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Filing date: **07/27/2005**

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

<b>Proceeding</b>	92043516
<b>Party</b>	Defendant Stich, Willi Lorenz Stich, Willi Lorenz 950 Jennings Street Bethlehem, PA 18017
<b>Correspondence Address</b>	GREGORY RICHARDSON LAW OFFICES OF GREGORY RICHARDSON, ESQ. 3890 11TH STREET, SUITE 210 RIVERSIDE, CA 92501 UNITED STATES GREGORY@GREGORYRICHARDSONESQ.COM
<b>Submission</b>	Reply in Support of Motion
<b>Filer's Name</b>	Gregory Richardson
<b>Filer's e-mail</b>	gregory@gregoryrichardsonesq.com, becky@billlawrence.com
<b>Signature</b>	/gregoryrichardson/
<b>Date</b>	07/27/2005
<b>Attachments</b>	noticemotion.moredefinite.072705.3.pdf ( 8 pages )

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6 Attorney for Bill Lawrence

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

9 JZCHAK N. WAJCMAN dba 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**  
)

) **NOTICE OF MOTION AND MOTION;**  
) **POINTS AND AUTHORITIES IN**  
) **SUPPORT OF WILLI STICH aka BILL**  
) **LAWRENCE'S 12(E) MOTION FOR MORE**  
) **DEFINITE STATEMENT IN**  
) **PETITIONER'S NOTICE OF MOTION**  
) **AND MOTION TO DETERMINE**  
) **SUFFICIENCY OF ANSWERS OR**  
) **OBJECTIONS TO ADMISSION**  
) **REQUESTS [FRCP 36(a) AND 37 C.F.R.**  
) **Section 2.120]**  
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22 1. PLEASE TAKE NOTICE that Registrant/Respondent Bill Lawrence hereby moves the  
23 Trademark Trial and Appeal Board for an Order, pursuant to Federal Rule of Civil Procedure  
24 12b(e) for a more definite statement on who the Plaintiff/Petitioner is in order to permit the  
25 Registrant/Respondent to prepare a response to a pending Motion to Compel Answers to

**NOTICE OF MOTION AND MOTION; POINTS AND AUTHORITIES IN SUPPORT OF WILLI STICH aka BILL  
LAWRENCE'S 12(E) MOTION FOR MORE DEFINITE STATEMENT IN PETITIONER'S NOTICE OF MOTION  
AND MOTION TO DETERMINE SUFFICIENCY OF ANSWERS OR OBJECTIONS TO ADMISSION REQUESTS  
[FRCP 36(a) AND 37 C.F.R. Section 2.120]**

1 Interrogatories and Production of Documents and the pending **MOTION TO DETERMINE**  
2 **SUFFICIENCY OF ANSWERS OR OBJECTIONS TO ADMISSION REQUESTS [FRCP**  
3 **36(a) AND 37 C.F.R. Section 2.120]**. This motion is supported by the following:

4 2. The Plaintiff/Petitioner is titled JZCHAK N. WAJCMAN d/b/a BILL LAWRENCE  
5 PRODUCTS and BILL LAWRENCE GUITAR PICKUPS. The name and legal status of the  
6 Plaintiff/Petitioner is unclear and ambiguous.

7 3. Counsel for the Plaintiff/Petitioner signed the **NOTICE OF MOTION AND MOTION**  
8 **TO DETERMINE SUFFICIENCY OF ANSWERS OR OBJECTIONS TO ADMISSION**  
9 **REQUESTS [FRCP 36(a) AND 37 C.F.R. Section 2.120]**: “Attorneys for Petitioner JZCHAK  
10 N. WAJCMAN d/b/a BILL LAWRENCE PRODUCTS and BILL LAWRENCE PICKUPS.”  
11 This signature is for a single “Petitioner”.

