the  
18 Internet with whatever content is out there.

19 And the unit when it turns on, it basically -- the  
09:48 20 screen comes on and shows it's a Movie Vision product  
21 and it's -- I believe it says something to the effect  
22 that "You have now entered Movie Vision," to that  
23 effect. And it obviously puts out audio for the people.

24 And I think I've covered it.

09:49 25 Q. Thanks.

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## APPENDIX 12

09:53 1 \$50,000 a year.

2 Q. Okay.

3 Now, your Movie Vision units, are they capable of  
4 receiving broadcast movies and other programming?

09:53 5 A. They're able to receive air band.

6 Q. Which would be through an antenna?

7 A. Through an antenna.

8 They're able to receive memory cards which would be  
9 downloads off the Internet.

09:54 10 And obviously hard -- hard drives or CD or DVD  
11 drives, or whatever.

12 MR. HEINL: Can we mark this as Exhibit 7. [EXH-7]

13 (Whereupon the document referred to is marked by  
14 the reporter as Exhibit 7 for identification.)

09:54 15 MR. HEINL: Thank you.

16 Q. I place before you a document that's been --  
17 Let me let Ms. Retana look at it first.

18 MS. RETANA: (Indicating.)

19 MR. HEINL:

09:54 20 Q. I place before you a document that's been  
21 marked as Exhibit 7. Can you identify that document?

22 A. It's an application by Indiana Retana to the  
23 U.S. Patent and Trademark Office.

24 Q. And it's an application to register a

09:55 25 trademark?

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## APPENDIX 13

10:07 1 A. I already stated for the record. Can we just  
2 read it back from the record?

3 MR. HEINL: No. Just answer it again. It's  
4 easiest.

10:07 5 THE WITNESS: All right. Content and usage are  
6 more or less one in the same. People are going to be  
7 downloading product via the Internet, via whatever means  
8 they can. And that will be played on our units, and  
9 that's where I consider the confusion.

10:08 10 MS. RETANA: That's it.

11 MR. HEINL: No further questions?

12 MS. RETANA: No further questions.

13 MR. HEINL: Did you want to consent to waiving  
14 signature of the deposition transcript, or should we go  
10:08 15 ahead and have the deponent sign it?

16 MS. RETANA: I beg your pardon?

17 MR. HEINL: I'm asking if you would -- No. We will  
18 just go ahead and we will sign the deposition transcript  
19 and --

10:08 20 MS. RETANA: And send it to me, yes.

21 MR. HEINL: Well, it will be sent to the witness  
22 and then you can purchase the deposition transcript from  
23 the court reporter if you'd like a copy. That's the way  
24 it's normally done. Okay?

10:08 25 MS. RETANA: Okay.

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## APPENDIX 14

10:38 1 A. No.

2 Q. How do you intend to use the mark in commerce  
3 in the future?

4 A. Advertising the company.

10:38 5 Q. And can you tell me what markets you intend to  
6 sell or you intend to sell the products and services  
7 into? Who is your market?

8 A. The cable users.

9 Q. So consumers who subscribe to cable television  
10:38 10 services?

11 A. Correct.

12 Q. And that would include both Internet and cable  
13 transmissions?

14 A. I believe -- It's cable. Cable providers.

10:38 15 Q. Okay.

16 And cable providers frequently provide Internet  
17 also?

18 A. This is on a pay-per-view basis, sir, so I  
19 don't think it's going to go into the Internet.

10:38 20 Q. Okay.

21 How do you intend to market your products and  
22 services?

23 A. The cable companies are going to do that.

24 Q. The cable companies are going to do your  
10:39 25 marketing?

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## APPENDIX 15

09:49 1 Can you describe the sales channels that Magnadyne  
2 uses to sell this product?

3 A. The product is sold through car dealers, retail  
4 outlets, the Internet, what we refer to as expeditors  
09:49 5 who in turn are distributors that sell car dealers or  
6 some other facility where they do installations.

7 Q. And what is the range of retail prices for the  
8 various Movie Vision products?

9 A. I would have to say anywhere from -- Are we  
09:50 10 talking about the screens? Are we talking about --

11 Q. Yeah, the screens and then the ancillary  
12 accessory products.

13 A. Well, if we're talking about accessories up to  
14 full screens, I'd say anywhere from probably 39.95 to  
09:50 15 \$1500.

16 Q. Okay.

17 Can you describe what the consumer base is, the  
18 characteristics of the consumer base of this product?

19 A. Yes. Anyone who would like to watch a movie.

09:50 20 I mean, it's -- basically it's entertainment. It's --  
21 It's a means to see some type of media or -- on a screen  
22 and get video and audio.

23 Q. Would they be general consumers, just ordinary  
24 purchasers?

09:50 25 A. Anyone.