

1 UNIMUNDO CORPORATION
14859 Moorpark Street, Suite 103
2 Sherman Oaks, CA. 91403
3 Tel: 800-516-1134
4 Direct: 424-204-2225
5 Fax: 800-516-1143
6 marcus@unimundotv.com
www.unimundotv.com

7 Registrant UNIMUNDO CORPORATION by and through
8 MARCUS FONTAIN, President and CEO, in pro se

85/003, 668

9
10 **IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**
11 **BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

12 UNIMUNDO CORPORATION,
13 a Florida Corporation,
14
15 vs. Registrant,
16 UNIVISION COMMUNICATIONS,
17 INC., a California Corporation,
18
19 Petitioner.

) **Cancellations No. 92054050**
) **Registration No. 3889485**
)
)
) **UNIMUNDO'S OPPOSITION;**
) **AND MOTION TO DISMISS**
) **UNIVISION'S PETITION TO**
) **CANCEL THE UNIMUNDO MARK**
) **FOR FAILURE TO STATE A CLAIM**
)
)

20
21 COMES NOW Registrant UNIMUNDO CORPORATION by and through MARCUS
22 FONTAIN, President and CEO, in pro se and files this UNIMUNDO'S OPPOSITION; AND
23 MOTION TO DISMISS UNIVISION'S PETITION TO CANCEL THE UNIMUNDO
24 TRADEMARK FOR FAILURE TO STATE A CLAIM.



07-01-2011

25
26 **A. INTRODUCTION**

U.S. Patent & TMO/PTM Mail Report Ct. #32

27 1. Unimundo Corporation ("UNIMUNDO") a Florida Corporation, with an office in
28 California located at 14859 Moorpark Street, Suite 103, Sherman Oaks, CA. 91403, hereby

1 file this Opposition and Motion to Dismiss Univision Communications, Inc. ("Univision")
2 Petition for Cancellation of Registration No. 3889485 for the word mark UNIMUNDO.

3 2. Univision's ("complaint") is based solely on information and belief offering not
4 one shred of evidence and it is framed on the ostensible grounds that: (A) the application for
5 the Mark contains knowingly false material representations of fact by the Registrant, (B) the
6 Mark is likely to cause consumer confusion with respect to Petitioner's family of marks and
7 (C) the Mark dilutes Petitioner's family of famous marks by blurring and tarnishment.

8 3. The Complaint by Univision did not state a claim upon which relief can be granted.
9 Therefore, the USPTO Trademark Trial and Appeal Board should summarily dismiss
10 Univision's Complaint because it is nothing but a smoke and mirrors transparently aimed at
11 deflecting the USPTO attention away from the merits of the UNIMUNDO mark.

12 4. The belated allegations by Univision are unwarranted and blatantly untrue.

13 5. Univision deliberately failed to object to the UNIMUNDO Mark during the time of
14 the publication by the USPTO in the *Official Gazette of the PTO* of the UNIMUNDO mark
15 and as such Univision is now attempting to avoid the consequences of its failure to file a
16 timely objection by filing the belated complaint.

17 6. Univision's Complaint, in keeping with its ways of old, is an attempt to monopolize
18 the Spanish Television broadcasting industry in the U.S. and elsewhere; even on the internet.
19 The complaint is baseless and unwarranted, was filed in bad faith, is malicious and vexatious
20 and the complaint clearly demonstrates that it is an attempt by Univision to unfairly take
21 over the Spanish language "*Internet*" television broadcasting in the U.S.

22 7. Registration of the Trademark UNIMUNDO and use of the UNIMUNDO mark is
23 neither a misappropriation of Univision's unique, valuable and exclusive rights or
24 usurpation, infringement or seizure of any of Univision's Registered Marks. The mere
25 allegation is completely absurd and outrageous.

26 8. Univision has come here unscrupulously in an effort to intimidate UNIMUNDO
27 into submission by attempting to fabricate evidence against UNIMUNDO while at the same
28 time having the audacity to boast that it is the number one Spanish television network in the

1 U.S. The fact remains that Univision is on the verge of bankruptcy with an approximate debt
2 of over Eleven (11) billion dollars and an estimated market valuation of only ten (10) billion
3 dollars. That is hardly a reputable organization or successful company. This alone should
4 shed some light as to why Univision is so desperately attempting to concoct false and
5 misleading allegations or evidence against any perceived or supposed threat or competitor
6 such as UNIMUNDO, at any cost, be it legally or illegally.

8 B. ARGUMENT

9 9. The USPTO Trademark Trial and Appeal Board has the authority to dismiss a
10 complaint for failure to state a claim upon which relief can be granted if the complaint
11 clearly demonstrates that the complainant cannot prove any set of facts that would entitle it
12 to relief. Hishon v. King & Spalding, 467 U.S. 69, 73, 104 S.Ct. 2229, 2223 (1984);
13 Doe v. Hillsboro ISD, 81 F.3d 1395, 1401-02 (5th Cir. 19956).

14 10. The Complaint by Univision is based on information and belief alleging that:

15 ***"B. Registrant Fraudulently Obtained Registration for the Mark 4. On or***
16 ***about March 31, 2010, Unimundo Corp. ("Registrant") filed an application***
17 ***with the United States Patent and Trademark Office for registration of the***
18 ***word mark UNIMUNDO for "television and internet broadcasting" in***
19 ***International Class 38, based on alleged use in interstate commerce as of***
20 ***March 28, 2010. This application was assigned Serial Number 85003668. The***
21 ***application included a declaration signed by Marcus Fountain, President and***
22 ***CEO of Unimundo Corp., which states under penalty of perjury that***
23 ***Registrant had been using the Mark in commerce as of the filing date of the***
24 ***application. 5. On July 29,2010, in response to an Office Action, Marcus***
25 ***Fountain filed another declaration reiterating that the Mark had been used as***
26 ***of March 28, 20 in connection with an "internet broadcasting television***
27 ***network." 6. On December 14, 2011, the Mark was registered with the***
28 ***USPTO, as Registration No. 3,889,485. 28738530-3072922.0016. 7. Upon***

1 *information and belief, as of the date the application was filed to the present,*
2 *the Mark has not been used in connection with "television broadcasting" or*
3 *an "internet broadcasting television network" as alleged in the declarations*
4 *filed by Registrant in support of the application for the Mark. 8. Upon*
5 *information and belief, the verified statements signed by Marcus Fontain,*
6 *President and CEO of Unimundo Corp., and submitted with and in connection*
7 *to the application for the Mark contain knowingly false material*
8 *representations of fact, and therefore constitute fraud in the procurement of a*
9 *registration. 9. But for these material and willful misrepresentations, the*
10 *Mark would not have been registered."*

11 11. Even if Univision proves each of these above mentioned allegations, Univision
12 has not set forth the essential elements necessary to state a claim upon relief can be granted.

13 12. In the Complaint Univision further alleges that:

14 ***"C. The Mark is Likely to Cause Consumer Confusion with Petitioner's***
15 ***Registered and Senior Marks*** 10. *Upon information and belief, the*
16 *registration of the Mark is a blatant attempt to capitalize on the goodwill and*
17 *tremendous name recognition of the Petitioner. In a baldly crude fashion,*
18 *Registrant has attempted to get a free ride by combining Petitioner's Registered*
19 *Marks with the name of the second largest Spanish language television*
20 *broadcaster in the US - Telemundo. Consumers who see the "Frankenstein"*
21 *mark that Registrant has created is likely to think either that the Mark is*
22 *affiliated with Petitioner or that the Mark and its related services are a joint*
23 *venture between Petitioner and Telemundo. 11. Registration and use of the*
24 *Mark has and will continue to cause damage and harm to the Petitioner."*

25 13. Univision however, did not allege or identify the necessary elements for the
26 above claim and any inference that UNIMUNDO interferes with the name Univision is
27 patently false.
28

1 14. The claim that the mark UNIMUNDO infringes on the Univision mark and that it
2 causes blurring and tarnishment and it dilutes its value is nothing but fodder.

3 15. It is important to note here that the attorneys for Univision **do not represent** the
4 company "Telemundo" and in the complaint, as well as in the letter of April 22, 2011,
5 maliciously and unethically refer to and argue on behalf of "Telemundo" which is totally
6 unrelated to and completely separate and apart from Univision. In fact both companies are
7 direct competitors in the same markets. Therefore, Univision should know better than to
8 raise the impermissible argument on behalf of "Telemundo." *See Exhibit A.*

9 16. It is highly unethical, improper and unbecoming a lawyer for the attorneys for
10 Univision to include any comments and/or arguments -- or comparisons -- that may apply, or
11 not, to "Telemundo" because neither attorneys "**Jorge Arcinega**" or "**Ellie Hourizadeh**"
12 nor anyone else in the law firm **McDermott Will & Emery, LLP** represent "Telemundo." .

13 17. Whatever allegations or representations made on behalf of "Telemundo" are not
14 just unethical they are highly prejudicial to UNIMUNDO and should be disregarded here, as
15 a trier of fact cannot consider such allegations.

16 18. Univision falsely claims that my UNIMUNDO has attempted to capitalize on the
17 goodwill and tremendous name recognition of Univision, and that the name UNIMUNDO is
18 likely to cause confusion, mistake, and/or deception in the marketplace and that
19 UNIMUNDO's services are somehow affiliated or connected to Univision. *See Exhibit A.*

20 19. Univision falsely claims that the confusion of the use of the Mark UNIMUNDO
21 is further heightened by the fact that my UNIMUNDO's logo may be similar to Univision's.
22 Nothing can be further from the truth. *See Exhibit A.*

23 20. Univision falsely contends that because the Univision mark is "famous,"
24 UNIMUNDO's use of a confusingly similar brand name and logo, within the same genre,
25 will have the effect of diluting Univision's mark. *See Exhibit A.*

26 21. Univision should not be able to avoid the consequences, employing one of the
27 largest law firms in Los Angeles with their battery of attorneys, having failed to file a timely
28 objection and by deliberately ignoring Official *Gazette of the PTO* when it gave worldwide

1 notice that UNIMUNDO had applied for the trademark. Univision had the opportunity then
2 to oppose the UNIMUNDO mark but failed to do so. Univision and its attorneys cannot have
3 it both ways!

4 22. Because the UNIMUNDO mark has now been registered, UNIMUNDO's
5 registration is irrefutably *prima facie* evidence of the validity of the mark in commerce, its
6 ownership, and of its exclusive right to use it in commerce on or in connection with the
7 goods or services specified in the registration.

8 23. On April 22, 2011, Univision's attorney sent a coercive and misleading letter to
9 UNIMUNDO attempting to make a valid comparison of the UNIMUNDO logo "U" design
10 where Univision preposterously claimed that the "U" design belongs to Univision. In a
11 *sleight-of-hand* the comparisons were not in color, making the *side-to-side* comparisons
12 totally deceiving and knowing full well that Supreme Court case law clearly prohibits the
13 *side-by-side* comparison of logos. See *Exhibit A*.

14 24. UNIMUNDO's logo is a "U" design which consists of solid blue colors, dark and
15 light and with a solid white streak tail-like design inside. See www.unimundotv.com.

16 25. Univision's logo as it appears today on its web page www.univision.com and in
17 <http://en.wikipedia.org/wiki/Univision> is an unclear and undefined "U." In fact, it does not
18 even look like a "U." Univision call its log a "*Tulip*" where the top left quarter is *purple*
19 with a twist to the left, a *green* square on the top right, a *red* pie on the lower left hand
20 corner and a light *blue* pie on the lower right hand corner, none which in combination
21 identify a letter "U" furthermore, the logo is then cut horizontally and vertically dividing it
22 into four (4) color parts: **purple, green, red and blue**. The UNIMUNDO logo and the
23 Univision logos are completely dissimilar by way of shape, design, color and meaning and
24 any allegation of semblance is delusional.

25 26. The trademark names of Univision and UNIMUNDO are also dissimilar.
26 Univision's claim that the two names can be confusing because they both have "Uni" is
27 outrageous and preposterous.
28

1 27. The word "**Uni**" is a generic name for the word "*one*" or "*uno*" in Latin. A
2 *Single one, Unicycle, "Uni"* is also a shortened word for *University*, a character in
3 *'Dungeness and Dragons (TV Series; JJ Uni Records, formally called Universal City*
4 *Records, an urban-type Settlement in Kirov Oblast, Russia, the Supreme Goddess of*
5 *Etruscan Mythology, Uni for sea-urchin in Japanese restaurants, uniball Pens* for some pens
6 and pencils, *Uni for Uniform spaces in mathematics, Uni Global Union, an international*
7 trade union federation, a *user-network interface*, which is a junction from which a
8 telecommunications services is connected between the service provider and the end user,
9 *Uniradio, a radio station in San Diego, CA. "Uni"* is also the shortened word for *university;*
10 *University Professors Program, an interdisciplinary program for gifted students at Boston*
11 *University; University High School (Irvine, California); University Laboratory High School*
12 *(Urbana, Illinois); Union Nationale Inter-universitaire, a French right-wing union of*
13 *university students; National University of Engineering (Universidad Nacional de*
14 *Ingenieria), Lima, Peru; University of Northern Iowa; Independente University*
15 *(Universidade Independente), Lisbon, Portugal.*

16 28. The word "**Vision**" is also quite generic; the faculty of sight; eyesight: *poor*
17 *vision* and even as applied in trademarks, as it has been used by *Pearle Vision; Plaza Vision*
18 *Center; Uptown Vision; Visual Perception; Vision (Timely Comics), Visions (Magic-The*
19 *gathering- a card game). Vision or visions* also refer to: *Visual* perception, interpreting what
20 is seen; *Visual* system, the sensory mechanism of eyesight; *Vision (spirituality),*
21 *inspirational experiences ; Hallucination, vivid conscious perception in the absence of a*
22 *stimulus*

23 29. The word "**Mundo**" in Spanish or "*world*" in English; *everyone, everybody,*
24 *Mundo (river), river in south-eastern Spain; Mundo, California, unincorporated community*
25 *in Imperial County; Mundo (album), 2002 album by Rubén Blades; Mundo (Hun),*
26 *descendant of Attila the Hun.*

27 30. Univision also makes the false and misleading allegation that somehow
28 UNIMUNDO used words from Univision and Telemundo and put them together to create

1 the mark UNIMUNDO to confuse the public by creating "blurring and tarnishment." This is
2 nothing but a pack of lies. And for the attorneys representing Univision it is patently
3 unethical to make allegations in favor of another company that they do not represent and
4 their lack of ethical behavior may be actionable at the California State Bar level.

5 31. Univision is not entitled to claim ownership of the word "Uni" nor "Mundo."
6 Furthermore, "Telemundo" is not a complainant here, for good reasons, because they too
7 cannot claim ownership over the word "Mundo." Additionally, There has been plenty of
8 case law on this very subject, such as "*domino*" for sugar and spices and pizzas, "*holiday*
9 *inns and holiday outs*," the uses of the word "*world*," "*chico*," and "*golden JJ*" that courts
10 have found to be weak trademarks because they are generic names.

11 32. There is absolutely, no similarity in the logo design "U" or the actual name
12 between UNIMUNDO and Univision. Under current Supreme Court case law; a logo
13 comparison cannot be made *side-by-side*. It must be made independently of each other.

14 33. There is also no similarity whatsoever in the products from Univision and
15 UNIMUNDO, TV broadcasting over the internet, identity of retail outlets, or purchasers, or
16 consumers, or subscribers or members other than the fact that UNIMUNDO and Univision
17 mutually seek the Spanish speaking world as their target market audience.

