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

Proceeding	92054050
Party	Plaintiff Univision Communications Inc.
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Date	07/26/2011
Attachments	Response to Further Opposition.pdf (4 pages)(212453 bytes)

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

UNIVISION COMMUNICATIONS INC.,)	
)	
Petitioner,)	
)	
v.)	Cancellation No. 92054050
)	
UNIMUNDO CORP.,)	
)	
Registrant.)	

RE: Registration No. 3889485
MARK: UNIMUNDO
Filed: March 31, 2010
Registration Date: December 14, 2010

RESPONSE TO UNIMUNDO’S FURTHER OPPOSITION

I. INTRODUCTION

Unimundo’s recent filing is procedural defective and should be disregarded. Unimundo’s filing fails to conform to the requirements of a reply brief as set forth in 37 CFR §2.127(a) and TBMP § 502.02(b) and is not permitted by the Board’s Order of July 13, 2011. Accordingly, Unimundo’s “further opposition” should be disregarded.

II. UNIMUNDO’S FILING SHOULD BE DISREGARDED

Unimundo’s filing should be disregarded because it does not constitute a proper reply and is in direct violation of the Board’s July 13, 2011 Order.

According to 37 CFR §2.127(a), a party may file a reply brief that does not exceed ten pages in length. No additional papers will be considered by the Board. See TBMP § 502.02(b) and *Pioneer Kabushiki Kaisha v. Hitachi High Technologies*, 73 USPQ2d 1672 , 1677 (TTAB 2005) and *No Fear Inc. v. Rule*, 54 USPQ2d 1551, 1553 (TTAB 2000). Unimundo’s recent

filing, however, is not a reply brief. It is a combination of an opposition to Univision's opposition to the motion to dismiss and a motion attempting to foreclose the Board and Univision from referring to the Telefutura. Apart from being completely without merit, Unimundo's recent filing is not permitted by 37 CFR §2.127(a). According to 37 CFR §2.127(a), no papers beyond a reply will be considered by the Board.¹ Unimundo's most recent filing is not a reply and thus, should be disregarded.

Even if the Board views Unimundo's recent filing as a reply, Unimundo's filing should be disregarded because it exceeds the page limit for a reply brief and fails to comply with the service requirements. On July 13, 2011, the Board issued an order telling Unimundo that it was not authorized to serve documents by electronic mail. In complete disregard of the Court's Order, Unimundo continues to serve Univision's counsel by electronic mail.

Unimundo's document is in further violation of the Board's Order of July 13, 2011 by seeking to constitute an untimely motion. Unimundo's recent filing includes a motion to "strike and to cease and desist the use of any reference to the name Telemundo." Aside from the fact that Unimundo's document fails to comply with any of the requirements for a proper motion as set forth in 37 CFR §2.127(a) and TBMP § 502.02(a), the July 13, 2011 Order suspended the proceedings and specifically prohibited any filings that do not relate to the motion to dismiss. Unimundo's motion to prohibit any reference or use of the name Telemundo does not pertain to the motion to dismiss and thus, should not be given any consideration.

¹ Univision is filing this response to assert its objections to the allegations made in Unimundo's "further opposition" in the event that the Board considers Unimundo's recent filing.

VI. CONCLUSION

For the foregoing reasons, Univision Communication Inc. respectfully requests the Board to disregard Unimundo's "further opposition."

Respectfully submitted,

UNIVISION COMMUNICATIONS INC.

Dated: July 27, 2011

By: _____/s/_____
Ellie Hourizadeh
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CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the foregoing RESPONSE TO FURTHER OPPOSITION upon Registrant by depositing one copy in First Class mail, in the United States mail, postage prepaid, on **July 27, 2011** addressed as follows:

**Marcus Fontain
UNIMUNDO CORP.
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By: _____/s/_____
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