

ESTTA Tracking number: **ESTTA653780**

Filing date: **02/03/2015**

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

Proceeding	92054050
Party	Plaintiff Univision Communications Inc.
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Date	02/03/2015
Attachments	92054050.pdf(14878 bytes )

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

UNIVISION COMMUNICATIONS INC.,	)	
	)	
Petitioner,	)	
	)	
v.	)	Cancellation Nos. 92054050
	)	
UNIMUNDO CORPORATION	)	
	)	
Registrant.	)	

**OPPOSITION TO UNIMUNDO’S MOTION FOR  
EXTENSION OF TIME**

**I. INTRODUCTION**

Unimundo’s most recent filing is *another* attempt by Unimundo to delay these proceedings. In its motion, Unimundo claims not to have known of major events in the two opposition proceedings including an entry of default and the withdrawal of its counsel. Unimundo’s allegations are unsubstantiated and contrary to common sense. Moreover, during the last conference with the TTAB, the TTAB interlocutory attorney clearly stated that the TTAB would not grant Unimundo any more extensions. For these reasons, Unimundo’s request must be denied.

**II. UNIMUNDO HAS BEEN GRANTED SEVERAL EXTENSIONS ALREADY**

Beginning in July 2011, Unimundo began filing improper and unmeritorious motions. Each motion resulted in an extension for Unimundo and a delay (and additional costs) for Univision. Unimundo spent from July 2011 through Mach 2014 filing motions that amounted to a delay of three years. After *three years* of delays, Unimundo then asked for additional extensions of time.

On March 13, 2014, Unimundo filed a motion requesting an extension of time to retain counsel. Univision opposed the motion. On April 10, 2014, the Board held a conference with the parties. Marcus Fontain, President and CEO of Unimundo, appeared on behalf of Unimundo. During the conference, Mr. Fontain represented that he had “reached an agreement with counsel” and only needed a brief extension to allow him to gather the funds necessary for a retainer. (See Board’s Order dated April 14, 2014). Based on these representations, the Board granted Unimundo one “final” extension through June 30, 2014.

On June 30, 2014, Unimundo filed a second motion for an extension stating that it did not retain counsel in April as represented and thus, needed another extension. The TTAB granted Unimundo another extension.

Unimundo’s most recent motion is Unimundo’s third overt request for an extension. This tally does not include the more than 3 years of delay caused by Unimundo baseless and duplicative pleadings. This action has been pending since May 2011 – almost *four years*. This matter is now set for trial and Unimundo should be foreclosed for delaying this process any longer. There is no basis for Unimundo’s request and Unimundo should not be permitted to delay these proceedings.

### **III. AN EXTENSION IS NOT NECESSARY**

In the Motion, Unimundo contends that it requires sixty days to find and retain new counsel. Unimundo’s request for a 60 day extension doesn’t take into account the fact that Unimundo’s counsel filed his request to withdraw on January 8, 2015, one month ago, and thus, Unimundo has already had 30 days.

Unimundo's request for a 60 day extension also doesn't take into account the fact that the TTAB granted Unimundo thirty days to appoint new counsel (through February 17, 2015). See TTAB Order dated January 17, 2015. By the time the extension granted by the TTAB expires, i.e. on February 17, 2014, Unimundo would have already had 40 days to find and retain new counsel. Unimundo now requests an additional 60 days beyond the 40 days for a total of 100 days. Yet, Unimundo fails to assert any reasons why Unimundo should be granted this request, perhaps because none exist.

Unimundo's motion does not state why Unimundo should be granted the extension. Instead the motion spends 7 pages berating Unimundo's former counsel. Unimundo's motion includes only two sentences that refer to Unimundo's alleged need for a sixty day extension. According to Unimundo, Unimundo seeks a sixty day extension to analyze its claim against its former counsel. Motion, pg. 3.

On page 3 of the motion, Unimundo states the following: "Since learning of the abandonment by attorney Ruz [Ruiz], Unimundo has been in consultation with other trademark litigation attorneys whom have looked into the case and continue to analyze the extent of damages caused by attorney Ruz [Ruiz]." Thus, Unimundo seeks the extension to determine its claims against Ruiz, not to proceed with this action.

Finally, in its conclusion, Unimundo states that it intends to use the 60 days to re-open decisions made by the Board and thus, further delay these proceedings. Unimundo states it intends to use the 60 days to:

"learn cases, file appropriate motions in opposition to Univision's motion [none of which are pending], handle the cancellation proceedings of the mark UNIMUNDO and file necessary papers to reinstate and/or reverse

the cancellation by default of the mark UNIMUNDO.COM...” See  
Conclusion, pg. 7.

In other words, Unimundo intends to use the 60 day extension to re-open matters already  
decided by the Board and again delay the conclusion of this Opposition. This cannot be allowed  
to happen, again.

#### **IV. CONCLUSION**

For the foregoing reasons, Univision Communication Inc. respectfully requests the Board  
to deny Unimundo’s motion for an extension.

Respectfully submitted,

UNIVISION COMMUNICATIONS INC.

Dated: February 3, 2015

By: \_\_\_\_\_/s/\_\_\_\_\_  
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**CERTIFICATE OF SERVICE**

I hereby certify that I served a copy of the foregoing OPPOSITION TO UNIMUNDO'S MOTION FOR EXTENSION upon Registrant by electronic mail, on **February 3, 2015** addressed as follows:

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