18 34. UNIMUNDO is not trying to pass-off its product or services for those of
19 Univision. Quite the opposite www.UnimundoTV.com is a music, movie and documentary
20 site or venue for uploading of HD videos by its own members for internet TV viewing much
21 like www.vimeo.com and www.youtube.com. To this end, compare www.univision.com.
22 There is not one iota similarities or any intent by UNIMUNDO to benefit whatsoever from
23 Univision's reputation.

24 35. UNIMUNDO's "U" logo is unquestionably substantially different and
25 distinguishable from Univision, and the same goes for the word UNIMUNDO. There cannot
26 possibly be any confusion by any ordinary consumer, Spanish or not or other purchaser or
27 visitor to the web sites that would be misled into thinking that they have gone into the world
28 of Univision looking for UNIMUNDO and vice versa. "*Univision*" is "*One Vision*," and

1 **"UNIMUNDO" is "One World."** UNIMUNDO by no means is trying to dilute the good
2 name of Univision.

3 36. Some courts have stated, that categorizing a mark is a **"slippery business,"** as
4 things turn on the particular context of the mark' use and the context of its group of users.

5
6 **C. CONCLUSION**

7 WHEREFORE, Univision's Petition to Cancel the Trademark UNIMUNDO should
8 be denied for at least the failure to state a claim filed in bad faith and with malicious intent,
9 specifically designed to cause UNIMUNDO anguish, financial harm, and embarrassment and
10 to harm UNIMUNDO's standing in the entertainment community.

11 Univision's Petition to Cancel the Trademark UNIMUNDO should also be denied on
12 the grounds that the mark UNIMUNDO does not now and will not lessen blur and tarnish the
13 uniqueness of Univision nor will it weaken Univision as a company because both entities
14 and trademarks are extremely dissimilar and will not create confusion in the marketplace.

15 UNIMUNDO strongly disagrees with Univision's deliberately delayed complaint and
16 its position because neither the application for the mark UNIMUNDO itself, nor the mark
17 UNIMUNDO or its "U" logo constitute a violation of the U.S. Trademark Act found in Title
18 15 of the United States Code Sections 1114(1)(A), 1125(a) (1)(A) and 1125(c)(1).

19 Therefore, Univision's complaint should be dismissed and UNIMUNDO should be
20 awarded legal fees and costs according to proof.

21 Executed on June 29, 2011

22 Respectfully submitted,

23 

24 UNIMUNDO CORPORATION
25 By and through MARCUS FONTAIN
26 President and CEO, in pro se
27 14859 Moorpark Street, Suite 103
28 Sherman Oaks, CA. 91403
Tel: 800-516-1134; Direct: 424-204-2225
Fax: 800-516-1143
marcus@unimundotv.com

**April 22, 2011, letter from Attorney Jorge Arciniega on
behalf of Univision to UNIMUNDO alleging Infringement
and Dilution of the Univision Trademarks**

Exhibit A

McDermott Will Emery

Boston Brussels Chicago Dusseldorf Houston London Los Angeles Miami Milan
Munich New York Orange County Rome San Diego Silicon Valley Washington, D.C.
Strategic alliance with MWC China Law Offices (Shanghai)

Jorge R. Arciniega
Attorney at Law
jarciniega@mwe.com
310.551.9306

April 22, 2011

BY FEDEX COURIER

Unimundo Corporation
14859 Moorpark St., Suite 103
Sherman Oaks, CA 91403

Attn.: Mr. Marcus Fontain, President and CEO

**Re: Infringement and Dilution of the "UNIVISION" Trademarks
Our Reference: 072922.0016**

Dear Sirs:

This law firm represents Univision Communications Inc. and several of its subsidiaries, including The Univision Network Limited Partnership, Univision Television Group, Univision Interactive Media, Inc., Univision Radio, Inc., TeleFutura Network, TeleFutura Television Group, Inc., and Galavision, Inc. (collectively "Univision"). Univision has asked that we communicate with you regarding the above-referenced matter.

It has come to our attention that your company Unimundo Corporation (a Florida corporation formed in April 2010) operates the website www.unimundotv.com (the "Website"), which prominently features the "UNIMUNDO" name and a fanciful "U" design, and which broadcasts Spanish and English-language entertainment content in areas of music, television, and movies. WHOIS records indicate that the Website's domain name account was created on March 29, 2010. We are also aware that you have applied for federal trademark protection of the "UNIMUNDO" mark, and currently own a trademark registration in International Class 38 for "television and internet broadcasting" (Reg. No. 3889485) and a pending trademark application for "UNIMUNDO.COM" in Class 38 for "Audio and video broadcasting services over the Internet; Audio broadcasting; Broadcasting of television programmes; Broadcasting of video and audio programming over the Internet; Broadcasting programs via a global computer network; Broadcasting services and provision of telecommunication access to films and television programmes provided via a video-on-demand service; Broadcasting services and provision of telecommunication access to video and audio content provided via a video-on-demand service via the Internet; Broadcasting services, namely, transmission of advertising programs and media advertising communications via digital communications networks" (Serial No. 85057916).

As you are undoubtedly aware, Univision is the leading Spanish-language media company in the United States, with a diverse business portfolio that includes television, radio, film, internet, mobile media, and merchandising. Univision has been delivering news and entertainment to Spanish-speaking audiences since the late 1970s. Many of Univision's television programs are among the most popular and most watched programs in the United States, not only among the 50 million strong Latino/Hispanic audience

but also across language and cultural divides. Indeed, in several designated market areas Univision programs rank No. 1 in prime time, across all audiences. Our client's "UNIVISION" mark is a household name and symbol for virtually all Latinos living in the United States. It is as famous and well-known to the Spanish-speaking population in this country as NBC, ABC, CBS and FOX are to English-speaking audiences. Our client has been using the "UNIVISION" mark in the United States since as early as 1978, and such use is continuous, nationwide and global. Our client has also been using its fanciful "U" logo since as early as 1989, and such use is continuous, nationwide and global. Our client owns a number of U.S. Federal Trademark Registrations for its family of "UNIVISION" and "U" marks, including Reg. Nos. 1624073, 1672807, 1610165, 2518239, 2518240, 2528166, 2518241, 3568848, 3483636, 3570072, 3736267, 3703908, 3780080, 3714485, 3714486, and 3830142 (photocopies of these registrations are attached for your reference).

Your use of the "UNIMUNDO" name causes our client extreme concern. It is clear that in adopting the name "UNIMUNDO" in connection with providing entertainment content to a primarily Spanish-speaking audience, your company is blatantly attempting to capitalize on the goodwill and tremendous name recognition of the two top names in Spanish language media: UNIVISION and TELEMUNDO.¹ Your use of the "UNIMUNDO" name is likely to cause confusion, mistake and/or deception in the marketplace that your company and/or your services are somehow affiliated or connected with our client and/or Telemundo, have been approved, sponsored or endorsed by our client and/or Telemundo, or constitute some type of joint venture between our client and Telemundo. Such confusion is further heightened because your company's "U" logo is an obvious combination of Univision and Telemundo's federally registered design marks, copying the Univision "U" with the sweeping arc from Telemundo's "T" design:

Your company's "U" design:



The Univision and Telemundo federally registered designs:

Since our client has no control over the nature and quality of your services, the likelihood of confusion, mistake and/or deception resulting from your unauthorized use threatens to harm the substantial reputation and goodwill associated with our client's "UNIVISION" brand which our client has spent decades and of millions of dollars building, promoting and protecting.

Alternatively, because our client's "UNIVISION" and "U" marks are such famous and well-known brands for media and entertainment products and services, your use of a confusingly similar brand name and logo within the same genre will have the effect of diluting our client's mark by "blurring" the mark's strong and distinctive association with our client's products and services in the media and entertainment field

¹ To be clear, our law firm does not represent Telemundo. Any reference in this letter to Telemundo's rights is made simply to cast a brighter light on your acts of infringement.

Dilution is just as harmful and damaging to our client's mark as consumer confusion, mistake and/or deception.

Please be advised that the use of a name or symbol that is likely to cause consumer confusion with a senior user's mark or that is likely to dilute a senior user's famous mark, is a violation of federal law. For your reference, the U.S. Trademark Act (known as the "Lanham Act") specifically provides, in pertinent part:

§1114(1) Any person who shall, without the consent of the registrant –

(A) use in commerce any reproduction, counterfeit, copy, or colorable imitation of a registered mark in connection with the sale, offering for sale, distribution, or advertising of any goods or services on or in connection with which such use is likely to cause confusion, or to cause mistake, or to deceive; ...

shall be liable in a civil action by the registrant for the remedies hereinafter provided.

§1125(a)(1) Any person who, on or in connection with any goods or services, or any container for goods, uses in commerce any word, term, name, symbol, or device, or any combination thereof, or any false designation of origin, false or misleading description of fact, or false misleading representation of fact, which –

(A) is likely to cause confusion, or to cause mistake, or to deceive as to the affiliation, connection, or association of such person with another person, or as to the origin, sponsorship, or approval of his or her goods, services, or commercial activities by another person, ...

shall be liable in a civil action by any person who believes that he or she is or is likely to be damaged by such act.

§1125(c)(1) The owner of a famous mark shall be entitled, subject to the principles of equity and upon such terms as the court deems reasonable, to an injunction against another person's commercial use in commerce of a mark or trade name, if such use begins after the mark has become famous and causes dilution of the distinctive quality of the mark, and to obtain such other relief as is provided in this subsection.

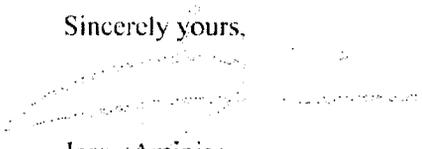
It has also come to our attention that the Univision trademark and "U" logo are visible in a picture captured on the "Fotos" portion of the Website, located at: (<http://www.unimundotv.com/fotos.php?viewkey=51>). To the extent that photographs, or any other copyrightable content, owned or controlled by our client is used and displayed on your site without permission, you are committing copyright infringement.

Our client must act (as most owners of famous brands would) to prevent confusion and dilution from occurring. **Accordingly, on behalf of our client, we demand that your company immediately (a) expressly surrender trademark Registration No. 3889485 and expressly abandon application Serial No. 85057916 with prejudice, and (b) cease and refrain from using the name "UNIMUNDO" or any other name confusingly similar thereto, and the "U" logo, whether as part of a company, business or trade name, as a trademark or service mark, as part of a domain name, or otherwise, in any form or media, including, without limitation, use in advertising, promotion, sale, and offering for sale of any of your products or services, use on product packaging, labels and tags, use in print and electronic materials, use on letterhead, business cards, signage and displays, and use on any internet website or webpage owned, controlled or operated by you or your company.**

We appreciate that re-branding can take time, and our client may be willing to consider granting your company a reasonable time period to phase out your use of the name "UNIMUNDO" and your "U" logo. However, prior to any phase-out discussion, we must first have your written assurance that your company intends to fully comply with the demands stated above. Please provide such written assurance by the close of business on **May 4, 2011**. We recommend providing your response as soon as possible, as our client wishes to bring a speedy resolution to this matter.

This letter is written with full reservation of all rights and remedies available to our client.

Sincerely yours,



Jorge Arciniega

Enclosures

JRA/ehm

Int. Cl.: 38

Prior U.S. Cls.: 100, 101 and 104

Reg. No. 1,624,073

United States Patent and Trademark Office

Registered Nov. 20, 1990

Corrected

OG Date July 13, 2010

**SERVICE MARK
PRINCIPAL REGISTER**

UNIVISION

UNIVISION NETWORK, THE LIMITED
PARTNERSHIP (DELAWARE PART-
NERSHIP)
9405 NORTHWEST 41ST STREET
MIAMI, FL 33178
OWNER OF U.S. REG. NOS. 1,148,264
AND 1,593,445.

FOR: TELEVISION BROADCASTING
SERVICES, IN CLASS 38 (U.S. CLS. 100,
101 AND 104).
FIRST USE 12-1-1977; IN COMMERCE
12-1-1997.
SER. NO. 74-029,494, FILED 2-16-1990.

*In testimony whereof I have hereunto set my hand
and caused the seal of The Patent and Trademark
Office to be affixed on July 13, 2010.*

Int. Cl.: 38

Prior U.S. Cl.: 104

United States Patent and Trademark Office

Reg. No. 1,672,807

Registered Jan. 21, 1992

**SERVICE MARK
PRINCIPAL REGISTER**



UNIVISION, INC. (DELAWARE CORPORATION)
605 THIRD AVENUE, 12TH FLOOR
NEW YORK, NY 101580180

FOR: TELEVISION BROADCASTING SERVICES, IN CLASS 38 (U.S. CL. 104).

FIRST USE 11-22-1989; IN COMMERCE 11-22-1989.

OWNER OF U.S. REG. NO. 1,145,264.

SER. NO. 74-044,294, FILED 3-28-1990.

LINDA K. MCLEOD, EXAMINING ATTORNEY

Int. Cl.: 41

Prior U.S. Cl.: 107

United States Patent and Trademark Office

Reg. No. 1,610,165

Registered Aug. 14, 1990

**SERVICE MARK
PRINCIPAL REGISTER**

NOTICIERO UNIVISION

UNIVISION, INC. (DELAWARE CORPORATION)
605 THIRD AVENUE
NEW YORK, NY 101580180

FOR: ENTERTAINMENT SERVICES,
NAMELY, A TELEVISION PROGRAM, IN
CLASS 41 (U.S. CL. 107).
FIRST USE 1-1-1987; IN COMMERCE
1-1-1987.
OWNER OF U.S. REG. NO. 1,145,264.

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "NOTICIERO", APART FROM
THE MARK AS SHOWN.

THE ENGLISH TRANSLATION OF THE
WORD "NOTICIERO" IN THE MARK IS
"NEWS".

SER. NO. 73-819,304, FILED 8-14-1989.

NICOLE J. BALDINO, EXAMINING ATTOR-
NEY

Int. Cls.: 38 and 42

Prior U.S. Cls.: 100, 101, and 104

Reg. No. 2,518,239

United States Patent and Trademark Office Registered Dec. 11, 2001

SERVICE MARK
PRINCIPAL REGISTER

UNIVISION

UNIVISION COMMUNICATIONS INC. (DELAWARE CORPORATION)
6701 CENTER DRIVE WEST, 15TH FLOOR
LOS ANGELES, CA 90045

FOR: PROVIDING ON-LINE CHAT ROOMS AND REAL-TIME GROUP DISCUSSION FOR TRANSMISSION OF MESSAGES AMONG COMPUTER USERS CONCERNING MUSIC, FILM, THEATER AND ENTERTAINMENT ARTS AND MEDIA, TRAVEL AND VACATION DESTINATIONS, SPORTS AND RECREATION, HEALTH AND FITNESS, NEWS AND CURRENT EVENTS, GAMES, HOBBIES, BUSINESS AND FINANCE, SHOPPING AND CONSUMER SERVICES AND OTHER TOPICS OF GENERAL INTEREST, IN CLASS 38 (U.S. CLS. 100, 101 AND 104).

FIRST USE 7-1-2000; IN COMMERCE 7-1-2000.

