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United States Patent and
Trademark Office
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451
U.S.A.

79/084, 137

Your ref. : 91200265

Our ref. : AKT11/avi1PWO-US

Zürich, 17. August 2011

Opposition 91 200 265 to International Mark 1 042 972 AVIS (wordmark)

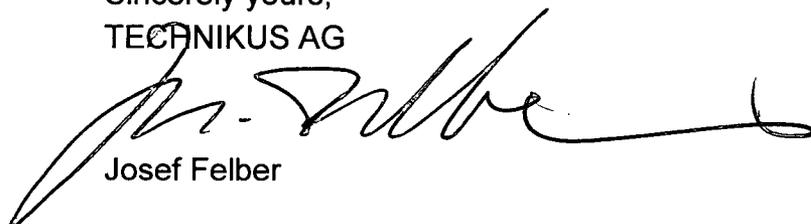
Dear Mrs. Matelski

We were quite shocked when we received the enclosed message at Felber & Partners AG. The undersigned is also acting as member of the board of Technikus AG and has single signatory power.

As a matter of fact, the undersigned discussed this opposition with Mr. Kushner, attorney at law for the opponents, on a telephone interview of 6th July 2011. On this occasion, Mr. Kushner showed his willingness to postpone the deadline for filing a response by me as representative of Technikus AG in order to have a chance to settle this matter mutually without the involvement of the USPTO. This outcome was confirmed by our e-mail of 6th July 2011 as enclosed. We were to explain the history and our standpoint on this matter and so we did with the enclosed e-mail of 14th July 2011. I was of the firm opinion that Mr. Kushner would keep his word and postpone the term for another 60 days as discussed. Since we haven't received a response so far, I mailed the enclosed e-mail to Mr. Kushner on 9th August 2011 and until today I haven't received a response, but only your message which was received today.

I am quite shocked. Please postpone the procedure for another 60 days so we can settle the matter as agreed. Please inform me as soon as possible. Please use my e-mail address josef.felber@felberundpartner.ch, or joseffelber@bluewin.ch.

Sincerely yours,
TECHNIKUS AG



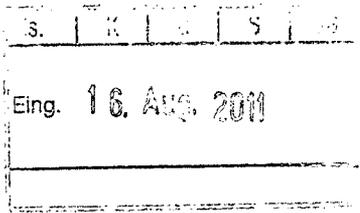
Josef Felber



08-22-2011

U.S. Patent & TMO/TM Mail Rpt. Dt. #01

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UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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Alexandria, VA 22313-1451

FELBER & PARTNER AG
EINGEGANGEN

17. Aug. 2011

FRIST :
TERMIN:

Mailed: August 11, 2011

Opposition No. 91200265

Wizard Co., Inc. and Avis
Budget Group

v.

Technikus AG

Amy Matelski, Paralegal Specialist:

Answer was due in this case on July 26, 2011. Inasmuch as it appears that no answer has been filed, nor has applicant filed a motion to extend its time to answer, notice of default is hereby entered against applicant under Fed. R. Civ. P. 55(a).

Applicant is allowed until thirty days from the mailing date of this order to show cause why judgment by default should not be entered against applicant in accordance with Fed. R. Civ. P. 55(b).

Josef Felber F&P AG

Von: Josef Felber F&P AG <josef.felber@felberundpartner.ch>
Gesendet: Mittwoch, 6. Juli 2011 18:46
An: 'uspto.mail@avisbudget.com'
Betreff: US trademark application based on International Mark 1 042 972 AVIS;
your ref. our ref. avi1MWO-US

Dear Mr. Kushner

As discussed on the phone, I represent Technikus AG which presently acts as trustee for my clients who for a couple of years paid license fees to Rillem Corporation for the trademark AVIS. Please find here my coordinates and visit our homepage with short video clip. I am going to put together the case history and relevant documents and will inform you o we can postpone the procedure before the USPTO.

Thank you for your cooperative attitude.

Best regards from Switzerland
Josef Felber

FELBER & PARTNERS AG
European Patent Attorneys
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CH-8034 Zürich
Tel. 0041 44 383 69 68
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Josef Felber F&P AG

Von: Josef Felber F&P AG <josef.felber@felberundpartner.ch>
Gesendet: Donnerstag, 14. Juli 2011 15:26
An: 'uspto.mail@avisbudget.com'
Betreff: US Trademark Application based on International Mark 1 042 972 AVIS;
our ref. avi1MWO-US

Dear Mr. Kushner

Further to our recent discussion, please find the preliminary responses to the questions raised:

1. 1. In 2001, Avis Financial Corporation - respectively its predecessor company - obtained a license for the trademark AVIS in connection with 'Merchant Banking, Investment Services, Venture Funding' from Warren Avis' trust company. It was granted this privilege, against a yearly fee, because it had successfully saved and restructured a company that Warren Avis had founded many decades prior (namely the original 'Avis Financial Corporation'). In 2010, the new Avis Financial grew concerned that the license, for which it was still paying a yearly fee, was not sufficiently protected globally, and began to file for registration in a number of countries including the USA, where the company is domiciled (Nevada). This registration concerns a number of financial services within classes 35 and 36.
2. 2. Presently Technikus AG holds the trademarks as a trustee for Avis Financial Corporation. It is planned to assign the marks to Avis Financial, once they are fully granted.
3. 3. Avis Financial Corp. can assure you that their services, which are provided under the trademark AVIS, will not conflict with Avis Budget/Rent-A-Car. Avis Financial Corp. does not plan any operational business in the United States (the management is European and the company is based in Zurich, Switzerland - it is also planning to move the company to Switzerland). Besides this, for the last decade Avis Financial Corp. has adhered to its obligations (stipulated in the contract with Warren Avis' trust company), that it cannot use the AVIS brand in connection with ground transportation, that it cannot use the color red in its company logo, that the logo cannot resemble that of Avis Rent-A-Car, etc. The company's purpose is to act as a 'Business Development Engine', which restructures struggling companies and adds value.

Our client places great importance on registering its brand name - even if only in a restricted form - and is willing to be flexible in order to alleviate your concerns. Avis Financial Corp. hopes that this matter can be settled in direct communication and looks forward to a mutually beneficial solution.

Best Regards from Switzerland

Josef Felber

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Josef Felber F&P AG

Von: Josef Felber F&P AG <josef.felber@felberundpartner.ch>
Gesendet: Dienstag, 9. August 2011 17:22
An: uspto.mail@avisbudget.com
Betreff: WG: US Trademark Application based on International Mark 1 042 972 AVIS; our ref. avi1MWO-US

Dear Mr. Kushner

Based on our telephone conversation of 6th July 2011 you said you would extend the deadline for responding to the USPTO for 60 days. This would mean the new deadline is on 27th September 2011. Am I correct ?

So far, we have not received a response to our e-mail below.

Please confirm that we can further negotiated a mutul agreement.

Sincerely yours,
Josef Felber

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Von: Josef Felber F&P AG [mailto:josef.felber@felberundpartner.ch]
Gesendet: Donnerstag, 14. Juli 2011 15:26
An: 'uspto.mail@avisbudget.com'
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