

ESTTA Tracking number: **ESTTA684867**

Filing date: **07/21/2015**

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

Proceeding	92060328
Party	Defendant Souki Manufacturing Inc.
Correspondence Address	SOUKI MANUFACTURING INC 326-6 SAKAMOTO-CHO, HODOGAYA-KU, YOKOHAMA-SHI KANAGAWA, 240-0043 JAPAN mina-csj@nifty.com
Submission	Other Motions/Papers
Filer's Name	Nobuhiko Minaki
Filer's e-mail	mina-csj@nifty.com
Signature	/N.Minaki/
Date	07/21/2015
Attachments	CCF20150722_0001.pdf(5675956 bytes)

July 22, 2015

Ref No.: Souki 150705

Mr. Benjamin U. Okeke
Interlocutory Attorney
Trademark Trial and Appeal Board
United States Patent and Trademark Office

Dear Sir,

Cancellation Case: 92060328

I would like to petition to present Amendments for **AMENDED ANSWER etc** mailed 07/11/2015, and Certificate of Service and Receipt of Japan Post as attached.

Attached: Amendments for AMENDED ANSWER etc	15 pages
Certificate of Service	1 page

Very truly sincerely yours,



Nobuhiko Minaki
Defendant
Souki Manufacturing Inc.
Nobuhiko Minaki
Representative Director
Trademark Creator, Owner, User
326-6 Sakamoto-cho, Hodogaya-ku, Yokohama-shi
Kanagawa, 240-0043, Japan
Tel 81-45-333-4525 81-45-332-7890 direct
Fax 81-45-515-0047 mina-csj@nifry.com

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

Plaintiff Trademark: LOVE IS FOREVER
Serial Number: 86285762
Filing Date: May 19, 2014
Refusal Issue/Mailing Date: August 27, 2014

Defendant Trademark: LOVE IS FOREVER ®
Registration No.: 3811074
Filing Date: May 13, 2009
Registration Date: June 29, 2010

Plaintiff	L.A.Gem and Jewelry Design, Inc.
Assigned Attorney	MR. MILORD A. KESHISHIAN
	Cancellation No.: 92060328
Defendant	Souki Manufacturing Inc.
No Assigned Attorney	Nobuhiko Minaki (Mr.) Representative Director Trademark Creator, Owner, User

July 21, 2015
Ref No.: Souki 150704

**Amendments
for
AMENDED ANSWER TO PETITION TO CANCEL etc**

I would like to petition high kindness to allow me to amend as follows in **AMENDED ANSWER TO PETITION TO CANCEL**, Ref No.:Souki 150701, and **Certificate of Service** presented July 11, 2015 at the post office in Yokohama Japan for Trademark Trial and Appeal Board.

1. Amendments in AMENDED ANSWER TO PETITION TO CANCEL:

Amendment 1: Place etc: The 15th line from the top line, page 21/34:

	Before Amendment:	None (blank)
	After Amendment/adding:	AMENDED
<i>Amendment 2:</i>	Place etc:	The 17th line from the top line, page 24/34:
	Before Amendment:	the blunder/mistake
	After Amendment:	blunders/mistakes etc
<i>Amendment 3:</i>	Place etc:	The 18th line from the top line, page 24/34:
	Before Amendment:	None (blank)
	After Amendment:	. (period)
<i>Amendment 4:</i>	Place etc:	The last line, page 25/34:
	Before Amendment:	the blunder/mistake
	After Amendment:	blunders/mistakes etc
<i>Amendment 5:</i>	Place etc:	The top line, page 26/34:
	Before Amendment:	None (blank)
	After Amendment/adding:	. (period)
<i>Amendment 6:</i>	Place etc:	The 17th ~ 18th line from the top line, page 30/34:
	Before Amendment:	it is the consequent of the assigned attorney's blunder/mistake,
	After Amendment:	it seem to be the consequent of blunders/mistakes etc of the assigned attorney etc,

2. Amendments in Certificate of Service:

<i>Amendment 7:</i>	Place etc:	The 3rd line from the top line, page 33/34:
	Before Amendment:	have
	After Amendment:	has

For certainty, I would like to attach page of each amendment of Handwriting and Typewriting as follows.