FOR: COMPUTER SERVICES, NAMELY, PROVIDING SEARCH ENGINES FOR OBTAINING DATA ON A GLOBAL COMPUTER NETWORK AND CREATING AND MAINTAINING SPECIALIZED WEB SITES FOR OTHERS FEATURING WEB SITE LINKS TO MULTIPLE BUSINESS ENTITIES WITH E-COMMERCE FUNCTIONALITY;

COMPUTER SERVICES PROVIDING CUSTOMIZES ON-LINE WEB PAGES FEATURING USER-DEFINED INFORMATION, WHICH INCLUDES SEARCH ENGINES AND ON-LINE WEB LINKS TO NEWS, WEATHER, SPORTS, CURRENT EVENTS, REFERENCE MATERIALS AND CUSTOMIZED E-MAIL MESSAGES, ALL IN A WIDE RANGE OF USER-DEFINED FIELDS; AND ON-LINE INFORMATION SERVICES, NAMELY, PROVIDING DATABASES AND WEB SITE LINKS TO OTHER CONTENT PROVIDERS IN THE FIELDS OF MUSIC, FILM, THEATER AND RELATED ENTERTAINMENT ARTS AND MEDIA, TRAVEL AND VACATION DESTINATIONS, SPORTS AND RECREATION, HEALTH AND FITNESS, NEWS AND CURRENT EVENTS, GAMES, HOBBIES, BUSINESS AND FINANCE, SHOPPING AND CONSUMER SERVICES, AND OTHER TOPICS OF GENERAL INTEREST, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 7-1-2000; IN COMMERCE 7-1-2000.

SN 75-773,609. FILED 8-12-1999.

RICHARD DONNELL, EXAMINING ATTORNEY

Int. Cl.: 35

Prior U.S. Cls.: 100, 101, and 102

Reg. No. 2,518,240

United States Patent and Trademark Office

Registered Dec. 11, 2001

**SERVICE MARK
PRINCIPAL REGISTER**

UNIVISION

UNIVISION COMMUNICATIONS INC. (DELA-
WARE CORPORATION)
6701 CENTER DRIVE WEST, 15TH FLOOR
LOS ANGELES, CA 90045

FOR: PROVIDING WEB SITES USED TO PLACE ON-LINE ORDERS IN THE FIELDS OF MUSIC, FILM, THEATER AND RELATED ENTERTAINMENT ARTS, CLOTHING AND FOOTWEAR, HEALTH AND BEAUTY, HOME FURNISHINGS, HOME ELECTRONICS, TOOLS AND HOME IMPROVEMENT, HOME DECORATION, ELECTRICAL APPLIANCES, JEWELRY, GAMES, TOYS AND SPORTING GOODS; PROMOTING THE GOODS AND SERVICES OF OTHERS BY PREPARING AND PLACING ADVERTISEMENTS ON WEB SITES ACCESSED THROUGH A GLOBAL COMPUTER NETWORK; DISSEMINATION OF ADVERTISING FOR OTHERS VIA AN ON-LINE ELECTRONIC COMMUNICATIONS NETWORK; AND ONLINE

DIRECTORY SERVICES, NAMELY, PROVIDING WEBSITE LINKS TO THIRD PARTY WEB SITES CONCERNING MUSIC, FILM, THEATER AND RELATED ENTERTAINMENT ARTS AND MEDIA, TRAVEL AND VACATION DESTINATIONS, SPORTS AND RECREATION, HEALTH AND FITNESS, NEWS AND CURRENT EVENTS, GAMES, HOBBIES, BUSINESS AND FINANCE, SHOPPING AND CONSUMER SERVICES AND OTHER TOPICS OF GENERAL INTEREST VIA A WEBSITE ACCESSED THROUGH A GLOBAL COMPUTER NETWORK, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 7-1-2000; IN COMMERCE 7-1-2000.

SN 75-773,610, FILED 8-12-1999.

RICHARD DONNELL, EXAMINING ATTORNEY

Int. Cls.: 38 and 42

Prior U.S. Cls.: 100, 101, and 104

United States Patent and Trademark Office

Reg. No. 2,528,166

Registered Jan. 8, 2002

**SERVICE MARK
PRINCIPAL REGISTER**

UNIVISION.COM

UNIVISION COMMUNICATIONS INC. (DELAWARE CORPORATION)
6701 CENTER DRIVE WEST, 15TH FLOOR
LOS ANGELES, CA 90045

FOR: PROVIDING ON-LINE CHAT ROOMS AND REAL-TIME GROUP DISCUSSION FOR TRANSMISSION OF MESSAGES AMONG COMPUTER USERS CONCERNING MUSIC, FILM, THEATER AND ENTERTAINMENT ARTS AND MEDIA, TRAVEL AND VACATION DESTINATIONS, SPORTS AND RECREATION, HEALTH AND FITNESS, NEWS AND CURRENT EVENTS, GAMES, HOBBIES, BUSINESS AND FINANCE, SHOPPING AND CONSUMER SERVICES AND OTHER TOPICS OF GENERAL INTEREST, IN CLASS 38 (U.S. CLS. 100, 101 AND 104).

FIRST USE 7-1-2000; IN COMMERCE 7-1-2000.

FOR: COMPUTER SERVICES, NAMELY, PROVIDING SEARCH ENGINES FOR OBTAINING DATA ON A GLOBAL COMPUTER NETWORK AND CREATING AND MAINTAINING SPECIALIZED WEB SITES FOR OTHERS FEATURING WEB SITE LINKS TO MULTIPLE BUSINESS ENTITIES WITH E-COMMERCE FUNCTIONALITY;

COMPUTER SERVICES PROVIDING CUSTOMIZED ON-LINE WEB PAGES FEATURING USER-DEFINED INFORMATION, WHICH INCLUDES SEARCH ENGINES AND ON-LINE WEB LINKS TO NEWS, WEATHER, SPORTS, CURRENT EVENTS, REFERENCE MATERIALS AND CUSTOMIZED E-MAIL MESSAGES, ALL IN A WIDE RANGE OF USER-DEFINED FIELDS; AND ON-LINE INFORMATION SERVICES, NAMELY, PROVIDING DATABASES AND WEB SITE LINKS TO OTHER CONTENT PROVIDERS IN THE FIELDS OF MUSIC, FILM, THEATER AND RELATED ENTERTAINMENT ARTS AND MEDIA, TRAVEL AND VACATION DESTINATIONS, SPORTS AND RECREATION, HEALTH AND FITNESS, NEWS AND CURRENT EVENTS, GAMES, HOBBIES, BUSINESS AND FINANCE, SHOPPING AND CONSUMER SERVICES, AND OTHER TOPICS OF GENERAL INTEREST, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 7-1-2000; IN COMMERCE 7-1-2000.

SN 75-773,612, FILED 8-12-1999.

RICHARD DONNELL, EXAMINING ATTORNEY

Int. Cl.: 35

Prior U.S. Cls.: 100, 101, and 102

Reg. No. 2,518,241

United States Patent and Trademark Office

Registered Dec. 11, 2001

**SERVICE MARK
PRINCIPAL REGISTER**

UNIVISION.COM

UNIVISION COMMUNICATIONS INC. (DELAWARE CORPORATION)
6701 CENTER DRIVE WEST, 15TH FLOOR
LOS ANGELES, CA 90045

FOR: PROVIDING WEB SITES USED TO PLACE ON-LINE ORDERS IN THE FIELDS OF MUSIC, FILM, THEATER AND RELATED ENTERTAINMENT ARTS, CLOTHING AND FOOTWEAR, HEALTH AND BEAUTY, HOME FURNISHINGS, HOME ELECTRONICS, TOOLS AND HOME IMPROVEMENT, HOME DECORATION, ELECTRICAL APPLIANCES, JEWELRY, GAMES, TOYS AND SPORTING GOODS; PROMOTING THE GOODS AND SERVICES OF OTHERS BY PREPARING AND PLACING ADVERTISEMENTS ON WEB SITES ACCESSED THROUGH A GLOBAL COMPUTER NETWORK; DISSEMINATION OF ADVERTISING FOR OTHERS VIA AN ON-LINE ELECTRONIC COMMUNICATIONS NETWORK; AND ONLINE

DIRECTORY SERVICES, NAMELY, PROVIDING WEBSITE LINKS TO THIRD PARTY WEB SITES CONCERNING MUSIC, FILM, THEATER AND RELATED ENTERTAINMENT ARTS AND MEDIA, TRAVEL AND VACATION DESTINATIONS, SPORTS AND RECREATION, HEALTH AND FITNESS, NEWS AND CURRENT EVENTS, GAMES, HOBBIES, BUSINESS AND FINANCE, SHOPPING AND CONSUMER SERVICES AND OTHER TOPICS OF GENERAL INTEREST VIA A WEBSITE ACCESSED THROUGH A GLOBAL COMPUTER NETWORK, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 7-1-2000; IN COMMERCE 7-1-2000.

SN 75-773,614, FILED 8-12-1999.

RICHARD DONNELL, EXAMINING ATTORNEY

Int. Cls.: 35, 38 and 41

Prior U.S. Cls.: 100, 101, 102, 104 and 107

Reg. No. 3,568,848

United States Patent and Trademark Office

Registered Feb. 3, 2009

SERVICE MARK
PRINCIPAL REGISTER

 **UNIVISION Radio**

UNIVISION COMMUNICATIONS INC. (DELAWARE CORPORATION)
5999 CENTER DRIVE
LOS ANGELES, CA 90045

FOR: PROVIDING ADVERTISING SERVICES FOR OTHERS; PROMOTING THE GOODS AND SERVICES OF OTHERS BY DISTRIBUTING ADVERTISING MATERIALS THROUGH RADIO STATIONS, RADIO NETWORKS, THE INTERNET, GLOBAL COMPUTER NETWORKS, AND WIRELESS COMMUNICATION DEVICES, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 9-23-2003; IN COMMERCE 9-23-2003.

FOR: RADIO, INTERNET AND WIRELESS BROADCASTING SERVICES, NAMELY, THE AUDIO AND VIDEO TRANSMISSION OF LIVE AND PRE-RECORDED EVENTS OVER RADIO FREQUENCIES, OVER GLOBAL COMPUTER NETWORKS AND VIA WIRELESS COMMUNICATION DEVICES, IN CLASS 38 (U.S. CLS. 100, 101 AND 104).

FIRST USE 9-23-2003; IN COMMERCE 9-23-2003.

FOR: ENTERTAINMENT SERVICES, NAMELY, RADIO PROGRAMMING SERVICES AND PRODUCTION OF RADIO PROGRAMS IN THE FIELD OF MUSIC, NEWS, SPORTS, HEALTH AND WELLNESS, FINANCE, IMMIGRATION, CURRENT

EVENTS AND ENTERTAINMENT; ENTERTAINMENT SERVICES, NAMELY, TELEVISION AND RADIO PROGRAMMING AND PRODUCTION OF TELEVISION AND RADIO PROGRAMS IN THE FIELD OF MUSIC, NEWS, SPORTS, HEALTH AND WELLNESS, FINANCE, IMMIGRATION, CURRENT EVENTS AND ENTERTAINMENT DESIGNED TO BE TRANSMITTED OVER GLOBAL COMPUTER NETWORKS AND VIA WIRELESS COMMUNICATION DEVICES, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 9-23-2003; IN COMMERCE 9-23-2003.

OWNER OF U.S. REG. NOS. 1,672,807, 3,483,636 AND OTHERS.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "RADIO", APART FROM THE MARK AS SHOWN.

THE MARK CONSISTS OF THE STYLIZED WORDING "UNIVISION RADIO". TO THE LEFT OF THE WORDING IS A FANCIFUL DESIGN OF THE LETTER "U" COMPRISE OF THREE TRIANGLES WITH CURVED SIDES AND A SQUARE.

SER. NO. 76-691,635, FILED 7-28-2008.

MICHAEL TANNER, EXAMINING ATTORNEY

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36 and 38

Reg. No. 3,570,072

United States Patent and Trademark Office

Registered Feb. 3, 2009

**TRADEMARK
PRINCIPAL REGISTER**



UNIVISION COMMUNICATIONS INC. (DELA-
WARE CORPORATION)
5999 CENTER DRIVE
LOS ANGELES, CA 90045

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "MOVIL". APART FROM THE
MARK AS SHOWN.

FOR: DOWNLOADABLE RINGTONES, MUSIC,
PHOTOGRAPHS, IMAGES, ELECTRONIC GAMES,
AUDIO FILES, VIDEO FILES, FILM CLIPS, AND
OTHER MULTIMEDIA MATERIALS VIA MOBILE
PHONES AND OTHER HAND-HELD OR WIRELESS
DEVICES; DOWNLOADABLE PODCASTS TO MO-
BILE PHONES AND OTHER HAND-HELD OR
WIRELESS DEVICES IN THE FIELD OF NEWS
AND ENTERTAINMENT PROGRAMS. IN CLASS 9
(U.S. CLS. 21, 23, 26, 36 AND 38).

THE MARK CONSISTS OF THE STYLIZED
WORD "UNIVISION" WITH THE STYLIZED WORD
"MOVIL" UNDERNEATH IT, AND WITH THE
FANCIFUL DESIGN OF THE LETTER "U" TO THE
LEFT OF BOTH WORD.

THE FOREIGN WORDING IN THE MARK
TRANSLATES INTO ENGLISH AS UNIVISION MO-
BILL.

FIRST USE 2-29-2004; IN COMMERCE 2-29-2004.

SER. NO. 77-560,698. FILED 9-2-2008.

OWNER OF U.S. REG. NOS. 1,672,807, 3,483,636
AND OTHERS.

MICHAEL TANNER, EXAMINING ATTORNEY

United States of America

United States Patent and Trademark Office



Reg. No. 3,736,267 (UNIVISION COMMUNICATIONS INC. (DELAWARE CORPORATION))
Registered Jan. 12, 2010 5999 CENTER DRIVE
LOS ANGELES, CA 90045

Int. Cl.: 41 FOR EDUCATION AND ENTERTAINMENT SERVICES, NAMELY RADIO PROGRAMMING SERVICES AND PRODUCTION OF RADIO PROGRAMS IN THE FIELD OF MUSIC, CURRENT EVENTS, VARIETY, NEWS, TALK SHOWS, LISTENER CALL-IN, CONTESTS, SWEEPSTAKES, GIVEAWAYS, PRIZE PROMOTIONS, AND TRAFFIC REPORTS, IN CLASS 41 (U.S. CLS. 100, 101 AND 107)

SERVICE MARK
PRINCIPAL REGISTER

FIRST USE 5-17-2004; IN COMMERCE 5-17-2004.

OWNER OF U.S. REG. NOS. 2,881,179, 3,568,848 AND OTHERS.

THE COLOR(S) BLACK, PURPLE, GREEN, BLUE AND RED IS/ARE CLAIMED AS A FEATURE OF THE MARK.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "RADIO CADENA", APART FROM THE MARK AS SHOWN.

THE MARK CONSISTS OF THE BLACK STYLIZED WORDING "RADIO CADENA UNIVISION" TO THE LEFT OF THE WORDING IS A FANCY UL DEPICTION OF A TULIP, INTENDED TO REPRESENT THE LETTER "U" IN APPLICANT'S CORPORATE NAME. THE COLORS PURPLE, GREEN, BLUE AND RED EACH FILLS ONE OF THE 3 QUARTER-CIRCLES AND THE ONE SQUARE THAT COMPRISE THE TULIP STARTING WITH THE UPPER LEFT AND MOVING CLOCKWISE.

THE ENGLISH TRANSLATION OF "RADIO CADENA" IN THE MARK IS "RADIO NETWORK"

SER. NO. 77-716,705, FILED 4-17-2009.

KELLY TRUSHO, EXAMINING ATTORNEY

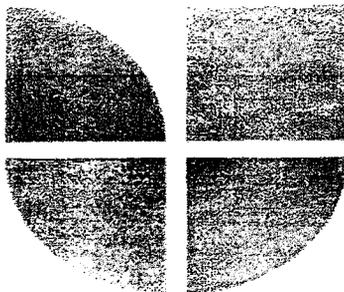


David J. Kybas

Director of the United States Patent and Trademark Office

United States of America

United States Patent and Trademark Office



Reg. No. 3,703,908 UNIVISION COMMUNICATIONS INC. (DELAWARE CORPORATION)
Registered Nov. 3, 2009 5799 CENTER DRIVE
LOS ANGELES, CA 90045

Int. Cl.: 9 FOR: PRE-RECORDED AUDIO-VIDEO RECORDINGS IN THE FORM OF AUDIO-VIDEO
TAPES, AUDIO-VIDEO CASSETTES AND AUDIO VIDEO DISCS FEATURING MUSIC,
AND/OR COMEDY, DRAMA, ACTION, ADVENTURE, AND/OR ANIMATION MOTION
PICTURES, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

**TRADEMARK
PRINCIPAL REGISTER**

FIRST USE 4-30-2005; IN COMMERCE 4-30-2005.

