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Attorneys for Petitioner Jzchak N. Wajcman

09-28-2006

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

**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.: 92043516

) *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 and  
) evaluation of stringed  
) musical instruments and  
) accessories, namely,  
) pick-ups, strings and  
) bridges in International  
) Class 042.

**OBJECTIONS TO UNTIMELY SUMMARY  
JUDGMENT OPPOSITION PAPERS FILED  
BY RESPONDENT WILLI LORENZ STICH  
ON SEPTEMBER 22, 2006**

1 PLEASE TAKE NOTICE that petitioner Jzchak Wajcman respectfully objects to the  
2 following four documents filed by respondent Willi Lorenz Stich on September 22, 2006 as  
3 being untimely.

4 1. Bill Lawrence's Points and Authorities in Opposition to Petitioner's Motion for  
5 Summary Judgment dated September 22, 2006.

6 2. Bill Lawrence's Objection to Petitioner's Motion for Summary Judgment Based on  
7 Unpled Issue dated September 22, 2006.

8 3. Bill Lawrence's Objections to Declaration of Jzchak N. Wajcman in Opposition to  
9 Registrant's Motion for Summary Judgment and In Support of Petitioner's Motion for Summary  
10 Judgment dated September 22, 2006.

11 4. Bill Lawrence's Declaration in Opposition to Petitioner's Motion for Summary  
12 Judgment dated September 22, 2006.

13  
14 37 CFR § 2.127(e)(1) clearly states in part:

15 *[A] Brief in response to the motion for summary judgment **shall be filed within***  
16 ***30 days from the date of service of the motion** unless the time is extended by*  
*stipulation of the parties approved by the Board, or upon motion granted by the*  
*Board, or upon order of the Board.*

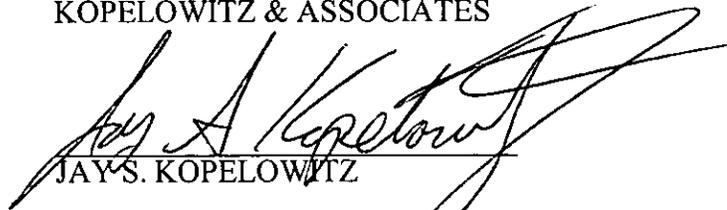
17 All of the above identified documents were filed and served by respondent Willi Lorenz Stich on  
18 September 22, 2006, and, as such, they are untimely because the date of service of the  
19 petitioner's motion for summary judgment was August 18, 2006.

20 PLEASE TAKE FURTHER NOTICE that petitioner Jzchak Wajcman also respectfully  
21 objects to item 3 above as being duplicative of a document previously filed by respondent  
22 entitled "Bill Lawrence's Objections to Declaration of Jzchak N. Wajcman in Opposition to  
23 Registrant's Motion for Summary Judgment and In Support of Petitioner's Motion for Summary  
24 Judgment" dated September 6, 2006 which has also previously been objected to as being  
25 untimely.  
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27  
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1 PLEASE TAKE FURTHER NOTICE that petitioner Jzchak Wajcman also respectfully  
2 objects to item 4 above because it is a declaration signed by a non-existent, fictitious person who  
3 is not a party to these proceedings.

4 Dated: September 26, 2006

5 Respectfully submitted by:  
6 KOPELOWITZ & ASSOCIATES

7   
8  
9 JAY S. KOPELOWITZ

10 12702 Via Cortina, Suite 700  
11 Del Mar, California 92014  
12 Tel: 858/ 755-0095

13 Attorneys for Petitioner Jzchak N. Wajcman  
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**DECLARATION OF SERVICE**

I am employed in the County of San Diego, State of California. I am over the age of 18 and am not a party to the within action; my business address is: 12702 Via Cortina, Suite 700, Del Mar, CA 92014.

On September 26, 2006 I served the foregoing documents described as:

**OBJECTION TO UNTIMELY SUMMARY JUDGMENT OPPOSITION PAPERS FILED BY RESPONDENT WILLI LORENZ STICH ON SEPTEMBER 22, 2006**

upon the interested parties in this action by placing [X] copies enclosed in a sealed envelope to:

Gregory Richardson  
LAW OFFICES OF  
GREGORY RICHARDSON, ESQ.  
3890 11<sup>TH</sup> Street, Suite #210  
Riverside, CA 92501

Counsel for Respondent Willi Lorenz Stich

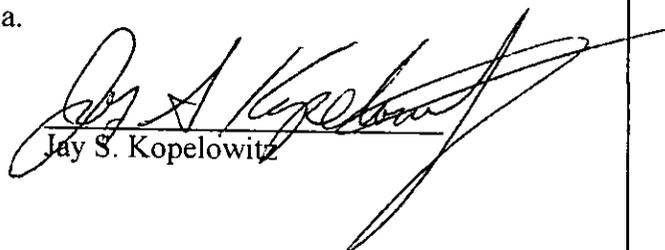
**BY REGULAR MAIL** by depositing such envelope with postage thereon fully prepaid in the United States mail at Del Mar, California.

**BY FACSIMILE** by telecopier to the facsimile telephone numbers listed above.

**BY HAND DELIVERY.**

I certify under penalty of perjury under the laws of the State of California and the laws of the United States that the foregoing is true and correct.

Dated: September 26, 2006 at Del Mar, California.

  
Jay S. Kopelowitz