

ESTTA Tracking number: **ESTTA23065**

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

Proceeding	92043516
Party	Defendant Stich, Willi Lorenz Stich, Willi Lorenz 950 Jennings Street Bethlehem, PA 18017
Correspondence Address	Willi Lorenz Stich Bill Lawrence Guitar Design Co 1785 Pomona Road - Unit D Corona, CA 92880 UNITED STATES becky@billlawrence.com
Submission	Answer
Filer's Name	Sean D. Johnson
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Signature	/Sean D. Johnson/
Date	01/11/2005
Attachments	BillLawrenceAnswer.pdf (5 pages)

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

13 JZCHAK N. WAJCMAN, D/B/A BILL
14 LAWRENCE PRODUCTS AND BILL
15 LAWRENCE GUITAR PICKUPS,

16 Petitioner,

17 vs.

18 WILLI LORENZ STICH, A/K/A BILL
19 LAWRENCE,

20 Registrant.

Cancellation No.: 92043516

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

Mark: BILL LAWRENCE

Date Registered: December 28, 1999

**REGISTRANT'S ANSWER TO
PETITION FOR CANCELLATION**

21 Willi Lorenz Stich, widely known in the music industry for decades as Bill
22 Lawrence (the "Registrant"), answers the Petition for Cancellation filed by Jzchak N.
23 Wajcman, d/b/a Bill Lawrence Products and Bill Lawrence Guitar Pickups (the
24 "Petitioner") as follows:
25
26

- 1 1. Registrant admits that Mr. Wajcman at one time acquired a 50% interest in
2 Lawrence Sound Research, Inc. Registrant otherwise denies each and every allegation of
3 Paragraph 1.
4
- 5 2. Registrant denies the allegations of Paragraph 2.
- 6 3. Registrant denies the allegations of Paragraph 3.
- 7 4. Registrant denies the allegations of Paragraph 4.
- 8 5. Registrant admits that Registrant obtained and received the Registration No.
9 2,303,676 for the mark BILL LAWRENCE for the services covered in the registration.
10 Registrant denies every other allegation in paragraph 5, for example regarding Petitioner's
11 knowledge of the registration, upon information and belief.
12
- 13 6. Registrant admits that he informed certain of Registrant's customers regarding
14 Petitioner's unauthorized use of the mark and the potential confusion caused by
15 Petitioner's conduct. Registrant denies that this constitutes any wrongful "campaign", and
16 Registrant affirmatively asserts that Registrant provided this information to customers in
17 order to protect Registrant's trademark rights, and to protect the customers from being
18 defrauded by Petitioner's unauthorized use of the BILL LAWRENCE name and mark.
19 Registrant otherwise denies each and every allegation of Paragraph 6.
20
- 21 7. Registrant denies the allegations of Paragraph 7.
- 22 8. Registrant admits that the Trademark Office records indicate that Petitioner filed
23 the referenced application on the referenced date for a stylized version of the BILL
24 LAWRENCE mark for the goods listed, and that it has been assigned the referenced serial
25
26

1 number. Registrant denies, upon information and belief, any other allegations in
2 Paragraph 8. Registrant affirmatively asserts that Petitioner's application was not
3 authorized by Registrant.
4

5 9. Registrant lacks knowledge and information sufficient to form a belief as to the
6 truth of the allegations contained in Paragraph 9 and, therefore, denies them.

7 10. Registrant denies the allegations of paragraph 10 on the grounds that Petitioner
8 does not own the mark. Registrant affirmatively asserts that any use or attempted
9 registration by Petitioner of the mark, or any stylized or other variations, is without
10 permission of the Registrant.
11

12 11. Registrant denies the allegations of Paragraph 11 on the grounds that Petitioner
13 does not own the mark, and incorporates herein by reference its response to paragraph 10.
14

15 12. Registrant denies the allegations of Paragraph 12 on the grounds that Petitioner
16 does not own the mark and has no priority in the mark. Registrant affirmatively asserts
17 that Petitioner's unauthorized use of the mark is unlawful and likely to cause confusion.
18 Registrant otherwise denies each and every allegation of Paragraph 12.
19

20 13. Registrant denies the allegations of Paragraph 13.

21 14. Registrant denies the allegations of Paragraph 14.

22 15. Registrant denies the allegations of Paragraph 15.

23 16. All allegations not expressly admitted are denied.
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AFFIRMATIVE DEFENSES

As and for its affirmative defenses, Registrant asserts that Petitioner's claims are also barred by one or more of the following affirmative defenses: estoppel, acquiescence, laches, waiver, fraud and unclean hands, and that Petitioner is not, and has never been, the owner of the BILL LAWRENCE trademark.

PRAYER FOR RELIEF

Therefore, Registrant respectfully requests that the Petition for Cancellation be dismissed with prejudice.

RESPECTFULLY SUBMITTED this 11th day of January, 2005.

QUARLES & BRADY STREICH LANG LLP
Renaissance One
Two North Central Avenue
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By Sean D. Johnson
Robert D. Atkins
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Attorneys for Registrant

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CERTIFICATE OF SERVICE

I hereby certify that a copy of Registrant's Answer to Petition for Cancellation was served on the following attorney of record for Petitioner, by depositing same with the United States Postal Service as Express Mail No. EL645105461US on this 11th day of January, 2005, addressed as follows:

**Jay S. Kopelowitz
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Attorneys for Petitioner



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