OWNER OF U.S. REG. NOS. 1,672,897, 3,568,848, AND 3,570,072.

THE COLOR(S) PURPLE (PANTONE 265 C), GREEN (PANTONE 354 C), BLUE (PANTONE
299 C) AND RED (PANTONE 1788 C) IS/ARE CLAIMED AS A FEATURE OF THE MARK.

THE MARK CONSISTS OF A FANCIFUL DEPICTION OF A TULIP, INTENDED TO REPRESENT THE LETTER "U". THE COLORS PURPLE (PANTONE 265 C), GREEN (PANTONE 354 C), BLUE (PANTONE 299 C) AND RED (PANTONE 1788 C) EACH FILLS ONE OF THE 3 QUARTER-CIRCLES AND THE ONE SQUARE THAT COMPRISE THE TULIP, AND ARE ALL CLAIMED AS A FEATURE OF THE MARK.

SER. NO. 76-695,992, FILED 2-26-2009.

THOMAS MANOR, EXAMINING ATTORNEY

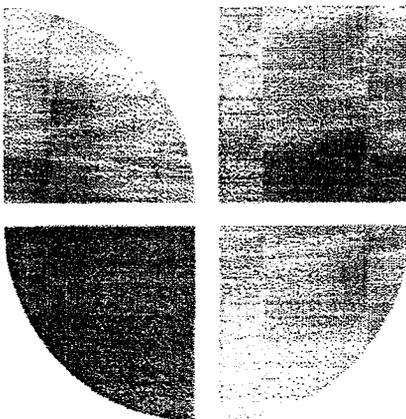


David J. Kyffas

Director of the United States Patent and Trademark Office

United States of America

United States Patent and Trademark Office



Reg. No. 3,780,080

Registered Apr. 27, 2010

Int. Cls.: 35, 41 and 42

SERVICE MARK

PRINCIPAL REGISTER

UNIVISION COMMUNICATIONS INC. (DELAWARE CORPORATION)
5999 CENTER DRIVE
LOS ANGELES, CA 90045

FOR: ADVERTISING, MARKETING AND PROMOTIONAL SERVICES; ONLINE RETAIL STORE SERVICES FEATURING CONSUMER PRODUCTS AND ENTERTAINMENT RELATED PRODUCTS, NAUGHTY RINGTONES, MUSIC SOUND RECORDINGS, CALENDARS AND POSTERS; PROVIDING ON-LINE DIRECTORY INFORMATION SERVICES ALSO FEATURING HYPERLINKS TO OTHER WEB SITES; ON-LINE DIRECTORY LISTINGS FOR ADVERTISING FOR THE ENTERTAINMENT INDUSTRY, IN THE FIELDS OF MUSIC, TELEVISION PROGRAMS, CELEBRITIES, FILMS, GAMES, THEATRE, ARTS AND SPORTS, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 7-1-2000; IN COMMERCE 7-1-2000.

FOR: PROVIDING ONLINE NON-DOWNLOADABLE PUBLICATIONS IN THE NATURE OF DIRECTORIES, AND SEARCHABLE DATABASES PERTAINING TO THE ENTERTAINMENT INDUSTRY, FEATURING MUSIC, TELEVISION PROGRAMS, CELEBRITIES, FILMS, GAMES, THEATRE, ARTS, AND SPORTS; PROVIDING INFORMATION AND NEWS IN THE FIELD OF SPORTS, ENTERTAINMENT, AND CURRENT EVENTS VIA THE INTERNET AND BY MEANS OF WIRELESS HANDHELD DEVICES, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 7-1-2000; IN COMMERCE 7-1-2000.

FOR: PROVIDING WEATHER INFORMATION VIA THE INTERNET AND BY MEANS OF WIRELESS HANDHELD DEVICES, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 7-1-2000; IN COMMERCE 7-1-2000.

OWNER OF U.S. REG. NOS. 1,672,807, 3,568,848, AND 3,570,072



David J. Kybas

Director of the United States Patent and Trademark Office

Reg. No. 3,780,080 THE COLORS PURPLE, GREEN, BLUE AND RED IS/ARE CLAIMED AS A FEATURE OF THE MARK.

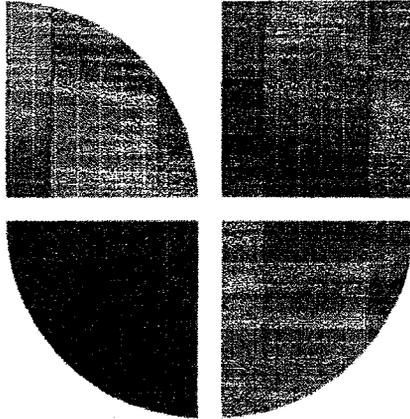
THE MARK CONSISTS OF A FANCIFUL DEPICTION OF A TULIP, INTENDED TO REPRESENT THE LETTER "U". THE COLORS PURPLE (PANTONE 265 C), GREEN (PANTONE 354 C), BLUE (PANTONE 299 C) AND RED (PANTONE 1788 C) EACH FILLS ONE OF THE 3 QUARTER-CIRCLES AND THE ONE SQUARE THAT COMPRISE THE TULIP, AND ARE ALL CLAIMED AS A FEATURE OF THE MARK.

SER. NO. 77-675,121, FILED 2-20-2009.

THOMAS MANOR, EXAMINING ATTORNEY

United States of America

United States Patent and Trademark Office



Reg. No. 3,714,485 UNIVISION COMMUNICATIONS INC. (DELAWARE CORPORATION)
Registered Nov. 24, 2009 5999 CENTER DRIVE
LOS ANGELES, CA 90045

Int. Cl.: 38 FOR: RADIO BROADCASTING, IN CLASS 38 (U.S. CLS. 100, 101 AND 104).

SERVICE MARK FIRST USE 9-23-2003; IN COMMERCE 9-23-2003.
PRINCIPAL REGISTER OWNER OF U.S. REG. NOS. 1,672,807, 3,568,848, AND 3,570,072.

THE COLOR(S) PURPLE, GREEN, BLUE AND RED IS/ARE CLAIMED AS A FEATURE OF THE MARK.

THE MARK CONSISTS OF A FANCIFUL DEPICTION OF A TULIP, INTENDED TO REPRESENT THE LETTER "U". THE COLORS PURPLE-(PANTONE 265 C), GREEN (PANTONE 354 C), BLUE (PANTONE 299 C) AND RED (PANTONE 1788 C) EACH FILLS ONE OF THE 3 QUARTER-CIRCLES AND THE ONE SQUARE THAT COMPRISE THE TULIP, AND ARE ALL CLAIMED AS A FEATURE OF THE MARK.



SER. NO. 77-675,040. FILED 2-20-2009.

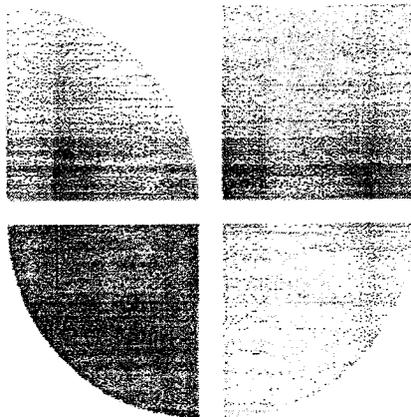
THOMAS MANOR, EXAMINING ATTORNEY

David J. Kappas

Director of the United States Patent and Trademark Office

United States of America

United States Patent and Trademark Office



Reg. No. 3,714,486 UNIVISION COMMUNICATIONS INC. (DELAWARE CORPORATION)
Registered Nov. 24, 2009 5999 CENTER DRIVE
LOS ANGELES, CA 90045

Int. Cl.: 38 FOR: TELEVISION BROADCASTING, IN CLASS 38 (U.S. CLS. 100, 101 AND 104)

SERVICE MARK FIRST USE 11-30-1989; IN COMMERCE 11-30-1989
PRINCIPAL REGISTER OWNER OF U.S. REG. NOS. 3,570,062, 1,672,807, AND 3,568,848.

THE COLOR(S) PURPLE, GREEN, BLUE AND RED IS/ARE CLAIMED AS A FEATURE OF THE MARK.

THE MARK CONSISTS OF A FANCIFUL DEPICTION OF A TULIP, INTENDED TO REPRESENT THE LETTER "U" IN APPLICANT'S CORPORATE NAME. THE COLORS PURPLE (PANTONE 265 C), GREEN (PANTONE 354 C), BLUE (PANTONE 299 C) AND RED (PANTONE 1788 C) EACH FILLS ONE OF THE 3 QUARTER-CIRCLES AND THE ONE SQUARE THAT COMPRISE THE TULIP, AND ARE ALL CLAIMED AS A FEATURE OF THE MARK.



SER. NO. 77-675081, FILED 2-20-2009.

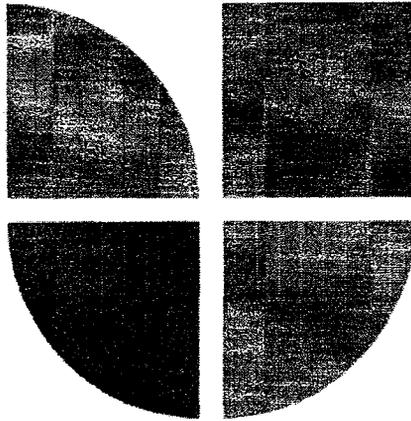
THOMAS MANOR, EXAMINING ATTORNEY

David J. Kybas

Director of the United States Patent and Trademark Office

United States of America

United States Patent and Trademark Office



Reg. No. 3,830,142

Registered Aug. 10, 2010

**Int. Cls.: 35, 36, 41, 44
and 45**

SERVICE MARK

PRINCIPAL REGISTER

UNIVISION COMMUNICATIONS INC. (DELAWARE CORPORATION)
5999 CENTER DRIVE
LOS ANGELES, CA 90045

FOR: PLANNING, ORGANIZING AND CONDUCTING HEALTH FAIRS FOR COMMERCIAL AND BUSINESS PURPOSES, JOB FAIRS, AND INFORMATION FAIRS RELATING TO TOPICS OF GENERAL INTEREST TO THE HISPANIC COMMUNITY FOR COMMERCIAL PURPOSES; PROVIDING LEGISLATION AND PUBLIC POLICY INFORMATION, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 11-30-1989; IN COMMERCE 11-30-1989.

FOR: PROVIDING INFORMATION IN THE FIELD OF FINANCE, IN CLASS 36 (U.S. CLS. 100, 101 AND 102).

FIRST USE 11-30-1989; IN COMMERCE 11-30-1989.

FOR: EDUCATIONAL AND ENTERTAINMENT SERVICES, NAMELY, TELEVISION AND RADIO PRODUCTION, PROGRAMMING AND DISTRIBUTION; PRODUCTION OF LIVE MUSIC CONCERTS AND OTHER LIVE ENTERTAINMENT EVENTS, NAMELY, GAME SHOWS, VARIETY SHOWS, COMEDY SHOWS, AND TALENT CONTESTS; PRODUCTION OF NATIONAL HOLIDAY FESTIVITIES IN THE NATURE OF MUSIC CONCERTS FOR CINCO DE MAYO AND INDEPENDENCE DAY CELEBRATIONS; PROVIDING NEWS IN THE NATURE OF CURRENT EVENT REPORTING; ENTERTAINMENT SERVICES, NAMELY, PROVIDING PRE-RECORDED MUSIC, VIDEO, GAMES, PHOTOS, IMAGES, AND ENTERTAINMENT RELATED NEWS AND INFORMATION VIA TELEVISION, RADIO, A GLOBAL COMPUTER NETWORK, AND WIRELESS NETWORKS, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 11-30-1989; IN COMMERCE 11-30-1989.

FOR: PROVIDING INFORMATION IN THE FIELD OF HEALTH AND WELLNESS, IN CLASS 44 (U.S. CLS. 100 AND 101).



David J. Kappas

Director of the United States Patent and Trademark Office

Reg. No. 3,830,142 FIRST USE 11-30-1989; IN COMMERCE 11-30-1989.

FOR: PROVIDING LEGAL INFORMATION RELATING TO LAWS, REGULATIONS, CONSUMER RIGHTS, IMMIGRANT RIGHTS, AND LEGAL ISSUES PERTAINING TO THE HISPANIC COMMUNITY IN GENERAL; PLANNING, ORGANIZING AND CONDUCTING INFORMATION FAIRS REGARDING CONSUMER LEGAL RIGHTS AND IMMIGRANT LEGAL RIGHTS, IN CLASS 45 (U.S. CLS. 100 AND 101).

FIRST USE 11-30-1989; IN COMMERCE 11-30-1989.

OWNER OF U.S. REG. NOS. 1,672,807, 3,568,848, AND 3,570,072.

THE COLOR(S) PURPLE, GREEN, BLUE AND RED IS/ARE CLAIMED AS A FEATURE OF THE MARK.

THE MARK CONSISTS OF A FANCIFUL DEPICTION OF A TULIP, INTENDED TO REPRESENT THE LETTER "U" IN OWNER'S CORPORATE NAME. THE COLORS PURPLE (PANTONE 265 C), GREEN (PANTONE 354 C), BLUE (PANTONE 299 C) AND RED (PANTONE 1788 C) EACH FILLS ONE OF THE 3 QUARTER-CIRCLES AND THE ONE SQUARE THAT COMPRISE THE TULIP, AND ARE ALL CLAIMED AS A FEATURE OF THE MARK.

SER. NO. 77-675,098, FILED 2-20-2009.

THOMAS MANOR, EXAMINING ATTORNEY

1 **PROOF OF SERVICE**

2 I MARCUS FONTAIN, on this date have caused to be served via mail, electronically
3 and/or e-mail a copy of this **UNIMUNDO'S OPPOSITION; AND MOTION TO**
4 **DISMISS UNIVISION'S PETITION TO CANCEL THE UNIMUNDO MARK FOR**
5 **FAILURE TO STATE A CLAIM**, addressed to:

6
7 Jorge Arciniega
8 Ellie Hourizadeh
9 Attorneys at Law
10 McDermott Will & Emery LLP
11 2049 Century Park East, Suite 3800
12 Los Angeles, CA 90067
13 Tel: (310) 551-9321
14 Fax: (310) 277-4730
15 Email: ehourizadeh@mwe.com

16 Trademark Trial and Appeal Board
17 U.S. Patent and Trademark Office
18 P.O. Box 1451 Alexandria, VA 22313-1451

19 Executed on this June 29, 2011

20 
21 Marcus Fontain

1 UNIMUNDO CORPORATION
14859 Moorpark Street, Suite 103
2 Sherman Oaks, CA. 91403
3 Tel: 800-516-1134
4 Direct: 424-204-2225
5 Fax: 800-516-1143
6 marcus@unimundotv.com
www.unimundotv.com

7 Registrant UNIMUNDO CORPORATION by and through
8 MARCUS FONTAIN, President and CEO, in pro se

9
10 **IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**
11 **BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

12 UNIMUNDO CORPORATION,) **Cancellations No. 92054050**
13 a Florida Corporation,) **Registration No. 3889485**
14)
15 vs. Registrant,)
16) **UNIMUNDO'S OPPOSITION;**
17 UNIVISION COMMUNICATIONS,) **AND MOTION TO DISMISS**
18 INC., a California Corporation,) **UNIVISION'S PETITION TO**
19) **CANCEL THE UNIMUNDO MARK**
20) **FOR FAILURE TO STATE A CLAIM**
21)
22)
23)
24)
25)
26)
27)
28)
29)
30)
31)
32)
33)
34)
35)
36)
37)
38)
39)
40)
41)
42)
43)
44)
45)
46)
47)
48)
49)
50)
51)
52)
53)
54)
55)
56)
57)
58)
59)
60)
61)
62)
63)
64)
65)
66)
67)
68)
69)
70)
71)
72)
73)
74)
75)
76)
77)
78)
79)
80)
81)
82)
83)
84)
85)
86)
87)
88)
89)
90)
91)
92)
93)
94)
95)
96)
97)
98)
99)
100)

21 COMES NOW Registrant UNIMUNDO CORPORATION by and through MARCUS
22 FONTAIN, President and CEO, in pro se and files this UNIMUNDO'S OPPOSITION; AND
23 MOTION TO DISMISS UNIVISION'S PETITION TO CANCEL THE UNIMUNDO
24 TRADEMARK FOR FAILURE TO STATE A CLAIM.