12 4. The Plaintiff appears to be a single entity, an individual JZCHAK N. WAJCMAN, doing  
13 business as (dba) BILL LAWRENCE PRODUCTS and BILL LARENCE GUITAR PICKUPS.  
14 But Registrant/Respondent has found no evidence of a dba under the title d/b/a BILL  
15 LAWRENCE PRODUCTS and BILL LAWRENCE GUITAR PICKUPS, so the  
16 Plaintiff/Petitioner has no legal capacity to sue or to file and serve motions.

17 5. Registrant/Respondent Bill Lawrence should not be forced to provide information  
18 through discovery to an unknown plaintiff or petitioner because he may suffer irreparable harm  
19 through the disclosure of personal information and confidential business information and trade  
20 secrets to an unknown or legal non-entity.

21 6. This motion is based on the accompanying memorandum of points and authorities, the  
22 declaration of Gregory Richardson, as well as the records of this case and the file herein.

23 Dated: July 27, 2005.

24 Respectfully submitted by:  
25 Law Offices of Gregory Richardson

**NOTICE OF MOTION AND MOTION; POINTS AND AUTHORITIES IN SUPPORT OF WILLI STICH aka BILL  
LAWRENCE’S 12(E) MOTION FOR MORE DEFINITE STATEMENT IN PETITIONER’S NOTICE OF MOTION  
AND MOTION TO DETERMINE SUFFICIENCY OF ANSWERS OR OBJECTIONS TO ADMISSION REQUESTS  
[FRCP 36(a) AND 37 C.F.R. Section 2.120]**

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Attorney for Bill Lawrence

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6 Attorney for Bill Lawrence

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

9 JZCHAK N. WAJCMAN dba BILL  
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) **POINTS AND AUTHORITIES IN**  
) **SUPPORT OF WILLI STICH aka BILL**  
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) **SUFFICIENCY OF ANSWERS OR**  
) **OBJECTIONS TO ADMISSION**  
) **REQUESTS [FRCP 36(a) AND 37 C.F.R.**  
) **Section 2.120].**  
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22 **MOTION FOR MORE DEFINITE STATEMENT IN PETITIONER'S**  
23 **NOTICE OF MOTION AND MOTION TO DETERMINE SUFFICIENCY**  
24 **OF ANSWERS OR OBJECTIONS TO ADMISSION REQUESTS [FRCP**  
25 **36(a) AND 37 C.F.R. Section 2.120] IS JUSTIFIED.**

**NOTICE OF MOTION AND MOTION; POINTS AND AUTHORITIES IN SUPPORT OF WILLI STICH aka BILL  
LAWRENCE'S 12(E) MOTION FOR MORE DEFINITE STATEMENT IN PETITIONER'S NOTICE OF MOTION  
AND MOTION TO DETERMINE SUFFICIENCY OF ANSWERS OR OBJECTIONS TO ADMISSION REQUESTS  
[FRCP 36(a) AND 37 C.F.R. Section 2.120]**

1 1. Registrant/Respondent Bill Lawrence, his attorney, hereby moves for a more definite  
2 statement in the motion of Petitioner Jzchak Wajcman d/b/a Bill Lawrence Products and Bill  
3 Lawrence Guitar Pickups for an Order, pursuant to Federal Rule of Civil Procedure 56(f) and  
4 Trademark Trial and Appeal Board Manual of Procedure Section 528.06 refusing or continuing  
5 Registrant/Respondent Bill Lawrence's motion for summary judgment. Respondent/Registrant  
6 also seeks a more definite statement on who the real party in interest is from the Petitioner in his

7 **NOTICE OF MOTION AND MOTION TO DETERMINE SUFFICIENCY OF**  
8 **ANSWERS OR OBJECTIONS TO ADMISSION REQUESTS [FRCP 36(a) AND 37**  
9 **C.F.R. Section 2.120].**

10 2. **Federal Rules of Civil Procedures, 12(e) Motion For A More Definite Statement**  
11 provides:

12 If a pleading to which a responsive pleading is permitted is so vague or  
13 ambiguous that a party cannot reasonably be required to frame a responsive  
14 pleading, the party may move for a more definite statement before  
15 interposing a responsive pleading. The motion shall point out the defects  
16 complained of and the details desired. If the motion is granted and the order  
of the court is not obeyed within 10 days after notice of the order or within  
such other time as the court may fix, the court may strike the pleading to  
which the motion was directed or make such order as it deems just.