	<u>Handwriting</u>	<u>Typewriting</u>
Attached: Amendment 1:	1 page	1 page

Amendment 2 &3:	1 page	1 page
Amendment 4:	1 page	1 page
Amendment 5:	1 page	1 page
Amendment 6:	1 page	1 page
Amendment 7:	1 page	1 page

Very truly sincerely yours,



Defendant

Souki Manufacturing Inc.

Nobuhiko Minaki (Mr.)

Representative Director

Trademark Creator, Owner, User

326-6 Sakamoto-cho, Hodogaya-ku, Yokohama-shi

Kanagawa, 240-0043, Japan

TEL 81-45-333-4525 81-45-332-7890 direct

FAX 81-45-515-0047 E-MAIL mina-csj@nifty.com

shop and have started to learn how to use it by myself.

2) December 17, 2010:

I purchased Homepage Builder 15, an easy to build homepage kit.

3) January 17, 2013:

I purchased "da Vinci Cart," an easy to set shopping cart kit for the Internet shop.

4) February 22, 2014:

According to schedule I purchased a camera, OLYMPUS, for taking photos for the top page etc. February 22, I have changed OLYMPUS to Canon's at the store I purchased OLYMPUS having the kindness of the store.

In the ANSWER dated/mailed/presented for TTAB March 23, 2014 for 92058656 and in the Complete Version of Amended ANSWER dated/mailed/presented for TTAB December 30, 2014 for 92058656, the date changed OLYMPUS to Canon's being written February 20, 2014, in this ANSWER I will make/amend it to February 22, 2014 as in the above according to the date of receipt for Canon's.

AMENDED

Amendemnt 1

III. Denial and Grounds of Defendant to deny Petition of Plaintiff:

Defendant will fully deny this cancellation petition of plaintiff as follows.

And if you, Mr. Milord A. Keshishian, could kindly/respectfully withdraw from this petition to cancel, OBSTRUCTION OF MY BUSINESS etc, it is highly respectfully thankful.

And this case, 92060328, being reported/petitioned as in the above etc, I would like to return this petition to cancel to plaintiff, but for certainty, I will confirm to deny etc as follows regarding each ground alleged.

1. Regarding "1. On May 13, 2009, Respondent filed an application to register the

shop and have started to learn how to use it by myself.

2) December 17, 2010:

I purchased Homepage Builder 15, an easy to build homepage kit.

3) January 17, 2013:

I purchased "da Vinci Cart," an easy to set shopping cart kit for the Internet shop.

4) February 22, 2014:

According to schedule I purchased a camera, OLYMPUS, for taking photos for the top page etc. February 22, I have changed OLYMPUS to Canon's at the store I purchased OLYMPUS having the kindness of the store.

In the ANSWER dated/mailed/presented for TTAB March 23, 2014 for 92058656 and in the Complete Version of Amended ANSWER dated/mailed/presented for TTAB December 30, 2014 for 92058656, the date changed OLYMPUS to Canon's being written February 20, 2014, in this AMENDED ANSWER I will make/amend it to February 22, 2014 as in the above according to the date of receipt for Canon's.

III. Denial and Grounds of Defendant to deny Petition of Plaintiff:

Defendant will fully **deny** this cancellation petition of plaintiff as follows.

And if you, Mr. Milord A. Keshishian, could kindly/respectfully withdraw from this petition to cancel, OBSTRUCTION OF MY BUSINESS etc, it is highly respectfully thankful.

And this case, 92060328, being reported/petitioned as in the above etc, I would like to return this petition to cancel to plaintiff, but for certainty, I will confirm to deny etc as follows regarding each ground alleged.