25
26 **A. INTRODUCTION**

27 1. Unimundo Corporation ("UNIMUNDO") a Florida Corporation, with an office in
28 California located at 14859 Moorpark Street, Suite 103, Sherman Oaks, CA. 91403, hereby

1 file this Opposition and Motion to Dismiss Univision Communications, Inc. ("Univision")
2 Petition for Cancellation of Registration No. 3889485 for the word mark UNIMUNDO.

3 2. Univision's ("complaint") is based solely on information and belief offering not
4 one shred of evidence and it is framed on the ostensible grounds that: (A) the application for
5 the Mark contains knowingly false material representations of fact by the Registrant, (B) the
6 Mark is likely to cause consumer confusion with respect to Petitioner's family of marks and
7 (C) the Mark dilutes Petitioner's family of famous marks by blurring and tarnishment.

8 3. The Complaint by Univision did not state a claim upon which relief can be granted.
9 Therefore, the USPTO Trademark Trial and Appeal Board should summarily dismiss
10 Univision's Complaint because it is nothing but a smoke and mirrors transparently aimed at
11 deflecting the USPTO attention away from the merits of the UNIMUNDO mark.

12 4. The belated allegations by Univision are unwarranted and blatantly untrue.

13 5. Univision deliberately failed to object to the UNIMUNDO Mark during the time of
14 the publication by the USPTO in the *Official Gazette of the PTO* of the UNIMUNDO mark
15 and as such Univision is now attempting to avoid the consequences of its failure to file a
16 timely objection by filing the belated complaint.

17 6. Univision's Complaint, in keeping with its ways of old, is an attempt to monopolize
18 the Spanish Television broadcasting industry in the U.S. and elsewhere; even on the internet.
19 The complaint is baseless and unwarranted, was filed in bad faith, is malicious and vexatious
20 and the complaint clearly demonstrates that it is an attempt by Univision to unfairly take
21 over the Spanish language "*Internet*" television broadcasting in the U.S.

22 7. Registration of the Trademark UNIMUNDO and use of the UNIMUNDO mark is
23 neither a misappropriation of Univision's unique, valuable and exclusive rights or
24 usurpation, infringement or seizure of any of Univision's Registered Marks. The mere
25 allegation is completely absurd and outrageous.

26 8. Univision has come here unscrupulously in an effort to intimidate UNIMUNDO
27 into submission by attempting to fabricate evidence against UNIMUNDO while at the same
28 time having the audacity to boast that it is the number one Spanish television network in the

1 U.S. The fact remains that Univision is on the verge of bankruptcy with an approximate debt
2 of over Eleven (11) billion dollars and an estimated market valuation of only ten (10) billion
3 dollars. That is hardly a reputable organization or successful company. This alone should
4 shed some light as to why Univision is so desperately attempting to concoct false and
5 misleading allegations or evidence against any perceived or supposed threat or competitor
6 such as UNIMUNDO, at any cost, be it legally or illegally.

8 B. ARGUMENT

9 9. The USPTO Trademark Trial and Appeal Board has the authority to dismiss a
10 complaint for failure to state a claim upon which relief can be granted if the complaint
11 clearly demonstrates that the complainant cannot prove any set of facts that would entitle it
12 to relief. Hishon v. King & Spalding, 467 U.S. 69, 73, 104 S .Ct. 2229, 2223 (1984);
13 Doe v. Hillsboro ISD, 81 F.3d 1395, 1401-02 (5th Cir. 19956).

14 10. The Complaint by Univision is based on information and belief alleging that:

15 *“B. Registrant Fraudulently Obtained Registration for the Mark 4. On or*
16 *about March 31, 2010, Unimundo Corp. ("Registrant") filed an application*
17 *with the United States Patent and Trademark Office for registration of the*
18 *word mark UNIMUNDO for "television and internet broadcasting" in*
19 *International Class 38, based on alleged use in interstate commerce as of*
20 *March 28, 2010. This application was assigned Serial Number 85003668. The*
21 *application included a declaration signed by Marcus Fountain, President and*
22 *CEO of Unimundo Corp., which states under penalty of perjury that*
23 *Registrant had been using the Mark in commerce as of the filing date of the*
24 *application. 5. On July 29,2010, in response to an Office Action, Marcus*
25 *Fountain filed another declaration reiterating that the Mark had been used as*
26 *of March 28, 20 in connection with an "internet broadcasting television*
27 *network." 6. On December 14, 2011, the Mark was registered with the*
28 *USPTO, as Registration No. 3,889,485. 28738530-3072922.0016. 7. Upon*

1 *information and belief, as of the date the application was filed to the present,*
2 *the Mark has not been used in connection with "television broadcasting" or*
3 *an "internet broadcasting television network" as alleged in the declarations*
4 *filed by Registrant in support of the application for the Mark. 8. Upon*
5 *information and belief, the verified statements signed by Marcus Fontain,*
6 *President and CEO of Unimundo Corp., and submitted with and in connection*
7 *to the application for the Mark contain knowingly false material*
8 *representations of fact, and therefore constitute fraud in the procurement of a*
9 *registration. 9. But for these material and willful misrepresentations, the*
10 *Mark would not have been registered."*

11 11. Even if Univision proves each of these above mentioned allegations, Univision
12 has not set forth the essential elements necessary to state a claim upon relief can be granted.

13 12. In the Complaint Univision further alleges that:

14 ***"C. The Mark is Likely to Cause Consumer Confusion with Petitioner's***
15 ***Registered and Senior Marks*** 10. *Upon information and belief, the*
16 *registration of the Mark is a blatant attempt to capitalize on the goodwill and*
17 *tremendous name recognition of the Petitioner. In a baldly crude fashion,*
18 *Registrant has attempted to get a free ride by combining Petitioner's Registered*
19 *Marks with the name of the second largest Spanish language television*
20 *broadcaster in the US - Telemundo. Consumers who see the "Frankenstein"*
21 *mark that Registrant has created is likely to think either that the Mark is*
22 *affiliated with Petitioner or that the Mark and its related services are a joint*
23 *venture between Petitioner and Telemundo. 11. Registration and use of the*
24 *Mark has and will continue to cause damage and harm to the Petitioner."*

25 13. Univision however, did not allege or identify the necessary elements for the
26 above claim and any inference that UNIMUNDO interferes with the name Univision is
27 patently false.
28

1 14. The claim that the mark UNIMUNDO infringes on the Univision mark and that it
2 causes blurring and tarnishment and it dilutes its value is nothing but fodder.

3 15. It is important to note here that the attorneys for Univision **do not represent** the
4 company "Telemundo" and in the complaint, as well as in the letter of April 22, 2011,
5 maliciously and unethically refer to and argue on behalf of "Telemundo" which is totally
6 unrelated to and completely separate and apart from Univision. In fact both companies are
7 direct competitors in the same markets. Therefore, Univision should know better than to
8 raise the impermissible argument on behalf of "Telemundo." *See Exhibit A.*

9 16. It is highly unethical, improper and unbecoming a lawyer for the attorneys for
10 Univision to include any comments and/or arguments -- or comparisons -- that may apply, or
11 not, to "Telemundo" because neither attorneys "**Jorge Arcinega**" or "**Ellie Hourizadeh**"
12 nor anyone else in the law firm **McDermott Will & Emery, LLP** represent "Telemundo." .

13 17. Whatever allegations or representations made on behalf of "Telemundo" are not
14 just unethical they are highly prejudicial to UNIMUNDO and should be disregarded here, as
15 a trier of fact cannot consider such allegations.

16 18. Univision falsely claims that my UNIMUNDO has attempted to capitalize on the
17 goodwill and tremendous name recognition of Univision, and that the name UNIMUNDO is
18 likely to cause confusion, mistake, and/or deception in the marketplace and that
19 UNIMUNDO's services are somehow affiliated or connected to Univision. *See Exhibit A.*

20 19. Univision falsely claims that the confusion of the use of the Mark UNIMUNDO
21 is further heightened by the fact that my UNIMUNDO's logo may be similar to Univision's.
22 Nothing can be further from the truth. *See Exhibit A.*

23 20. Univision falsely contends that because the Univision mark is "famous,"
24 UNIMUNDO's use of a confusingly similar brand name and logo, within the same genre,
25 will have the effect of diluting Univision's mark. *See Exhibit A.*

26 21. Univision should not be able to avoid the consequences, employing one of the
27 largest law firms in Los Angeles with their battery of attorneys, having failed to file a timely
28 objection and by deliberately ignoring Official *Gazette of the PTO* when it gave worldwide

1 notice that UNIMUNDO had applied for the trademark. Univision had the opportunity then
2 to oppose the UNIMUNDO mark but failed to do so. Univision and its attorneys cannot have
3 it both ways!

4 22. Because the UNIMUNDO mark has now been registered, UNIMUNDO's
5 registration is irrefutably *prima facie* evidence of the validity of the mark in commerce, its
6 ownership, and of its exclusive right to use it in commerce on or in connection with the
7 goods or services specified in the registration.

8 23. On April 22, 2011, Univision's attorney sent a coercive and misleading letter to
9 UNIMUNDO attempting to make a valid comparison of the UNIMUNDO logo "U" design
10 where Univision preposterously claimed that the "U" design belongs to Univision. In a
11 *sleight-of-hand* the comparisons were not in color, making the *side-to-side* comparisons
12 totally deceiving and knowing full well that Supreme Court case law clearly prohibits the
13 *side-by-side* comparison of logos. See *Exhibit A*.

14 24. UNIMUNDO's logo is a "U" design which consists of solid blue colors, dark and
15 light and with a solid white streak tail-like design inside. See www.unimundotv.com.

16 25. Univision's logo as it appears today on its web page www.univision.com and in
17 <http://en.wikipedia.org/wiki/Univision> is an unclear and undefined "U." In fact, it does not
18 even look like a "U." Univision call its log a "*Tulip*" where the top left quarter is *purple*
19 with a twist to the left, a *green* square on the top right, a *red* pie on the lower left hand
20 corner and a light *blue* pie on the lower right hand corner, none which in combination
21 identify a letter "U" furthermore, the logo is then cut horizontally and vertically dividing it
22 into four (4) color parts: **purple, green, red and blue**. The UNIMUNDO logo and the
23 Univision logos are completely dissimilar by way of shape, design, color and meaning and
24 any allegation of semblance is delusional.

25 26. The trademark names of Univision and UNIMUNDO are also dissimilar.
26 Univision's claim that the two names can be confusing because they both have "Uni" is
27 outrageous and preposterous.
28

1 27. The word "**Uni**" is a generic name for the word "*one*" or "*uno*" in Latin. A
2 *Single one, Unicycle, "Uni"* is also a shortened word for *University*, a character in
3 *'Dungeness and Dragons (TV Series; JJ Uni Records, formally called Universal City*
4 *Records, an urban-type Settlement in Kirov Oblast, Russia, the Supreme Goddess of*
5 *Etruscan Mythology, Uni for sea-urchin in Japanese restaurants, uniball Pens* for some pens
6 and pencils, *Uni for Uniform spaces in mathematics, Uni Global Union, an international*
7 trade union federation, a *user-network interface*, which is a junction from which a
8 telecommunications services is connected between the service provider and the end user,
9 *Uniradio, a radio station in San Diego, CA. "Uni"* is also the shortened word for **university**;
10 *University Professors Program, an interdisciplinary program for gifted students at Boston*
11 *University; University High School (Irvine, California); University Laboratory High School*
12 *(Urbana, Illinois); Union Nationale Inter-universitaire, a French right-wing union of*
13 *university students; National University of Engineering (Universidad Nacional de*
14 *Ingenieria), Lima, Peru; University of Northern Iowa; Independente University*
15 *(Universidade Independente), Lisbon, Portugal.*

16 28. The word "**Vision**" is also quite generic; the faculty of sight; eyesight: *poor*
17 *vision* and even as applied in trademarks, as it has been used by *Pearle Vision; Plaza Vision*
18 *Center; Uptown Vision; Visual Perception; Vision (Timely Comics), Visions (Magic-The*
19 *gathering- a card game). Vision or visions* also refer to: *Visual perception, interpreting what*
20 *is seen; Visual system, the sensory mechanism of eyesight; Vision (spirituality),*
21 *inspirational experiences ; Hallucination, vivid conscious perception in the absence of a*
22 *stimulus*

23 29. The word "**Mundo**" in Spanish or "*world*" in English; *everyone, everybody,*
24 *Mundo (river), river in south-eastern Spain; Mundo, California, unincorporated community*
25 *in Imperial County; Mundo (album), 2002 album by Rubén Blades; Mundo (Hun),*
26 *descendant of Attila the Hun.*

27 30. Univision also makes the false and misleading allegation that somehow
28 UNIMUNDO used words from Univision and Telemundo and put them together to create

1 the mark UNIMUNDO to confuse the public by creating "blurring and tarnishment." This is
2 nothing but a pack of lies. And for the attorneys representing Univision it is patently
3 unethical to make allegations in favor of another company that they do not represent and
4 their lack of ethical behavior may be actionable at the California State Bar level.

5 31. Univision is not entitled to claim ownership of the word "Uni" nor "Mundo."
6 Furthermore, "Telemundo" is not a complainant here, for good reasons, because they too
7 cannot claim ownership over the word "Mundo." Additionally, There has been plenty of
8 case law on this very subject, such as "*domino*" for sugar and spices and pizzas, "*holiday*
9 *inns and holiday outs*," the uses of the word "*world*," "*chico*," and "*golden JJ*" that courts
10 have found to be weak trademarks because they are generic names.

11 32. There is absolutely, no similarity in the logo design "U" or the actual name
12 between UNIMUNDO and Univision. Under current Supreme Court case law; a logo
13 comparison cannot be made *side-by-side*. It must be made independently of each other.

14 33. There is also no similarity whatsoever in the products from Univision and
15 UNIMUNDO, TV broadcasting over the internet, identity of retail outlets, or purchasers, or
16 consumers, or subscribers or members other than the fact that UNIMUNDO and Univision
17 mutually seek the Spanish speaking world as their target market audience.

18 34. UNIMUNDO is not trying to pass-off its product or services for those of
19 Univision. Quite the opposite www.UnimundoTV.com is a music, movie and documentary
20 site or venue for uploading of HD videos by its own members for internet TV viewing much
21 like www.vimeo.com and www.youtube.com. To this end, compare www.univision.com.
22 There is not one iota similarities or any intent by UNIMUNDO to benefit whatsoever from
23 Univision's reputation.

