

1 Gregory Richardson
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4 Riverside, California 92501
5 Tel.: (951) 680-9388

6 Attorney for Bill Lawrence

7 **IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

8 **TRADEMARK TRIAL AND APPEAL BOARD**

9 JZCHAK N. WAJCMAN, d/b/a BILL
10 LAWRENCE PRODUCTS and BILL
11 LAWRENCE GUITAR PICKUPS,

12 Petitioner,

13 vs.

14 WILLI LORENZ STICH a/k/a BILL
15 LAWRENCE,

16 Registrant/Respondent.

) Cancellation No.: 92043516
) Serial Number: 76594437
) Registration Number: 2,303,676
)
)

) **In the matter of Registration No. 2,303,676**
) **Mark: BILL LAWRENCE**
) **Date Registered: December 28, 1999**
)

) **PETITION TO THE DIRECTOR**
)
) **BILL LAWRENCE'S PETITION FOR**
) **DECLARATION OF INTERFERENCE**
) **BETWEEN APPLICATION 76594437 AND**
) **PRINCIPAL REGISTRATION 2,303,676.**
)
)

17 06/15/2005 GIBBONS 00000013 76594437

18 01 FC:6005 100.00 OP

19
20 1. Extraordinary circumstances exist requiring the Director to declare interference between
21 pending application Serial Number 76594437 and Principal Registration Number 2,303,676.

22 2. Application Serial Number 76594437 seeks to register "Bill Lawrence". [Application].
23 (Exhibit 1).

24 3. Principal Registration Number 2,303,676 is for the mark "Bill Lawrence."
25 [Registration]. (Exhibit 2).



06-13-2005

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #72

1 4. The owner of the Application initiated Cancellation Number 92043516. [Cancellation].

2 5. If the Application is allowed to proceed, then the owner of the Registration will face
3 multiple proceedings because Cancellation Number 92043516 is also pending.

4 6. Since the Application has not been published for opposition, the owner of the
5 Registration cannot file an opposition. However, the continuation of the pending Application
6 interferes with and prejudices the rights of the owner of the Registration by causing confusion.

7 7. The mark sought to be registered by the Application so resembles the mark of the
8 Registration as to be likely to cause confusion or mistake or to deceive.

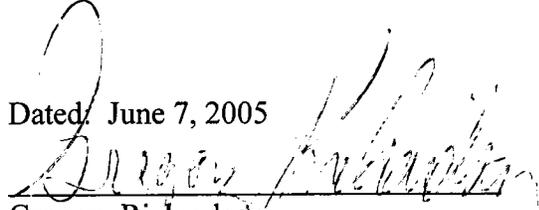
9 8. The owner of the Registration will be unduly prejudiced by having the Application
10 pending because allowing the Application to proceed and remain pending may appear to
11 strengthen the Application while also weakening the Registration and cause confusion or mistake
12 or facilitate deception.

13 9. The owner of the Registration also faces the possibility of multiple proceedings in that at
14 least one cancellation proceeding and one opposition proceeding will be necessary.

15 10. The databases incorrectly indicate that the Registration has been cancelled. (Exhibit 3).

16 11. A fee of \$100.00 for filing a petition is enclosed.

17
18 Dated June 7, 2005

19 
20 Gregory Richardson
21 Attorney for Bill Lawrence
22
23
24
25

1 EXHIBIT 1

2 Thank you for your request. Here are the latest results from the TARR web server.

3 This page was generated by the TARR system on 2005-06-07 16:49:31 ET

4 Serial Number: 76594437

5 Registration Number: (NOT AVAILABLE)

6 Mark

7
8 **BILL LAWRENCE**
9

10
11
12 (words only): BILL LAWRENCE

13 Standard Character claim: No

14 Current Status: A non-final action has been mailed. This is a letter from the
15 examining attorney requesting additional information and/or making an initial
refusal. However, no final determination as to the registrability of the mark
has been made.

16 Date of Status: 2004-12-30

17 Filing Date: 2004-05-27

18 Transformed into a National Application: No

19 Registration Date: (DATE NOT AVAILABLE)

20 Register: Principal

21 Law Office Assigned: LAW OFFICE 110

22 Attorney Assigned:
DALL MAUREEN L Employee Location

23 Current Location: M10 -TMO Law Office 110

24 Date In Location: 2004-12-29

25 **LAST APPLICANT(S)/OWNER(S) OF RECORD**

1 1. Wajcman, Jzchak N.