1. Regarding "1. On May 13, 2009, Respondent filed an application to register the

the business of the trademark step by step as a tortoise for wonderful-customers-to-be although being delayed and delayed due to the heavy OBSTRUCTION OF BUSINESS including PRIVACY etc.

Mr. Milord A. Keshishian, it is highly recommendable for you to respectfully withdraw from this petition to cancel, OBSTRUCTION OF MY BUSINESS, etc.

4. Regarding "4. Petitioner has invested a great deal of time, money and effort in promoting Petitioner's business and the professional quality of its goods, and continues to spend substantial amounts of time and money in the promotion of the same."

Response: I have noted the allegations mentioned by plaintiff in the above paragraph 4.

But I will **deny** the above paragraph 4 alleged by plaintiff as follows.

Because the above words in the above paragraph 4 seem to be irrellebant to the issues/merits of this case. That is, one of the issues/merits is OBSTRUCTION OF BUSINESS including PRIVACY, I think.

And regarding the allegations of the assigned attorney etc in the paragraph 4 in the above, it seems to be the consequent of ~~the blunder/mistake~~ of the assigned attorney etc, ← period *blunders/mistakes etc* *Amendemnt 2*
Amendemnt 3

And I have never abandoned and will never abandon the registered trademark, LOVE IS FOREVER ®, by all means, and will continue to prepare/bring up the business of the trademark step by step as a tortoise for wonderful-customers-to-be although being delayed and delayed due to the heavy OBSTRUCTION OF BUSINESS including PRIVACY etc.

Mr. Milord A. Keshishian, it is highly recommendable for you to respectfully withdraw from this petition to cancel, OBSTRUCTION OF MY BUSINESS, etc.

5. Regarding "5. Upon information and belief, Registrant has either never used the Registered Mark in commerce, or completely ceased using the Registered Mark,

the business of the trademark step by step as a tortoise for wonderful-customers-to-be although being delayed and delayed due to the heavy OBSTRUCTION OF BUSINESS including PRIVACY etc.

Mr. Milord A. Keshishian, it is highly recommendable for you to respectfully withdraw from this petition to cancel, OBSTRUCTION OF MY BUSINESS, etc.

4. Regarding “4. Petitioner has invested a great deal of time, money and effort in promoting Petitioner’s business and the professional quality of its goods, and continues to spend substantial amounts of time and money in the promotion of the same.”

Response: I have noted the allegations mentioned by plaintiff in the above paragraph 4.

But I will **deny** the above paragraph 4 alleged by plaintiff as follows.

Because the above words in the above paragraph 4 seem to be irrellebant to the issues/merits of this case. That is, one of the issues/merits is OBSTRUCTION OF BUSINESS including PRIVACY, I think.

And regarding the allegations of the assigned attorney etc in the paragraph 4 in the above, it seems to be the consequent of blunders/mistakes etc of the assigned attorney etc.

And I have never abandoned and will never abandon the registered trademark, LOVE IS FOREVER ®, by all means, and will continue to prepare/bring up the business of the trademark step by step as a tortoise for wonderful-customers-to-be although being delayed and delayed due to the heavy OBSTRUCTION OF BUSINESS including PRIVACY etc.

Mr. Milord A. Keshishian, it is highly recommendable for you to respectfully withdraw from this petition to cancel, OBSTRUCTION OF MY BUSINESS, etc.

5. Regarding “5. Upon information and belief, Registrant has either never used the Registered Mark in commerce, or completely ceased using the Registered Mark,

in connection with the goods identified in the Registration, for a period of at least three consecutive years.”

Response: I have noted the allegations mentioned by plaintiff in the above paragraph 5.

But the above allegations of paragraph 5 of plaintiff are not precise to the truth etc and inappropriate, therefore I would like to deny the above paragraph 5 alleged by the assigned attorney as follows.

