

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to: Assistant Commissioner for Trademarks, 2900 Crystal Drive, Box TTAB Fee, Arlington, Virginia 22202-3513 on June 24, 2004.

  
Jay S. Kopelowitz

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

JZCHAK N. WAJCMAN d/b/a BILL )  
LAWRENCE PRODUCTS and BILL )  
LAWRENCE GUITAR PICKUPS, )  
 )  
Petitioner, )  
v. )  
 )  
WILLI LORENZ STICH a/k/a BILL )  
LAWRENCE, )  
 )  
Registrant/Respondent. )  
\_\_\_\_\_ )

Cancellation No.:

*In the matter of Registration No. 2,303,676*

Mark: BILL LAWRENCE

Date Registered: December 28, 1999

Goods/Services: Technical consulting in the nature of design an (sic) evaluation of stringed musical instruments and accessories, namely, pick-ups, strings and bridges in International Class 042.

**PETITION FOR CANCELLATION**

Assistant Commissioner for Trademarks  
2900 Crystal Drive, Box TTAB Fee  
Arlington, VA 22202-3513

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**ORIGINAL**

I.

**PETITION FOR CANCELLATION**

Petitioner Jzchak N. Wajcman d/b/a Bill Lawrence Products and Bill Lawrence Guitar Pickups ("Petitioner"), an individual having a business address at 862 Muirlands Vista Way, La Jolla, California 92037, believes that he is or will be damaged by the continued presence on the Principal Register of Registration No. 2,303,676, and hereby petitions to cancel this registration.

To the best of Petitioner's knowledge, the name and address of the current owner of Registration No. 2,303,676 is Willi Lorenz Stich, an individual having a business address at 1785 Pomona Road, Unit D, Corona, California 92880.

As grounds for his petition, it is alleged that:

1. In or about June 1982, Petitioner acquired a fifty percent (50%) interest in a corporation known as Lawrence Sound Research, Inc. That corporation was the owner of various intellectual property including, without limitation, the mark BILL LAWRENCE.
2. In or about June 1984, a California corporation named Degalim, Inc. acquired all rights, title and interest in the trademarks and trade names of Lawrence Sound Research, Inc. and Willi L. Stich a/k/a Bill Lawrence including, without limitation, the mark BILL LAWRENCE via a purchase transaction with Third National Bank in Nashville, TN who acquired same by virtue of a security interest and default by Lawrence Sound Research, Inc. and Willi L. Stich a/k/a Bill Lawrence.
3. In or about March 1985, Degalim, Inc. and Third National Bank assigned all of the rights, title and interest in the trademarks and trade names of Lawrence Sound Research, Inc. and Willi L. Stich a/k/a Bill Lawrence including, without limitation, the mark BILL LAWRENCE to Petitioner.

4. Petitioner has continuously used the mark BILL LAWRENCE in connection with musical instruments and accessories, namely, guitars and electronic sound pickup for guitars in the United States since acquiring it from Degalim, Inc. and Third National Bank.

5. On December 28, 1999, unbeknownst to Petitioner, Willi L. Stich a/k/a Bill Lawrence ("Registrant") obtained and received Registration No. 2,303,676 for the service mark BILL LAWRENCE for technical consulting in the nature of design an [sic] evaluation of stringed musical instruments and accessories, namely, pick-ups, strings and bridges in International Class 042.

6. Beginning approximately six months ago, Registrant acting individually and/or through his attorneys have begun a campaign to contact Petitioner's customers and service providers asserting that there is a likelihood of confusion in the marketplace between Petitioner's and Registrant's use of the mark BILL LAWRENCE and demanding that they stop doing business with Petitioner.

7. Although Registrant's registration is clearly for services in Class 042, Registrant is misusing said registration to assert trademark rights for products such as guitar pick-ups, guitar strings and guitars which are in Classes 009 and 015.

8. Petitioner applied for registration of the mark BILL LAWRENCE for musical instruments and accessories, namely, guitars and electronic sound pickup for guitars in International Classes 009 and 015 on May 27, 2004; this application has been assigned Serial No. 76/594,437.

9. Petitioner has a reasonable belief that registration of his application will be refused because of Registrant's Registration No. 2,303,676 which Petitioner now seeks to cancel.

10. Registrant's mark is identical to Petitioner's BILL LAWRENCE mark.

11. Registrant's mark identifies goods/services closely related to those identified by Petitioner's BILL LAWRENCE mark.

12. Registrant's mark so resembles Petitioner's mark and/or trade name previously used in the United States by Petitioner and/or his predecessors in interest, and not abandoned, as to be likely, when used on or in connection with the goods or services of Registrant, to cause confusion, or to cause mistake, or to deceive.

13. Registrant is not and was not, at the time of the filing of his application for registration, the rightful owner of the registered mark.

14. Registrant has fraudulently obtained Registration No. 2,303,676 which Petitioner now seeks to cancel.

15. In view of the similarities of the respective marks and the relatedness of the respective goods/services of the parties and the fact that Registrant is not the rightful owner of the registered mark, has fraudulently obtained the registered mark, and has misused the mark, it is alleged that the continued presence on the Principal Register of Registrant's mark is likely to cause confusion, mistake and/or deception.

## **II.**

### **PRAYER**

WHEREFORE, Petitioner JZCHAK N. WAJCMAN d/b/a BILL LAWRENCE PRODUCTS and BILL LAWRENCE GUITAR PICKUPS believes that he is or will be damaged by Registration No. 2,303,676 and prays that it be canceled.

A duplicate copy of this Petition For Cancellation and a check in the amount of \$300.00 constituting the filing fee are enclosed herewith.

Dated: June 24, 2004

Respectfully submitted by:

KOPELOWITZ & ASSOCIATES  
JAY S. KOPELOWITZ



JAY S. KOPELOWITZ

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Attorneys for Petitioner JZCHAK N. WAJCMAN  
d/b/a BILL LAWRENCE PRODUCTS and BILL  
LAWRENCE GUITAR PICKUPS

TTAB

06-28-2004

U.S. Patent & TMO/TM Mail Rpt Dt. #78

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**TRANSMITTAL OF PETITION FOR  
CANCELLATION**

Assistant Commissioner for Trademarks  
2900 Crystal Drive, Box TTAB Fee  
Arlington, VA 22202-3513

**TRANSMITTAL OF PETITION FOR CANCELLATION**

Dear Sir or Madam:

Enclosed please find the following documents which are being transmitted for filing:

1. Petition for Cancellation with Certificate of Mailing (original);
2. Petition for Cancellation with Certificate of Mailing (copy);
3. Check No. 10040 in the amount of \$300.00; and
4. Return Receipt Postcard to verify receipt at TTAB.

Dated: June 24, 2004

Respectfully submitted by:

KOPELOWITZ & ASSOCIATES  
JAY S. KOPELOWITZ



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