2 **Address:**

3 Wajcman, Jzchak N.
4 862 Muirlands Vista Way
5 La Jolla, CA 92037
6 United States

7 **Legal Entity Type:** Individual
8 **Country of Citizenship:** Austria
9 **Phone Number:** 858-755-0095

10 **GOODS AND/OR SERVICES**

11 **International Class:** 009
12 electronic sound pickup for guitars
13 **First Use Date:** 1965-00-00
14 **First Use in Commerce Date:** 1976-00-00

15 **Basis:** 1(a)

16 **International Class:** 015
17 Musical instruments and accessories, namely, guitars
18 **First Use Date:** 1982-00-00
19 **First Use in Commerce Date:** 1982-00-00

20 **Basis:** 1(a)

21 **ADDITIONAL INFORMATION**

22 (NOT AVAILABLE)

23 **MADRID PROTOCOL INFORMATION**

24 (NOT AVAILABLE)

25 **PROSECUTION HISTORY**

26 2005-05-24 - TEAS Response to Office Action Received
27 2004-12-30 - Non-final action mailed
28 2004-12-29 - Non-Final Action Written
29 2004-12-29 - Case file assigned to examining attorney
30 2004-06-15 - New Application Entered In Tram

31 **CORRESPONDENCE INFORMATION**

32 **Correspondent**
33 JAY S. KOPELOWITZ (Attorney of record)

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EXHIBIT 2

This page was generated by the TARR system on 2005-06-07 16:47:06 ET

Serial Number: 75490657

Registration Number: 2303676

Mark (words only): BILL LAWRENCE

Standard Character claim: No

Current Status: Registered.

Date of Status: 1999-12-28

Filing Date: 1998-05-26

Transformed into a National Application: No

Registration Date: 1999-12-28

Register: Principal

Law Office Assigned: LAW OFFICE 110

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 845 -TTAB

Date In Location: 2004-12-29

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Stich, Willi Lorenz

Address:

Stich, Willi Lorenz
1785 Pomona Road Unit D
Corona, CA 92880
United States

Legal Entity Type: Individual

Country of Citizenship: United States

GOODS AND/OR SERVICES

International Class: 042

Technical consulting in the nature of design an evaluation of stringed musical instruments and accessories, namely, pick-ups, strings and bridges

First Use Date: 1962-03-00

First Use in Commerce Date: 1976-05-00

1
2 **Basis:** 1(a)

3 **ADDITIONAL INFORMATION**

4 (NOT AVAILABLE)

5 **MADRID PROTOCOL INFORMATION**

6 (NOT AVAILABLE)

7 **PROSECUTION HISTORY**

8 2005-05-12 - Attorney Revoked And/Or Appointed
9 2005-05-12 - TEAS Revoke/Appoint Attorney Received
10 2005-04-25 - PAPER RECEIVED
11 2004-12-29 - Cancellation terminated for Proceeding
12 2004-11-26 - TEAS Change Of Owner Address Received
13 2004-11-09 - Cancellation granted for Proceeding
14 2004-07-20 - Cancellation Instituted No. 999999
15 1999-12-28 - Registered - Principal Register
16 1999-10-05 - Published for opposition
17 1999-09-03 - Notice of publication
18 1999-06-04 - Approved for Pub - Principal Register (Initial exam)
19 1999-04-30 - Communication received from applicant
20 1998-12-07 - Non-final action mailed
21 1998-11-30 - Case file assigned to examining attorney

22 **CORRESPONDENCE INFORMATION**

23 **Correspondent**
Gregory Richardson (Attorney of record)

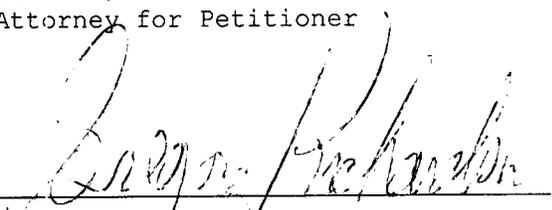
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4 **EXHIBIT 3**

5 **Word Mark** **BILL LAWRENCE**
6 **Goods and Services** (CANCELLED) IC 042. US 100 101. G & S: Technical consulting in the nature of design an
7 evaluation of stringed musical instruments and accessories, namely, pick-ups, strings and
8 bridges. FIRST USE: 19620300. FIRST USE IN COMMERCE: 19760500
9 **Mark Drawing Code** (1) TYPED DRAWING
10 **Serial Number** 75490657
11 **Filing Date** May 26, 1998
12 **Current Filing Basis** 1A
13 **Original Filing Basis** 1A
14 **Published for Opposition** October 5, 1999
15 **Registration Number** 2303676
16 **Registration Date** December 28, 1999
17 **Owner** (REGISTRANT) Stich, Willi Lorenz AKA Bill Lawrence INDIVIDUAL DELAWARE 1785
18 Pomona Road Unit D Corona CALIFORNIA 92880
19 **Attorney of Record** Gregory Richardson
20 **Type of Mark Register** SERVICE MARK
21 PRINCIPAL
22 **Live/Dead Indicator** LIVE
23 **Cancellation Date** December 29, 2004
24
25

CERTIFICATE OF SERVICE

I hereby certify that a copy of Respondent's Response to **BILL LAWRENCE'S PETITION FOR DECLARATION OF INTERFERENCE BETWEEN APPLICATION 76594437 AND PRINCIPAL REGISTRATION 2,303,676** on the following attorney of record for Petitioner, by depositing same with the United States Postal Service on this 8th Day of June, 2005, addressed as follows:

Jay S. Kopelowitz
Kopelowitz & Associates
12702 Via Cortina, Suite 700
Del Mar, California 92014
Attorney for Petitioner



Gregory Richardson