Because I have been continuing to prepare the business of the products of the trademark, LOVE IS FOREVER ® from before the registration as a tortoise step by step in spite of the heavy OBSTRUCTION OF BUSINESS including PRIVACY etc by the assigned attorney.

And I have never abandoned and will never abandon the registered trademark, LOVE IS FOREVER ®, by all means, and will continue to prepare/bring up the business of the trademark step by step as a tortoise for wonderful-customers-to-be although being delayed and delayed due to the heavy OBSTRUCTION OF BUSINESS including PRIVACY etc.

Mr. Milord A. Keshishian, it is highly recommendable for you to respectfully withdraw from this petition to cancel, OBSTRUCTION OF MY BUSINESS, etc.

6. Regarding “6. Petitioner has been damaged and will continue to be damaged if the Registered Mark is permitted to remain on the Principal Register because the Registered Mark stands as a bar to Petitioner’s ability to federally register and protect its LOVE IS FOREVER mark for the goods identified above.”

Response: I have noted the allegations mentioned by plaintiff in the above paragraph 6.

But I will deny the above paragraph 6 alleged by plaintiff as follows.

Because regarding the allegations of the assigned attorney etc in the paragraph 6 in the above, it seems to be the consequent of ~~the blunder/mistake~~ of the assigned

blunders/mistakes etc *Amendmnt 4*

in connection with the goods identified in the Registration, for a period of at least three consecutive years.”

Response: I have noted the allegations mentioned by plaintiff in the above paragraph 5.

But the above allegations of paragraph 5 of plaintiff are not precise to the truth etc and inappropriate, therefore I would like to **deny** the above paragraph 5 alleged by the assigned attorney as follows.

Because I have been continuing to prepare the business of the products of the trademark, LOVE IS FOREVER ® from before the registration as a tortoise step by step in spite of the heavy OBSTRUCTION OF BUSINESS including PRIVACY etc by the assigned attorney.

And I have never abandoned and will never abandon the registered trademark, LOVE IS FOREVER ®, by all means, and will continue to prepare/bring up the business of the trademark step by step as a tortoise for wonderful-customers-to-be although being delayed and delayed due to the heavy OBSTRUCTION OF BUSINESS including PRIVACY etc.

Mr. Milord A. Keshishian, it is highly recommendable for you to respectfully withdraw from this petition to cancel, OBSTRUCTION OF MY BUSINESS, etc.

6. Regarding “6. Petitioner has been damaged and will continue to be damaged if the Registered Mark is permitted to remain on the Principal Register because the Registered Mark stands as a bar to Petitioner's ability to federally register and protect its LOVE IS FOREVER mark for the goods identified above.”

Response: I have noted the allegations mentioned by plaintiff in the above paragraph 6.

But I will **deny** the above paragraph 6 alleged by plaintiff as follows.

Because regarding the allegations of the assigned attorney etc in the paragraph 6 in the above, it seems to be the consequent of blunders/mistakes etc of the assigned

attorney etc. ← period
Amendement 5

And the above words of the assigned attorney in paragraph 6 are irrelevant to the merits/issues of this case. One of the issues/merits etc of this case is to be OBSTRUCTION OF BUSINESS and PRIVACY etc, I think.

And mentioning irrelevant things, approaching and accessing to me and filing of this case by the assigned attorney, Mr. Milord A. Keshishian, are heavy OBSTRUCTION OF BUSINESS and PRIVACY etc.

And I have never abandoned and will never abandon the registered trademark, LOVE IS FOREVER ®, by all means, and will continue to prepare/bring up the business of the trademark step by step as a tortoise for wonderful-customers-to-be although being delayed and delayed due to the heavy OBSTRUCTION OF BUSINESS including PRIVACY etc.

Mr. Milord A. Keshishian, it is highly recommendable for you to respectfully withdraw from this petition to cancel, OBSTRUCTION OF MY BUSINESS, etc.

