

ESTTA Tracking number: **ESTTA600739**

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

Proceeding	92058847
Party	Defendant Fernando Ortiz aka El Oso
Correspondence Address	FERNANDO ORTIZ 2580 SENTER RD , #533 SAN JOSE, CA 95111-1031 UNITED STATES
Submission	Answer
Filer's Name	Fernando ortiz silva
Filer's e-mail	osortiz41@gmail.com
Signature	/fernandoortizsilva/
Date	04/25/2014
Attachments	F Ortiz Response Letter.pdf(426301 bytes)

“El 30.30 De Villa”
R #: US 4437246
S #: US 85641235

To Whom It May Concern:

I have recently received a letter stating that another Trademark has petitioned to cancel my name “El 30.30 De Villa”. My Mark was fully approved by the U.S.P.T.O. on the day of Tuesday Nov. 19, 2013. I have read and analyzed what “El 30-30 De Guerrero” had to say and disagree with what he wants. Like him, I would also be greatly affected if my Mark gets canceled for many reasons. In order to build my Mark I had to invest a lot of time and money to make my Trademark stand out from the rest. I will explain why I feel I have the right to keep my Mark name “El 30.30 De Villa” in the following statements.

1. We have fans that have already viewed us as “El 30.30 De Villa”, and if our name is taken away, it was as if we were starting all over again. We would loose most of the fans that know our Mark.
2. The fans we have obtained over time aren’t only local, but Nationwide. Thus for, changing the name is out of the question, due to the reason that our reputation would be immensely damaged.

3. As advertisement, we make shirts with our Mark on them to give out to our fans, in order for them to remember who we were.
4. We also have multiple songs on the radio station “Radio Lazer” in which we are receiving great ratings. Our Mark name is constantly aired on national radio.
5. There have also been in national tournaments hosted by the radio that we have enrolled in, and on one of them we won first place in San José, CA.
6. We have also invested money into a professional website with our Mark name, in which we devoted a significant amount of time updating.
7. We have multiple suits with our Mark logo on them that represent who we are.
8. There are multiple professional music videos that we have produced and another that is currently, on its way. These music videos will then be used as advertisement for our songs on T.V. One of which has already been accepted to go on national T.V. The video will be processed in the near future.

9. Our tour vehicle has our Mark name imprinted on it for advertisement purposes.
10. We have entered the music industry far enough to also have the privilege of ordering and distributing various advertising items such as key chains, pens, calendars, fridge magnets, and small led flashlights with our Mark “El 30.30 De Villa”
11. There are songs for sale with our Mark name on famous audio playback programs such as iTunes.
12. We are motivated and proud of our Mark name, and feel that our team would be devastated on finding out that it might be in jeopardy because of someone’s Petition to Cancel. The reason being that all the hard work and time we put into promoting our Mark may have been in vain.
13. We have a well-structured organization that always works to its full potential in making sure that our Mark is always recognized as a well-respected figure by trying to fix any thing that might damage our reputation.
14. It is not easy to come up with a unique logo for a Mark but we were able to do that. Time and money was spent in perfecting the logo we have today.

15. We have also created social networks revolving around “El 30.30 De Villa”. Some of these include You Tube, Facebook, Instagram, and Twitter. We have built a community of people who know us as “El 30.30 De Villa” and support us.
16. We have a supply of business cards with our Mark on them that Fans remember us by.
17. Since we like to make our Mark famous to the public, we have also made banners that are hung up in most of the places we perform. We do this in order to remind our fans what our name is and so they eventually get our Mark image stuck in their brains.
18. We bring something unique to the public and market, and that uniqueness is new music. Ninety five percent of the music we perform are original compositions I have written.

Therefore, because of all of the facts stated above, we pray that our Mark, “El 30.30 De Villa”, stays live and current due to the fact that we have a bright future for the Mark. We are at a critical stage in which our Mark plays a great part. It has always been a great dream of ours to be where we are today. We realize that our future is threatened, by a force

out of our control, and hope that we are able to maintain our Mark “El 30.30 De Villa” because of all of the hard work and progress made to make our Mark known to the public. Thank you for your time.

Sincerely,

Fernando Ortiz (A/K/A El Oso)