24 35. UNIMUNDO's "U" logo is unquestionably substantially different and
25 distinguishable from Univision, and the same goes for the word UNIMUNDO. There cannot
26 possibly be any confusion by any ordinary consumer, Spanish or not or other purchaser or
27 visitor to the web sites that would be misled into thinking that they have gone into the world
28 of Univision looking for UNIMUNDO and vice versa. "*Univision*" is "*One Vision*," and

1 **"UNIMUNDO" is "One World."** UNIMUNDO by no means is trying to dilute the good
2 name of Univision.

3 36. Some courts have stated, that categorizing a mark is a **"slippery business,"** as
4 things turn on the particular context of the mark' use and the context of its group of users.

5
6 **C. CONCLUSION**

7 WHEREFORE, Univision's Petition to Cancel the Trademark UNIMUNDO should
8 be denied for at least the failure to state a claim filed in bad faith and with malicious intent,
9 specifically designed to cause UNIMUNDO anguish, financial harm, and embarrassment and
10 to harm UNIMUNDO's standing in the entertainment community.

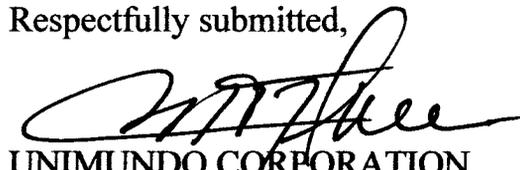
11 Univision's Petition to Cancel the Trademark UNIMUNDO should also be denied on
12 the grounds that the mark UNIMUNDO does not now and will not lessen blur and tarnish the
13 uniqueness of Univision nor will it weaken Univision as a company because both entities
14 and trademarks are extremely dissimilar and will not create confusion in the marketplace.

15 UNIMUNDO strongly disagrees with Univision's deliberately delayed complaint and
16 its position because neither the application for the mark UNIMUNDO itself, nor the mark
17 UNIMUNDO or its "U" logo constitute a violation of the U.S. Trademark Act found in Title
18 15 of the United States Code Sections 1114(1)(A), 1125(a) (1)(A) and 1125(c)(1).

19 Therefore, Univision's complaint should be dismissed and UNIMUNDO should be
20 awarded legal fees and costs according to proof.

21 Executed on June 29, 2011

22 Respectfully submitted,

23 

24 UNIMUNDO CORPORATION
25 By and through MARCUS FONTAIN
26 President and CEO, in pro se
27 14859 Moorpark Street, Suite 103
28 Sherman Oaks, CA. 91403
Tel: 800-516-1134; Direct: 424-204-2225
Fax: 800-516-1143
marcus@unimundotv.com

**April 22, 2011, letter from Attorney Jorge Arciniega on
behalf of Univision to UNIMUNDO alleging Infringement
and Dilution of the Univision Trademarks**

Exhibit A

McDermott Will & Emery

Boston Brussels Chicago Dusseldorf Houston London Los Angeles Miami Milan
Munich New York Orange County Rome San Diego Silicon Valley Washington, D.C.
Strategic alliance with MWE China Law Offices (Shanghai)

Jorge R. Arciniega
Attorney at Law
jarciniega@mwe.com
310.551.9306

April 22, 2011

BY FEDEX COURIER

Unimundo Corporation
14859 Moorpark St., Suite 103
Sherman Oaks, CA 91403

Attn.: Mr. Marcus Fontain, President and CEO

Re: Infringement and Dilution of the "UNIVISION" Trademarks
Our Reference: 072922.0016

Dear Sirs:

This law firm represents Univision Communications Inc. and several of its subsidiaries, including The Univision Network Limited Partnership, Univision Television Group, Univision Interactive Media, Inc., Univision Radio, Inc., TeleFutura Network, TeleFutura Television Group, Inc., and Galavision, Inc. (collectively "Univision"). Univision has asked that we communicate with you regarding the above-referenced matter.

It has come to our attention that your company Unimundo Corporation (a Florida corporation formed in April 2010) operates the website www.unimundotv.com (the "Website"), which prominently features the "UNIMUNDO" name and a fanciful "U" design, and which broadcasts Spanish and English-language entertainment content in areas of music, television, and movies. WHOIS records indicate that the Website's domain name account was created on March 29, 2010. We are also aware that you have applied for federal trademark protection of the "UNIMUNDO" mark, and currently own a trademark registration in International Class 38 for "television and internet broadcasting" (Reg. No. 3889485) and a pending trademark application for "UNIMUNDO.COM" in Class 38 for "Audio and video broadcasting services over the Internet; Audio broadcasting; Broadcasting of television programmes; Broadcasting of video and audio programming over the Internet; Broadcasting programs via a global computer network; Broadcasting services and provision of telecommunication access to films and television programmes provided via a video-on-demand service; Broadcasting services and provision of telecommunication access to video and audio content provided via a video-on-demand service via the Internet; Broadcasting services, namely, transmission of advertising programs and media advertising communications via digital communications networks" (Serial No. 85057916).

As you are undoubtedly aware, Univision is the leading Spanish-language media company in the United States, with a diverse business portfolio that includes television, radio, film, internet, mobile media, and merchandising. Univision has been delivering news and entertainment to Spanish-speaking audiences since the late 1970s. Many of Univision's television programs are among the most popular and most watched programs in the United States, not only among the 50 million strong Latino/Hispanic audience

but also across language and cultural divides. Indeed, in several designated market areas Univision programs rank No. 1 in prime time, across all audiences. Our client's "UNIVISION" mark is a household name and symbol for virtually all Latinos living in the United States. It is as famous and well-known to the Spanish-speaking population in this country as NBC, ABC, CBS and FOX are to English-speaking audiences. Our client has been using the "UNIVISION" mark in the United States since as early as 1978, and such use is continuous, nationwide and global. Our client has also been using its fanciful "U" logo since as early as 1989, and such use is continuous, nationwide and global. Our client owns a number of U.S. Federal Trademark Registrations for its family of "UNIVISION" and "U" marks, including Reg. Nos. 1624073, 1672807, 1610165, 2518239, 2518240, 2528166, 2518241, 3568848, 3483636, 3570072, 3736267, 3703908, 3780080, 3714485, 3714486, and 3830142 (photocopies of these registrations are attached for your reference).

Your use of the "UNIMUNDO" name causes our client extreme concern. It is clear that in adopting the name "UNIMUNDO" in connection with providing entertainment content to a primarily Spanish-speaking audience, your company is blatantly attempting to capitalize on the goodwill and tremendous name recognition of the two top names in Spanish language media: UNIVISION and TELEMUNDO.¹ Your use of the "UNIMUNDO" name is likely to cause confusion, mistake and/or deception in the marketplace that your company and/or your services are somehow affiliated or connected with our client and/or Telemundo, have been approved, sponsored or endorsed by our client and/or Telemundo, or constitute some type of joint venture between our client and Telemundo. Such confusion is further heightened because your company's "U" logo is an obvious combination of Univision and Telemundo's federally registered design marks, copying the Univision "U" with the sweeping arc from Telemundo's "T" design:



Your company's "U" design:



The Univision and Telemundo federally registered designs:

Since our client has no control over the nature and quality of your services, the likelihood of confusion, mistake and/or deception resulting from your unauthorized use threatens to harm the substantial reputation and goodwill associated with our client's "UNIVISION" brand which our client has spent decades and of millions of dollars building, promoting and protecting.

Alternatively, because our client's "UNIVISION" and "U" marks are such famous and well-known brands for media and entertainment products and services, your use of a confusingly similar brand name and logo within the same genre will have the effect of diluting our client's mark by "blurring" the mark's strong and distinctive association with our client's products and services in the media and entertainment field.

¹ To be clear, our law firm does not represent Telemundo. Any reference in this letter to Telemundo's rights is made simply to cast a brighter light on your acts of infringement.

Dilution is just as harmful and damaging to our client's mark as consumer confusion, mistake and/or deception.

Please be advised that the use of a name or symbol that is likely to cause consumer confusion with a senior user's mark or that is likely to dilute a senior user's famous mark, is a violation of federal law. For your reference, the U.S. Trademark Act (known as the "Lanham Act") specifically provides, in pertinent part:

§1114(1) Any person who shall, without the consent of the registrant –

(A) use in commerce any reproduction, counterfeit, copy, or colorable imitation of a registered mark in connection with the sale, offering for sale, distribution, or advertising of any goods or services on or in connection with which such use is likely to cause confusion, or to cause mistake, or to deceive; ...

shall be liable in a civil action by the registrant for the remedies hereinafter provided.

§1125(a)(1) Any person who, on or in connection with any goods or services, or any container for goods, uses in commerce any word, term, name, symbol, or device, or any combination thereof, or any false designation of origin, false or misleading description of fact, or false misleading representation of fact, which –

(A) is likely to cause confusion, or to cause mistake, or to deceive as to the affiliation, connection, or association of such person with another person, or as to the origin, sponsorship, or approval of his or her goods, services, or commercial activities by another person, ...

shall be liable in a civil action by any person who believes that he or she is or is likely to be damaged by such act.

§1125(c)(1) The owner of a famous mark shall be entitled, subject to the principles of equity and upon such terms as the court deems reasonable, to an injunction against another person's commercial use in commerce of a mark or trade name, if such use begins after the mark has become famous and causes dilution of the distinctive quality of the mark, and to obtain such other relief as is provided in this subsection.

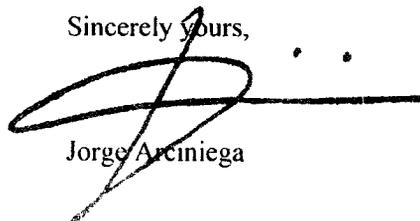
It has also come to our attention that the Univision trademark and "U" logo are visible in a picture captured on the "Fotos" portion of the Website, located at: (<http://www.unimundotv.com/fotos.php?viewkey=51>). To the extent that photographs, or any other copyrightable content, owned or controlled by our client is used and displayed on your site without permission, you are committing copyright infringement.

Our client must act (as most owners of famous brands would) to prevent confusion and dilution from occurring. **Accordingly, on behalf of our client, we demand that your company immediately (a) expressly surrender trademark Registration No. 3889485 and expressly abandon application Serial No. 85057916 with prejudice, and (b) cease and refrain from using the name "UNIMUNDO" or any other name confusingly similar thereto, and the "U" logo, whether as part of a company, business or trade name, as a trademark or service mark, as part of a domain name, or otherwise, in any form or media, including, without limitation, use in advertising, promotion, sale, and offering for sale of any of your products or services, use on product packaging, labels and tags, use in print and electronic materials, use on letterhead, business cards, signage and displays, and use on any internet website or webpage owned, controlled or operated by you or your company.**

We appreciate that re-branding can take time, and our client may be willing to consider granting your company a reasonable time period to phase out your use of the name "UNIMUNDO" and your "U" logo. However, prior to any phase-out discussion, we must first have your written assurance that your company intends to fully comply with the demands stated above. Please provide such written assurance by the close of business on **May 4, 2011**. We recommend providing your response as soon as possible, as our client wishes to bring a speedy resolution to this matter.

This letter is written with full reservation of all rights and remedies available to our client.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Jorge Arciniega', is written over a horizontal line. The signature is stylized and somewhat cursive.

Jorge Arciniega

Enclosures

JRA/ehm

Int. Cl.: 38

Prior U.S. Cls.: 100, 101 and 104

Reg. No. 1,624,073

United States Patent and Trademark Office

Registered Nov. 20, 1990

Corrected

OG Date July 13, 2010

SERVICE MARK
PRINCIPAL REGISTER

UNIVISION

UNIVISION NETWORK, THE LIMITED
PARTNERSHIP (DELAWARE PART-
NERSHIP)
9405 NORTHWEST 41ST STREET
MIAMI, FL 33178
OWNER OF U.S. REG. NOS. 1,145,264
AND 1,593,445.

FOR: TELEVISION BROADCASTING
SERVICES, IN CLASS 38 (U.S. CLS. 100,
101 AND 104).

FIRST USE 12-1-1977; IN COMMERCE
12-1-1997.

SER. NO. 74-029,494, FILED 2-16-1990.

*In testimony whereof I have hereunto set my hand
and caused the seal of The Patent and Trademark
Office to be affixed on July 13, 2010.*

Int. Cl.: 38

Prior U.S. Cl.: 104

United States Patent and Trademark Office **Reg. No. 1,672,807**
Registered Jan. 21, 1992

**SERVICE MARK
PRINCIPAL REGISTER**



UNIVISION, INC. (DELAWARE CORPORATION)
605 THIRD AVENUE, 12TH FLOOR
NEW YORK, NY 101580180

FOR: TELEVISION BROADCASTING SERVICES, IN CLASS 38 (U.S. CL. 104).

FIRST USE 11-22-1989; IN COMMERCE 11-22-1989.

OWNER OF U.S. REG. NO. 1,145,264.

SER. NO. 74-044,294, FILED 3-28-1990.

LINDA K. MCLEOD, EXAMINING ATTORNEY

Int. Cl.: 41

Prior U.S. Cl.: 107

United States Patent and Trademark Office **Reg. No. 1,610,165**
Registered Aug. 14, 1990

**SERVICE MARK
PRINCIPAL REGISTER**

NOTICIERO UNIVISION

UNIVISION, INC. (DELAWARE CORPORATION)
605 THIRD AVENUE
NEW YORK, NY 101580180

FOR: ENTERTAINMENT SERVICES,
NAMELY, A TELEVISION PROGRAM, IN
CLASS 41 (U.S. CL. 107).
FIRST USE 1-1-1987; IN COMMERCE
1-1-1987.
OWNER OF U.S. REG. NO. 1,145,264.

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "NOTICIERO", APART FROM
THE MARK AS SHOWN.

THE ENGLISH TRANSLATION OF THE
WORD "NOTICIERO" IN THE MARK IS
"NEWS".

SER. NO. 73-819,304, FILED 8-14-1989.

NICOLE J. BALDINO, EXAMINING ATTORNEY

Int. Cls.: 38 and 42

Prior U.S. Cls.: 100, 101, and 104

Reg. No. 2,518,239

United States Patent and Trademark Office

Registered Dec. 11, 2001

**SERVICE MARK
PRINCIPAL REGISTER**

UNIVISION

UNIVISION COMMUNICATIONS INC. (DELAWARE CORPORATION)
6701 CENTER DRIVE WEST, 15TH FLOOR
LOS ANGELES, CA 90045

FOR: PROVIDING ON-LINE CHAT ROOMS AND REAL-TIME GROUP DISCUSSION FOR TRANSMISSION OF MESSAGES AMONG COMPUTER USERS CONCERNING MUSIC, FILM, THEATER AND ENTERTAINMENT ARTS AND MEDIA, TRAVEL AND VACATION DESTINATIONS, SPORTS AND RECREATION, HEALTH AND FITNESS, NEWS AND CURRENT EVENTS, GAMES, HOBBIES, BUSINESS AND FINANCE, SHOPPING AND CONSUMER SERVICES AND OTHER TOPICS OF GENERAL INTEREST, IN CLASS 38 (U.S. CLS. 100, 101 AND 104).

FIRST USE 7-1-2000; IN COMMERCE 7-1-2000.

