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

Proceeding	91227887
Party	Defendant Shenzhen Auto-vox Technology Co. Ltd
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Submission	Motion for Relief from entry of Default Judgment
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Date	08/09/2016
Attachments	The Reasons by Default.pdf(47680 bytes)

The Reasons by Default

Application Serial No. 86675025

Filed: June 25, 2015

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Trademark: IMAXPLUS

Defendant: Shenzhen Auto-vox Technology Co. Ltd

Opposition No. 91227887

I apologize for our late answer uploading, but the service is very humanized and reasonable. I appreciate the opportunity to explain why we were by default.

Grounds:

First, We analyzed our trademark and opposer's trademarks after we were informed that our trademark got opposed. We arrived at a conclusion that the trademarks of both parties were different for the reasons below:

1 Our trademark IMAXPLUS is ended with "PLUS", opposer's trademarks are ended with many other words. They are fundamentally different.

2 The international class of goods covered by our applied-for mark is 28. We do not sell any goods/services related to the ones provided by Opposer.

3 Opposer alleged that several of the categories of our goods were related to the goods and services Opposer provides and intends to provide. We will remove the related goods opposer provides. Thus our goods will be totally different. We might not take into account of the goods opposer intends to provide since it is not yet a fact.

Different trademarks and different goods make it possible to reach an agreement between opposer and us. We intend to send an email to opposer, providing our goodwill to reach an agreement.

Second, there are always some problems to browse foreign websites. Therefore we have to use some special tools, which is not stable, so that there might be some information delayed.

We missed the ANSWER TIME for the reasons above. We really hope we can proceed with the procedure to defend for our right.

Respectfully submitted
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