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

Proceeding	91203277
Party	Defendant Palm Beach Motoring Accessories, Inc.
Correspondence Address	LEO ZUCKER LAW OFFICE OF LEO ZUCKER 2591 DUNNING DRIVE, PO BOX 1177 YORKTOWN HEIGHTS, NY 10598-8177 UNITED STATES lzpatents@gmail.com
Submission	Motion to Amend/Amended Answer or Counterclaim
Filer's Name	Leo Zucker
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Signature	/Leo Zucker/
Date	11/27/2013
Attachments	Amended Answer_047.pdf(45283 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
Before the Trademark Trial and Appeal Board

3D International, LLC, )  
a California Limited Liability Company, )  
 )  
Opposer, )  
 )  
v. )  
 )  
Palm Beach Motoring Accessories, Inc., )  
a Florida Corporation, )  
 )  
Applicant. )

Opposition No. 91203277

Application No. 85-261047

Mark: AUTOPIA FORUM  
Int. Class: 038

TO: Trademark Trial & Appeal Board  
Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451

Thomas W. Cook, Esq.,  
Thomas Cook Intellectual Properties  
3030 Bridgeway, Suite 425  
Sausalito, CA 94965

**AMENDED ANSWER OF APPLICANT**

Leo Zucker, Esq.  
Attorney for Applicant  
P.O. Box 1177  
Yorktown Heights, NY 10598

Telephone: (914) 302-2460

November 27, 2013

Applicant Palm Beach Motoring Accessories, Inc. (hereafter PBMA), by its undersigned attorney, hereby answers the First Amended Notice of Opposition filed by Opposer on May 3, 2013, as follows:

ANSWERS

1. PBMA denies the allegations contained in paragraph 1 and in subparagraphs 1a, 1b, and 1c of the Notice.

2. PBMA admits the allegations contained in paragraph 2 of the Notice.

3. PBMA lacks information sufficient to admit or deny any of the allegations contained in paragraph 3 of the Notice, and therefore denies all the allegations.

4. PBMA lacks information sufficient to admit or deny any of the allegations contained in paragraph 4 of the Notice, and therefore denies all the allegations.

5. PBMA lacks information sufficient to admit or deny any of the allegations contained in paragraph 5 of the Notice, and therefore denies all the allegations.

6. PBMA lacks information sufficient to admit or deny any of the allegations contained in paragraph 6 of the Notice, and therefore denies all the allegations.

7. PBMA admits the allegations contained in paragraph 7 of the Notice.
8. PBMA admits the allegations contained in paragraph 8 of the Notice.
9. PBMA admits the allegations contained in paragraph 9 of the Notice.
10. PBMA denies the allegations contained in paragraph 10 of the Notice.
11. PBMA admits the allegations contained in paragraph 11 of the Notice.
12. PBMA admits it seeks to register AUTOPIA FORUM in class 38, and denies the remaining allegations contained in paragraph 12 of the Notice.
13. PBMA denies the allegations contained in paragraph 13 and subparagraphs 13a. to 13 d. of the Notice,
14. PBMA admits the allegations contained in paragraph 14 of the Notice.
15. PBMA admits the allegations contained in paragraph 15 of the Notice.
16. PBMA lacks information sufficient to admit or deny any of the allegations contained in paragraph 16 of the Notice, and therefore denies all the allegations.
17. PBMA admits the allegations contained in paragraph 17 of the Notice.
18. PBMA admits the allegations contained in paragraph 18 of the Notice.

19. PBMA admits the allegations contained in paragraph 19 of the Notice.
20. PBMA denies the allegations contained in paragraph 20 of the Notice.
21. PBMA denies the allegations contained in paragraph 21 of the Notice.
22. PBMA lacks information sufficient to admit or deny any of the allegations contained in paragraph 22 of the Notice, and therefore denies all the allegations.
23. PBMA denies the allegations contained in paragraph 23 of the Notice.
24. PBMA denies the allegations contained in paragraph 24 of the Notice.
25. PBMA denies the allegations contained in paragraph 25 of the Notice.
26. PBMA denies the allegations contained in paragraph 26 of the Notice.
27. PBMA denies the allegations contained in paragraph 27 of the Notice.
28. PBMA denies the allegations contained in paragraph 28 of the Notice.
29. PBMA denies the allegations contained in paragraph 29 of the Notice.
30. PBMA denies the allegations contained in paragraph 30 of the Notice.

31. PBMA denies the allegations contained in paragraph 31 of the Notice.
32. PBMA denies the allegations contained in paragraph 32 of the Notice.
33. PBMA denies the allegations contained in paragraph 33 of the Notice.
34. PBMA denies the allegations contained in paragraph 34 of the Notice,
35. PBMA denies the allegations contained in paragraph 35 of the Notice.
36. PBMA denies the allegations contained in paragraph 36 of the Notice.
37. PBMA denies the allegations contained in paragraph 37 of the Notice.
38. PBMA denies the allegations contained in paragraph 38 of the Notice.
39. PBMA denies the allegations contained in paragraph 39 of the Notice.
40. PBMA denies the allegations contained in paragraph 40 of the Notice.
41. PBMA denies the allegations contained in paragraph 41 of the Notice.
42. PBMA denies the allegations contained in paragraph 42 of the Notice.
43. PBMA denies the allegations contained in paragraph 43 of the Notice.
44. PBMA lacks information sufficient to admit or deny any of the

allegations contained in paragraph 44 of the Notice, and therefore denies all the allegations.

### DEFENSES

1. Any trademark rights to AUTOPIA as a mark for opposer's alleged services were abandoned by one or more of opposer's predecessors in interest.

2. PBMA has acquired rights to the marks AUTOPIA and AUTOPIA CAR CARE which rights were not abandoned by PBMA's predecessor in interest, and which are prior to any right alleged by opposer to the mark AUTOPIA.

3. There is no likelihood of confusion in the meaning of Section 2(d) of the Trademark Act with respect to applicant's use of AUTOPIA FORUM for the services set forth in the present application.

### CERTIFICATE OF SERVICE

I hereby certify that the within Amended Answer was served upon Opposer on November 27, 2013, by mailing a true copy of same as first class mail, postage prepaid, and addressed to:

Thomas W. Cook, Esq.,  
Thomas Cook Intellectual Properties  
3030 Bridgeway, Suite 425  
Sausalito, CA 94965

Respectfully submitted,  
*/ Leo Zucker /*  
Leo Zucker, Attorney for Applicant