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

Proceeding	91210103
Party	Defendant Alberto Soler DBA Coki Loco and Miriam Soler
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Date	10/04/2013
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In re: Applications 85/607,106; 85/672,347; 85/738,874

Marks: COLA DE COKI; COLA HAPPY MOTION; **DKO**

Filed: April 04, 2012; July 10, 2012; Sept. 26, 2012

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THE RED LUNA COMPANY (KO)

WILLIAM SOLER, DBA COLA DE COKI,

ALBERTO SOLER, DBA COKI LOCO,

MIRIAM SOLER and JAMES WRIGHT,

Applicants,

v.

Oppositions: **91209094/ 91210103/91210647**

The Coca-Cola Company

Opposer.

_____ /

[MOTION TO DISMISS THE OPPOSITON COMPLAINT WITH PREJUDICE]

I

**OPPOSER THE COCA-COLA COMPANY HAS IMPREGNATED THE
ADMINISTRATION OF JUSTICE IN THESE PROCEEDING WITH FULL
BLOWN PREJUDICE, FOR THEY HAVE DISCLOSED PRIVILEGE
INFORMATION FROM BOTH EMAIL AND INTERCEPTED WIRE-
COMMUNICATIONS- ALL IN VIOLATION TO STATE AND FEDERAL LAW**

THE RED LUNA, by and through Applicants-William Soler, Alberto Soler, Miriam Soler and James Wright-all members thereof, hereby moves and respectfully requests the Board to dismiss Opposer's opposition complaints with prejudice for they have infected the administration of these proceedings with an incurable disease that will not sustain a fair process for the adjudication of justice under The Lanham Act.

**THE ADMINISTRATION OF JUSTICE NO LONGER LIVES IN THESE
PROCEEDINGS**

1. The People of The Red Luna (herein after KO) respectfully requests and also demands the Board to dismiss with prejudice all three (3) opposition complaints by The Coca-Cola Company (TCCC) that was filed by and through their assigned counsel of record, Cynthia Parks.

On October 01, 2013 in the proceedings all stated above and herein; TCCC via a pleaded amended complaint, undertaken with "vengeances aforethought", decided and disclosed privileged email communications and contents of a intercepted wire communication recorded conversation between the parties on a August 26, 2013 at 2pm. Obviously TCCC violated USPTO/ TTAB and ABA rules of professional conduct and far worst, violated both state and federal civil and criminal laws. 18 USC 2510-2511.

This is simple for the Board to decide if to grant KO'S justified request for dismissal of all opposition proceedings with prejudice.

TCCC has no choice on the matter; they must produce for examination the recorded conversation to sustain they are not going crazy for stating such ridiculous allegations and face civil and criminal penalties for providing the recorded conversation to prove

otherwise They have either gone crazy or became a criminal.

There could be no other result on the matter. Thus, this Board must act and grant KO'S request for dismissal with prejudice no matter how it decides on the matter.

OTHER LEGAL MATTERS THAT MATTERS FOR THE RECORD

2. Apart from TCCC'S unethical and illegal pleaded amended complaint, they have also did not comply- by pleading out of control- with the basic FRCP 8/15 rules of submitting a plain and short statement to the ground of fraud as illegally alleged. Bell Atlantic Corp. v. Twombly, 550 US 544 (2007)

KO see's and reads all about why fraud but does not plainly and clearly read how can that be.

KO also speaks that TCCC has also violated the rules of these proceedings by providing and attaching exhibits of email communications contrary to 37 CFR 2.122(C); TBMP 313- Research In Motion v. NBOR, Opposition 91179284, note (1) Jan 24, 2007 – precedent.

KO furthermore submits further prejudice to all these proceedings; TCCC' also failed to comply with proper service when forwarding the amended complaint via US Mail and not through email consented services to the email address of theredluna@live.com. (KO, if requested by the Board, will provided the email communication evidencing such consent given)

Obviously, TCCC'S counsel intentionally did not comply with such consented email service when filing the amended complaint for it will contradict further worst all that was illegally submitted and recklessly stated.

The Board obviously also here have the alternative choice, KO here objects to such choice, to strike from the record TCCC'S filed amended complaint in any event.

One final note to be clear where KO is also proceeding on this civil and criminal matter; KO has contacted the OED for investigation and has directed his attorneys to file the require suit into and to all this that matters because TCCC can not continue to think they are above the law in the land that does knee to wrong for being right to be called free.

A final personal matter; KO here does not want to succeed because TCCC can not now never be trusted in these proceeding for being a liar and a cheat full of deceit; KO wants to succeed because there is such right in this land to be free to succeed in finding happiness. Unstoppable.

CONCLUSION

3. KO here does not respectfully requests anything from this Board; the Board should respectfully decide what must be done about this that now matters.

Filed this 4th day of Oct. 2013 thru electronic ESSTA submission.

THE PEOPLE OF THE RED LUNA (KO)

/ALBERTO SOLER/

Alberto Soler

Majority Member/Attorney in-fact

/MIRIAM SOLER/

Miriam Soler

Mother of Alberto Soler/Minority Member KO

/JAMES WRIGHT/

James Wright

Personal and Trusted Friend

Minority Member, KO

CERTIFICATE OF SERVICE

We all here certify that a true and correct copy was furnished via email service as consented by TCCC attorney of record this 4th day of Oct. 2013.

THE RED LUNA