FOR: COMPUTER SERVICES, NAMELY, PROVIDING SEARCH ENGINES FOR OBTAINING DATA ON A GLOBAL COMPUTER NETWORK AND CREATING AND MAINTAINING SPECIALIZED WEB SITES FOR OTHERS FEATURING WEB SITE LINKS TO MULTIPLE BUSINESS ENTITIES WITH E-COMMERCE FUNCTIONALITY;

COMPUTER SERVICES PROVIDING CUSTOMIZES ON-LINE WEB PAGES FEATURING USER-DEFINED INFORMATION, WHICH INCLUDES SEARCH ENGINES AND ON-LINE WEB LINKS TO NEWS, WEATHER, SPORTS, CURRENT EVENTS, REFERENCE MATERIALS AND CUSTOMIZED E-MAIL MESSAGES, ALL IN A WIDE RANGE OF USER-DEFINED FIELDS; AND ON-LINE INFORMATION SERVICES, NAMELY, PROVIDING DATABASES AND WEB SITE LINKS TO OTHER CONTENT PROVIDERS IN THE FIELDS OF MUSIC, FILM, THEATER AND RELATED ENTERTAINMENT ARTS AND MEDIA, TRAVEL AND VACATION DESTINATIONS, SPORTS AND RECREATION, HEALTH AND FITNESS, NEWS AND CURRENT EVENTS, GAMES, HOBBIES, BUSINESS AND FINANCE, SHOPPING AND CONSUMER SERVICES, AND OTHER TOPICS OF GENERAL INTEREST, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 7-1-2000; IN COMMERCE 7-1-2000.

SN 75-773,609, FILED 8-12-1999.

RICHARD DONNELL, EXAMINING ATTORNEY

Int. Cl.: 35

Prior U.S. Cls.: 100, 101, and 102

Reg. No. 2,518,240

United States Patent and Trademark Office

Registered Dec. 11, 2001

**SERVICE MARK
PRINCIPAL REGISTER**

UNIVISION

UNIVISION COMMUNICATIONS INC. (DELA-
WARE CORPORATION)
6701 CENTER DRIVE WEST, 15TH FLOOR
LOS ANGELES, CA 90045

FOR: PROVIDING WEB SITES USED TO PLACE ON-LINE ORDERS IN THE FIELDS OF MUSIC, FILM, THEATER AND RELATED ENTERTAINMENT ARTS, CLOTHING AND FOOTWEAR, HEALTH AND BEAUTY, HOME FURNISHINGS, HOME ELECTRONICS, TOOLS AND HOME IMPROVEMENT, HOME DECORATION, ELECTRICAL APPLIANCES, JEWELRY, GAMES, TOYS AND SPORTING GOODS; PROMOTING THE GOODS AND SERVICES OF OTHERS BY PREPARING AND PLACING ADVERTISEMENTS ON WEB SITES ACCESSED THROUGH A GLOBAL COMPUTER NETWORK; DISSEMINATION OF ADVERTISING FOR OTHERS VIA AN ON-LINE ELECTRONIC COMMUNICATIONS NETWORK; AND ONLINE

DIRECTORY SERVICES, NAMELY, PROVIDING WEBSITE LINKS TO THIRD PARTY WEB SITES CONCERNING MUSIC, FILM, THEATER AND RELATED ENTERTAINMENT ARTS AND MEDIA, TRAVEL AND VACATION DESTINATIONS, SPORTS AND RECREATION, HEALTH AND FITNESS, NEWS AND CURRENT EVENTS, GAMES, HOBBIES, BUSINESS AND FINANCE, SHOPPING AND CONSUMER SERVICES AND OTHER TOPICS OF GENERAL INTEREST VIA A WEBSITE ACCESSED THROUGH A GLOBAL COMPUTER NETWORK, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 7-1-2000; IN COMMERCE 7-1-2000.

SN 75-773,610, FILED 8-12-1999.

RICHARD DONNELL, EXAMINING ATTORNEY

Int. Cls.: 38 and 42

Prior U.S. Cls.: 100, 101, and 104

Reg. No. 2,528,166

United States Patent and Trademark Office

Registered Jan. 8, 2002

**SERVICE MARK
PRINCIPAL REGISTER**

UNIVISION.COM

UNIVISION COMMUNICATIONS INC. (DELAWARE CORPORATION)
6701 CENTER DRIVE WEST, 15TH FLOOR
LOS ANGELES, CA 90045

FOR: PROVIDING ON-LINE CHAT ROOMS AND REAL-TIME GROUP DISCUSSION FOR TRANSMISSION OF MESSAGES AMONG COMPUTER USERS CONCERNING MUSIC, FILM, THEATER AND ENTERTAINMENT ARTS AND MEDIA, TRAVEL AND VACATION DESTINATIONS, SPORTS AND RECREATION, HEALTH AND FITNESS, NEWS AND CURRENT EVENTS, GAMES, HOBBIES, BUSINESS AND FINANCE, SHOPPING AND CONSUMER SERVICES AND OTHER TOPICS OF GENERAL INTEREST, IN CLASS 38 (U.S. CLS. 100, 101 AND 104).

FIRST USE 7-1-2000; IN COMMERCE 7-1-2000.

FOR: COMPUTER SERVICES, NAMELY, PROVIDING SEARCH ENGINES FOR OBTAINING DATA ON A GLOBAL COMPUTER NETWORK AND CREATING AND MAINTAINING SPECIALIZED WEB SITES FOR OTHERS FEATURING WEB SITE LINKS TO MULTIPLE BUSINESS ENTITIES WITH E-COMMERCE FUNCTIONALITY;

COMPUTER SERVICES PROVIDING CUSTOMIZED ON-LINE WEB PAGES FEATURING USER-DEFINED INFORMATION, WHICH INCLUDES SEARCH ENGINES AND ON-LINE WEB LINKS TO NEWS, WEATHER, SPORTS, CURRENT EVENTS, REFERENCE MATERIALS AND CUSTOMIZED E-MAIL MESSAGES, ALL IN A WIDE RANGE OF USER-DEFINED FIELDS; AND ON-LINE INFORMATION SERVICES, NAMELY, PROVIDING DATABASES AND WEB SITE LINKS TO OTHER CONTENT PROVIDERS IN THE FIELDS OF MUSIC, FILM, THEATER AND RELATED ENTERTAINMENT ARTS AND MEDIA, TRAVEL AND VACATION DESTINATIONS, SPORTS AND RECREATION, HEALTH AND FITNESS, NEWS AND CURRENT EVENTS, GAMES, HOBBIES, BUSINESS AND FINANCE, SHOPPING AND CONSUMER SERVICES, AND OTHER TOPICS OF GENERAL INTEREST, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 7-1-2000; IN COMMERCE 7-1-2000.

SN 75-773,612, FILED 8-12-1999.

RICHARD DONNELL, EXAMINING ATTORNEY

Int. Cl.: 35

Prior U.S. Cls.: 100, 101, and 102

Reg. No. 2,518,241

United States Patent and Trademark Office

Registered Dec. 11, 2001

**SERVICE MARK
PRINCIPAL REGISTER**

UNIVISION.COM

UNIVISION COMMUNICATIONS INC. (DELA-
WARE CORPORATION)
6701 CENTER DRIVE WEST, 15TH FLOOR
LOS ANGELES, CA 90045

FOR: PROVIDING WEB SITES USED TO PLACE ON-LINE ORDERS IN THE FIELDS OF MUSIC, FILM, THEATER AND RELATED ENTERTAINMENT ARTS, CLOTHING AND FOOTWEAR, HEALTH AND BEAUTY, HOME FURNISHINGS, HOME ELECTRONICS, TOOLS AND HOME IMPROVEMENT, HOME DECORATION, ELECTRICAL APPLIANCES, JEWELRY, GAMES, TOYS AND SPORTING GOODS; PROMOTING THE GOODS AND SERVICES OF OTHERS BY PREPARING AND PLACING ADVERTISEMENTS ON WEB SITES ACCESSED THROUGH A GLOBAL COMPUTER NETWORK; DISSEMINATION OF ADVERTISING FOR OTHERS VIA AN ON-LINE ELECTRONIC COMMUNICATIONS NETWORK; AND ONLINE

DIRECTORY SERVICES, NAMELY, PROVIDING WEBSITE LINKS TO THIRD PARTY WEB SITES CONCERNING MUSIC, FILM, THEATER AND RELATED ENTERTAINMENT ARTS AND MEDIA, TRAVEL AND VACATION DESTINATIONS, SPORTS AND RECREATION, HEALTH AND FITNESS, NEWS AND CURRENT EVENTS, GAMES, HOBBIES, BUSINESS AND FINANCE, SHOPPING AND CONSUMER SERVICES AND OTHER TOPICS OF GENERAL INTEREST VIA A WEBSITE ACCESSED THROUGH A GLOBAL COMPUTER NETWORK, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 7-1-2000; IN COMMERCE 7-1-2000.

SN 75-773,614, FILED 8-12-1999.

RICHARD DONNELL, EXAMINING ATTORNEY

Int. Cls.: 35, 38 and 41

Prior U.S. Cls.: 100, 101, 102, 104 and 107

Reg. No. 3,568,848

United States Patent and Trademark Office

Registered Feb. 3, 2009

SERVICE MARK
PRINCIPAL REGISTER

 **UNIVISION Radio**

UNIVISION COMMUNICATIONS INC. (DELA-
WARE CORPORATION)
5999 CENTER DRIVE
LOS ANGELES, CA 90045

FOR: PROVIDING ADVERTISING SERVICES
FOR OTHERS; PROMOTING THE GOODS AND
SERVICES OF OTHERS BY DISTRIBUTING AD-
VERTISING MATERIALS THROUGH RADIO STA-
TIONS, RADIO NETWORKS, THE INTERNET,
GLOBAL COMPUTER NETWORKS, AND WIRE-
LESS COMMUNICATION DEVICES, IN CLASS 35
(U.S. CLS. 100, 101 AND 102).

FIRST USE 9-23-2003; IN COMMERCE 9-23-2003.

FOR: RADIO, INTERNET AND WIRELESS
BROADCASTING SERVICES, NAMELY, THE
AUDIO AND VIDEO TRANSMISSION OF LIVE
AND PRE-RECORDED EVENTS OVER RADIO FRE-
QUENCIES, OVER GLOBAL COMPUTER NET-
WORKS AND VIA WIRELESS COMMUNICATION
DEVICES, IN CLASS 38 (U.S. CLS. 100, 101 AND 104).

FIRST USE 9-23-2003; IN COMMERCE 9-23-2003.

FOR: ENTERTAINMENT SERVICES, NAMELY,
RADIO PROGRAMMING SERVICES AND PRO-
DUCTION OF RADIO PROGRAMS IN THE FIELD
OF MUSIC, NEWS, SPORTS, HEALTH AND WELL-
NESS, FINANCE, IMMIGRATION, CURRENT

EVENTS AND ENTERTAINMENT; ENTERTAIN-
MENT SERVICES, NAMELY, TELEVISION AND
RADIO PROGRAMMING AND PRODUCTION OF
TELEVISION AND RADIO PROGRAMS IN THE
FIELD OF MUSIC, NEWS, SPORTS, HEALTH AND
WELLNESS, FINANCE, IMMIGRATION, CURRENT
EVENTS AND ENTERTAINMENT DESIGNED TO
BE TRANSMITTED OVER GLOBAL COMPUTER
NETWORKS AND VIA WIRELESS COMMUNICA-
TION DEVICES, IN CLASS 41 (U.S. CLS. 100, 101 AND
107).

FIRST USE 9-23-2003; IN COMMERCE 9-23-2003.

OWNER OF U.S. REG. NOS. 1,672,807, 3,483,636
AND OTHERS.

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "RADIO", APART FROM THE
MARK AS SHOWN.

THE MARK CONSISTS OF THE STYLIZED
WORDING "UNIVISION RADIO"; TO THE LEFT
OF THE WORDING IS A FANCIFUL DESIGN OF
THE LETTER "U" COMPRISE OF THREE TRIAN-
GLES WITH CURVED SIDES AND A SQUARE.

SER. NO. 76-691,635, FILED 7-28-2008.

MICHAEL TANNER, EXAMINING ATTORNEY

Int. Cl.: 9

Prior U.S. Cls.: 21, 23, 26, 36 and 38

United States Patent and Trademark Office

Reg. No. 3,570,072

Registered Feb. 3, 2009

TRADEMARK
PRINCIPAL REGISTER



UNIVISION COMMUNICATIONS INC. (DELA-
WARE CORPORATION)
5999 CENTER DRIVE
LOS ANGELES, CA 90045

FOR: DOWNLOADABLE RINGTONES, MUSIC,
PHOTOGRAPHS, IMAGES, ELECTRONIC GAMES,
AUDIO FILES, VIDEO FILES, FILM CLIPS, AND
OTHER MULTIMEDIA MATERIALS VIA MOBILE
PHONES AND OTHER HAND-HELD OR WIRELESS
DEVICES; DOWNLOADABLE PODCASTS TO MO-
BILE PHONES AND OTHER HAND-HELD OR
WIRELESS DEVICES IN THE FIELD OF NEWS
AND ENTERTAINMENT PROGRAMS, IN CLASS 9
(U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 2-29-2004; IN COMMERCE 2-29-2004.

OWNER OF U.S. REG. NOS. 1,672,807, 3,483,636
AND OTHERS.

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "MOVIL", APART FROM THE
MARK AS SHOWN.

THE MARK CONSISTS OF THE STYLIZED
WORD "UNIVISION" WITH THE STYLIZED WORD
"MOVIL" UNDERNEATH IT, AND WITH THE
FANCIFUL DESIGN OF THE LETTER "U" TO THE
LEFT OF BOTH WORD.

THE FOREIGN WORDING IN THE MARK
TRANSLATES INTO ENGLISH AS UNIVISION MO-
BILE.

SER. NO. 77-560,698. FILED 9-2-2008.

MICHAEL TANNER, EXAMINING ATTORNEY

United States of America

United States Patent and Trademark Office



Reg. No. 3,736,267 UNIVISION COMMUNICATIONS INC. (DELAWARE CORPORATION)
Registered Jan. 12, 2010 5999 CENTER DRIVE
LOS ANGELES, CA 90045

Int. Cl.: 41 FOR: EDUCATION AND ENTERTAINMENT SERVICES, NAMELY, RADIO PROGRAMMING SERVICES AND PRODUCTION OF RADIO PROGRAMS IN THE FIELD OF MUSIC, CURRENT EVENTS, VARIETY, NEWS, TALK SHOWS, LISTENER CALL-IN, CONTESTS, SWEEPSTAKES, GIVEAWAYS, PRIZE PROMOTIONS, AND TRAFFIC REPORTS, IN CLASS 41 (U.S. CLS. 100, 101 AND 107)

SERVICE MARK
PRINCIPAL REGISTER

FIRST USE 5-17-2004; IN COMMERCE 5-17-2004.

OWNER OF U.S. REG. NOS. 2,881,179, 3,568,848 AND OTHERS.

THE COLOR(S) BLACK, PURPLE, GREEN, BLUE AND RED IS/ARE CLAIMED AS A FEATURE OF THE MARK.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "RADIO CADENA", APART FROM THE MARK AS SHOWN

THE MARK CONSISTS OF THE BLACK STYLIZED WORDING "RADIOCADENA UNIVISION" TO THE LEFT OF THE WORDING IS A FANCIFUL DEPICTION OF A TULIP, INTENDED TO REPRESENT THE LETTER "U" IN APPLICANT'S CORPORATE NAME. THE COLORS PURPLE, GREEN, BLUE AND RED EACH FILLS ONE OF THE 3 QUARTER-CIRCLES AND THE ONE SQUARE THAT COMPRISE THE TULIP STARTING WITH THE UPPER LEFT AND MOVING CLOCKWISE.

THE ENGLISH TRANSLATION OF "RADIO CADENA" IN THE MARK IS "RADIO NETWORK".

SER. NO. 77-716,705, FILED 4-17-2009.