17 3. The Petitioner's motion to deny or continue Bill Lawrence's motion for summary  
18 judgment is subject to a motion for a more definite statement because it is unclear, vague, and  
19 ambiguous as to whom the real party in interest is. Petitioner's **NOTICE OF MOTION AND**  
20 **MOTION TO DETERMINE SUFFICIENCY OF ANSWERS OR OBJECTIONS TO**  
21 **ADMISSION REQUESTS [FRCP 36(a) AND 37 C.F.R. Section 2.120]** is similarly vague.  
22 Hence, Respondent/Registrant Bill Lawrence cannot be reasonably required to frame an answer  
23 to the Petitioner/Plaintiff's motion.

24 4. The Petitioner's current statement of who the Petitioner/Plaintiff is cannot support the  
25 jurisdiction of the United States Patent and Trademark Office.

1 5. No additional discovery is required by the Petitioner to respond this motion for a more  
2 definite statement by Respondent/Registrant Bill Lawrence because the Respondent/Registrant  
3 has no documents that are admissible or whose discovery would be reasonably calculated to lead  
4 to the discovery of admissible evidence regarding the legal capacity of the Petitioner herein.

5 6. The Respondent/Registrant has substantial justification for not responding to discovery  
6 because the Petitioner has not met its burden of making a short and concise statement of who the  
7 Plaintiff(s)/Petitioner(s) (are or) is.

8 7. In the event that the Board denies this motion for a more definite statement,  
9 Respondent/Registrant requests that the time for filing a response to Petitioner/Plaintiff's motion  
10 be reset.

11  
12 Respectfully submitted by:  
13 Law Offices of Gregory Richardson

14 \_\_\_\_\_  
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16 3890 11<sup>th</sup> St., Suite 210  
17 Riverside, California 92501  
18 (951) 680-9388  
19 Attorney for Bill Lawrence  
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23  
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25



1 **CERTIFICATE OF SERVICE**

2 I hereby certify that a copy of:

3 **NOTICE OF MOTION AND MOTION; POINTS AND AUTHORITIES IN SUPPORT**  
4 **OF WILLI STICH aka BILL LAWRENCE’S 12(E) MOTION FOR MORE DEFINITE**  
5 **STATEMENT IN PETITIONER’S NOTICE OF MOTION AND MOTION TO**  
6 **DETERMINE SUFFICIENCY OF ANSWERS OR OBJECTIONS TO ADMISSION**  
7 **REQUESTS [FRCP 36(a) AND 37 C.F.R. Section 2.120]**

8 on the following attorney of record for Petitioner, by depositing same with  
9 the United States Postal Service on this 27th Day of July, 2005, addressed as  
10 follows:

11 Jay S. Kopelowitz  
12 Kopelowitz & Associates  
13 12702 Via Cortina, Suite 700  
14 Del Mar, California 92014  
15 Attorney for Petitioner

16 \_\_\_\_\_  
17 Gregory Richardson  
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**NOTICE OF MOTION AND MOTION; POINTS AND AUTHORITIES IN SUPPORT OF WILLI STICH aka BILL LAWRENCE’S 12(E) MOTION FOR MORE DEFINITE STATEMENT IN PETITIONER’S NOTICE OF MOTION AND MOTION TO DETERMINE SUFFICIENCY OF ANSWERS OR OBJECTIONS TO ADMISSION REQUESTS [FRCP 36(a) AND 37 C.F.R. Section 2.120]**