KELLY TRUSILO, EXAMINING ATTORNEY

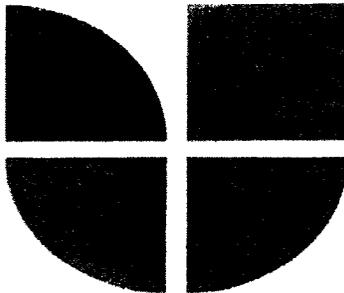


David J. Kappas

Director of the United States Patent and Trademark Office

United States of America

United States Patent and Trademark Office



Reg. No. 3,703,908 UNIVISION COMMUNICATIONS INC. (DELAWARE CORPORATION)
Registered Nov. 3, 2009 5999 CENTER DRIVE
LOS ANGELES, CA 90045

Int. Cl.: 9 FOR: PRERECORDED AUDIO-VIDEO RECORDINGS IN THE FORM OF AUDIO-VIDEO
TAPES, AUDIO-VIDEO CASSETTES AND AUDIO VIDEO DISCS FEATURING MUSIC,
AND/OR COMEDY, DRAMA, ACTION, ADVENTURE, AND/OR ANIMATION MOTION
TRADEMARK PICTURES, IN CLASS 9 (U.S. CLS 21, 23, 26, 36 AND 38).
PRINCIPAL REGISTER

FIRST USE 4-30-2005; IN COMMERCE 4-30-2005.

OWNER OF U.S. REG. NOS. 1,672,807, 3,568,848, AND 3,570,072.

THE COLOR(S) PURPLE-(PANTONE 265 C), GREEN (PANTONE 354 C), BLUE (PANTONE 299 C) AND RED (PANTONE 1788 C) IS/ARE CLAIMED AS A FEATURE OF THE MARK.

THE MARK CONSISTS OF A FANCIFUL DEPICTION OF A TULIP, INTENDED TO REPRESENT THE LETTER "U". THE COLORS PURPLE-(PANTONE 265 C), GREEN (PANTONE 354 C), BLUE (PANTONE 299 C) AND RED (PANTONE 1788 C) EACH FILLS ONE OF THE 3 QUARTER-CIRCLES AND THE ONE SQUARE THAT COMPRISE THE TULIP, AND ARE ALL CLAIMED AS A FEATURE OF THE MARK.

SER. NO. 76-695,992, FILED 2-26-2009.

THOMAS MANOR, EXAMINING ATTORNEY

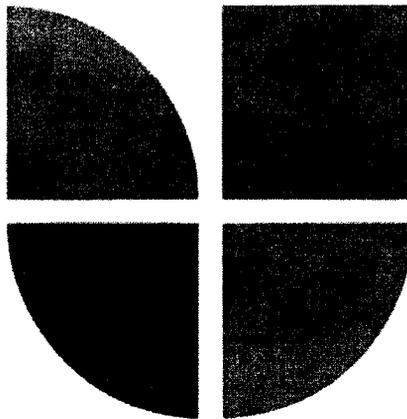


David J. Kappas

Director of the United States Patent and Trademark Office

United States of America

United States Patent and Trademark Office



Reg. No. 3,780,080

Registered Apr. 27, 2010

Int. Cls.: 35, 41 and 42

SERVICE MARK

PRINCIPAL REGISTER

UNIVISION COMMUNICATIONS INC. (DELAWARE CORPORATION)
5999 CENTER DRIVE
LOS ANGELES, CA 90045

FOR: ADVERTISING, MARKETING AND PROMOTIONAL SERVICES; ONLINE RETAIL STORE SERVICES FEATURING CONSUMER PRODUCTS AND ENTERTAINMENT RELATED PRODUCTS, NAMELY, RINGTONES, MUSIC SOUND RECORDINGS, CALENDARS AND POSTERS; PROVIDING ON-LINE DIRECTORY INFORMATION SERVICES ALSO FEATURING HYPERLINKS TO OTHER WEB SITES; ON-LINE DIRECTORY LISTINGS FOR ADVERTISING FOR THE ENTERTAINMENT INDUSTRY, IN THE FIELDS OF MUSIC, TELEVISION PROGRAMS, CELEBRITIES, FILMS, GAMES, THEATRE, ARTS AND SPORTS, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 7-1-2000; IN COMMERCE 7-1-2000.

FOR: PROVIDING ONLINE NON-DOWNLOADABLE PUBLICATIONS IN THE NATURE OF DIRECTORIES, AND SEARCHABLE DATABASES PERTAINING TO THE ENTERTAINMENT INDUSTRY, FEATURING MUSIC, TELEVISION PROGRAMS, CELEBRITIES, FILMS, GAMES, THEATRE, ARTS, AND SPORTS; PROVIDING INFORMATION AND NEWS IN THE FIELD OF SPORTS, ENTERTAINMENT, AND CURRENT EVENTS VIA THE INTERNET AND BY MEANS OF WIRELESS HANDHELD DEVICES, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 7-1-2000; IN COMMERCE 7-1-2000.

FOR: PROVIDING WEATHER INFORMATION VIA THE INTERNET AND BY MEANS OF WIRELESS HANDHELD DEVICES, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 7-1-2000; IN COMMERCE 7-1-2000.

OWNER OF U.S. REG. NOS. 1,672,807, 3,568,848, AND 3,570,072.



David J. Kappas

Director of the United States Patent and Trademark Office

Reg. No. 3,780,080 THE COLOR(S) PURPLE, GREEN, BLUE AND RED IS/ARE CLAIMED AS A FEATURE OF THE MARK.

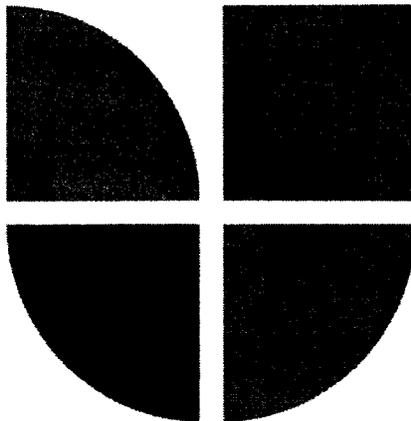
THE MARK CONSISTS OF A FANCIFUL DEPICTION OF A TULIP, INTENDED TO REPRESENT THE LETTER "U". THE COLORS PURPLE (PANTONE 265 C), GREEN (PANTONE 354 C), BLUE (PANTONE 299 C) AND RED (PANTONE 1788 C) EACH FILLS ONE OF THE 3 QUARTER-CIRCLES AND THE ONE SQUARE THAT COMPRISE THE TULIP, AND ARE ALL CLAIMED AS A FEATURE OF THE MARK.

SER. NO. 77-675,121, FILED 2-20-2009.

THOMAS MANOR, EXAMINING ATTORNEY

United States of America

United States Patent and Trademark Office



Reg. No. 3,714,485 UNIVISION COMMUNICATIONS INC. (DELAWARE CORPORATION)
Registered Nov. 24, 2009 5999 CENTER DRIVE
LOS ANGELES, CA 90045

Int. Cl.: 38 FOR: RADIO BROADCASTING, IN CLASS 38 (U.S. C.I.S. 100, 101 AND 104).

SERVICE MARK FIRST USE 9-23-2003; IN COMMERCE 9-23-2003.
PRINCIPAL REGISTER OWNER OF U.S. REG. NOS. 1,672,807, 3,568,848, AND 3,570,072.

THE COLOR(S) PURPLE, GREEN, BLUE AND RED IS/ARE CLAIMED AS A FEATURE OF THE MARK.

THE MARK CONSISTS OF A FANCIFUL DEPICTION OF A TULIP, INTENDED TO REPRESENT THE LETTER "U". THE COLORS PURPLE-(PANTONE 265 C), GREEN (PANTONE 354 C), BLUE (PANTONE 299 C) AND RED (PANTONE 1788 C) EACH FILLS ONE OF THE 3 QUARTER-CIRCLES AND THE ONE SQUARE THAT COMPRISE THE TULIP, AND ARE ALL CLAIMED AS A FEATURE OF THE MARK.



SER. NO. 77-675,040, FILED 2-20-2009.

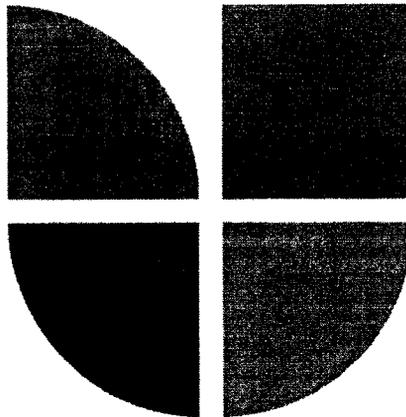
THOMAS MANOR, EXAMINING ATTORNEY

David J. Kappas

Director of the United States Patent and Trademark Office

United States of America

United States Patent and Trademark Office



Reg. No. 3,714,486 UNIVISION COMMUNICATIONS INC. (DELAWARE CORPORATION)
Registered Nov. 24, 2009 5999 CENTER DRIVE
LOS ANGELES, CA 90045

Int. Cl.: 38 FOR: TELEVISION BROADCASTING, IN CLASS 38 (U.S. CLS. 100, 101 AND 104).

SERVICE MARK FIRST USE 11-30-1989; IN COMMERCE 11-30-1989.
PRINCIPAL REGISTER OWNER OF U.S. REG. NOS. 357,002, 1,672,807, AND 3,568,848.

THE COLOR(S) PURPLE, GREEN, BLUE AND RED IS/ARE CLAIMED AS A FEATURE OF THE MARK.

THE MARK CONSISTS OF A FANCIFUL DEPICTION OF A TULIP, INTENDED TO REPRESENT THE LETTER "U" IN APPLICANT'S CORPORATE NAME. THE COLORS PURPLE (PANTONE 265 C), GREEN (PANTONE 354 C), BLUE (PANTONE 299 C) AND RED (PANTONE 1788 C) EACH FILLS ONE OF THE 3 QUARTER-CIRCLES AND THE ONE SQUARE THAT COMPRISE THE TULIP, AND ARE ALL CLAIMED AS A FEATURE OF THE MARK.



SER. NO. 77-675,081, FILED 2-20-2009.

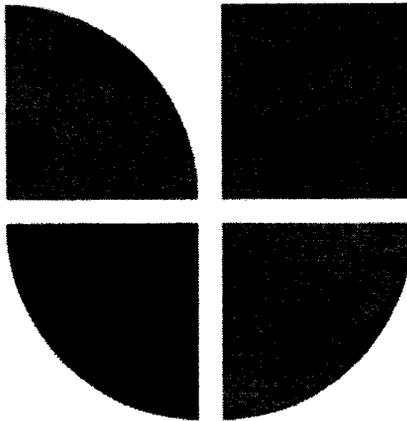
THOMAS MANOR, EXAMINING ATTORNEY

David J. Kappas

Director of the United States Patent and Trademark Office

United States of America

United States Patent and Trademark Office



Reg. No. 3,830,142

Registered Aug. 10, 2010

**Int. Cls.: 35, 36, 41, 44
and 45**

SERVICE MARK

PRINCIPAL REGISTER

UNIVISION COMMUNICATIONS INC. (DELAWARE CORPORATION)
5999 CENTER DRIVE
LOS ANGELES, CA 90045

FOR: PLANNING, ORGANIZING AND CONDUCTING HEALTH FAIRS FOR COMMERCIAL AND BUSINESS PURPOSES, JOB FAIRS, AND INFORMATION FAIRS RELATING TO TOPICS OF GENERAL INTEREST TO THE HISPANIC COMMUNITY FOR COMMERCIAL PURPOSES; PROVIDING LEGISLATION AND PUBLIC POLICY INFORMATION, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 11-30-1989; IN COMMERCE 11-30-1989.

FOR: PROVIDING INFORMATION IN THE FIELD OF FINANCE, IN CLASS 36 (U.S. CLS. 100, 101 AND 102).

FIRST USE 11-30-1989; IN COMMERCE 11-30-1989.

FOR: EDUCATIONAL AND ENTERTAINMENT SERVICES, NAMELY, TELEVISION AND RADIO PRODUCTION, PROGRAMMING AND DISTRIBUTION; PRODUCTION OF LIVE MUSIC CONCERTS AND OTHER LIVE ENTERTAINMENT EVENTS, NAMELY, GAME SHOWS, VARIETY SHOWS, COMEDY SHOWS, AND TALENT CONTESTS; PRODUCTION OF NATIONAL HOLIDAY FESTIVITIES IN THE NATURE OF MUSIC CONCERTS FOR CINCO DE MAYO AND INDEPENDENCE DAY CELEBRATIONS; PROVIDING NEWS IN THE NATURE OF CURRENT EVENT REPORTING; ENTERTAINMENT SERVICES, NAMELY, PROVIDING PRE-RECORDED MUSIC, VIDEO, GAMES, PHOTOS, IMAGES, AND ENTERTAINMENT RELATED NEWS AND INFORMATION VIA TELEVISION, RADIO, A GLOBAL COMPUTER NETWORK, AND WIRELESS NETWORKS, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 11-30-1989; IN COMMERCE 11-30-1989.

FOR: PROVIDING INFORMATION IN THE FIELD OF HEALTH AND WELLNESS, IN CLASS 44 (U.S. CLS. 100 AND 101).



David J. Kappas

Director of the United States Patent and Trademark Office

Reg. No. 3,830,142 FIRST USE 11-30-1989; IN COMMERCE 11-30-1989.

FOR: PROVIDING LEGAL INFORMATION RELATING TO LAWS, REGULATIONS, CONSUMER RIGHTS, IMMIGRANT RIGHTS, AND LEGAL ISSUES PERTAINING TO THE HISPANIC COMMUNITY IN GENERAL; PLANNING, ORGANIZING AND CONDUCTING INFORMATION FAIRS REGARDING CONSUMER LEGAL RIGHTS AND IMMIGRANT LEGAL RIGHTS, IN CLASS 45 (U.S. CLS. 100 AND 101).

FIRST USE 11-30-1989; IN COMMERCE 11-30-1989.

OWNER OF U.S. REG. NOS. 1,672,807, 3,568,848, AND 3,570,072.

THE COLOR(S) PURPLE, GREEN, BLUE AND RED IS/ARE CLAIMED AS A FEATURE OF THE MARK.

THE MARK CONSISTS OF A FANCIFUL DEPICTION OF A TULIP, INTENDED TO REPRESENT THE LETTER "U" IN OWNER'S CORPORATE NAME. THE COLORS PURPLE-(PANTONE 265 C), GREEN (PANTONE 354 C), BLUE (PANTONE 299 C) AND RED (PANTONE 1788 C) EACH FILLS ONE OF THE 3 QUARTER-CIRCLES AND THE ONE SQUARE THAT COMPRISE THE TULIP, AND ARE ALL CLAIMED AS A FEATURE OF THE MARK.

SER. NO. 77-675,098, FILED 2-20-2009.

THOMAS MANOR, EXAMINING ATTORNEY

1 **PROOF OF SERVICE**

2 I MARCUS FONTAIN, on this date have caused to be served via mail, electronically
3 and/or e-mail a copy of this **UNIMUNDO'S OPPOSITION; AND MOTION TO**
4 **DISMISS UNIVISION'S PETITION TO CANCEL THE UNIMUNDO MARK FOR**
5 **FAILURE TO STATE A CLAIM**, addressed to:

6
7 Jorge Arciniega
8 Ellie Hourizadeh
9 Attorneys at Law
10 McDermott Will & Emery LLP
11 2049 Century Park East, Suite 3800
12 Los Angeles, CA 90067
13 Tel: (310) 551-9321
14 Fax: (310) 277-4730
15 Email: ehourizadeh@mwe.com

16 Trademark Trial and Appeal Board
17 U.S. Patent and Trademark Office
18 P.O. Box 1451 Alexandria, VA 22313-1451

19 Executed on this June 29, 2011



20 Marcus Fontain
21
22
23
24
25
26
27
28