7. Regarding "7. Upon information and belief, Registrant does not sell goods under the mark on its website in connection with the claimed goods. Registrant's website <soukimfg.com>, where the goods claimed in the Registration would likely be found, has no mention whatsoever of the goods or where the goods can be purchased."

Response: I have noted the allegations mentioned by plaintiff in the above paragraph 7.

But the above allegations of paragraph 7 of plaintiff are not precise to the truth etc and inappropriate, therefore I would like to deny the above paragraph 7 alleged by the assigned attorney as follows.

Regarding the domain name, **soukimfg.com**, I have been considering to use it for other than Internet shop according to the following surveys etc.

Regarding the survey for Internet shop etc, purchasing/registering 15 domain

attorney etc.

And the above words of the assigned attorney in paragraph 6 are irrelevant to the merits/issues of this case. One of the issues/merits etc of this case is to be OBSTRUCTION OF BUSINESS and PRIVACY etc, I think.

And mentioning irrelevant things, approaching and accessing to me and filing of this case by the assigned attorney, Mr. Milord A. Keshishian, are heavy OBSTRUCTION OF BUSINESS and PRIVACY etc.

And I have never abandoned and will never abandon the registered trademark, LOVE IS FOREVER ®, by all means, and will continue to prepare/bring up the business of the trademark step by step as a tortoise for wonderful-customers-to-be although being delayed and delayed due to the heavy OBSTRUCTION OF BUSINESS including PRIVACY etc.

Mr. Milord A. Keshishian, it is highly recommendable for you to respectfully withdraw from this petition to cancel, OBSTRUCTION OF MY BUSINESS, etc.

7. Regarding “7. Upon information and belief, Registrant does not sell goods under the mark on its website in connection with the claimed goods. Registrant's website <soukimfg.com>, where the goods claimed in the Registration would likely be found, has no mention whatsoever of the goods or where the goods can be purchased.”

Response: I have noted the allegations mentioned by plaintiff in the above paragraph 7.

But the above allegations of paragraph 7 of plaintiff are not precise to the truth etc and inappropriate, therefore I would like to deny the above paragraph 7 alleged by the assigned attorney as follows.

Regarding the domain name, **soukimfg.com**, I have been considering to use it for other than Internet shop according to the following surveys etc.

Regarding the survey for Internet shop etc, purchasing/registering 15 domain

And he should have made a phonecall to me in advance or visited me like such as the wonderful attorney who visiting me and recommended to attach ® mark.

But he, Mr. Milord A. Keshishian, did not.

And I have never abandoned and will never abandon the registered trademark, LOVE IS FOREVER ®, by all means, and will continue to prepare/bring up the business of the trademark step by step as a tortoise for wonderful-customers-to-be although being delayed and delayed due to the heavy OBSTRUCTION OF BUSINESS including PRIVACY etc.

Mr. Milord A. Keshishian, it is highly recommendable for you to respectfully withdraw from this petition to cancel, OBSTRUCTION OF MY BUSINESS, etc.

11. Regarding CONCLUSION,

“11. Petitioner is damaged and will continue to be damaged because the continued existence of such improper Registration stands as a bar to Petitioner's ability to federally register its LOVE IS FOREVER mark, and casts a cloud upon Petitioner's right to enjoy the free and exclusive use thereof in connection with the sale of its goods.”

Response: The allegations of the paragraph 11 in the above, ^{it seems to be the consequent} ~~it is the consequent~~ ~~of the assigned attorney's blunder/mistake,~~ therefore I will deny the allegations of the paragraph 11 in the above. of blunders/mistakes etc of the assigned attorney etc, **Amendemnt 6**

And the above words of the assigned attorney in paragarp 11 are irrelevant to the merits/issues of this case. One of the issues/merits etc of this case is to be OBSTRUCTION OF BUSINESS and PRIVACY etc, I think.

And mentioning irrelevant things, approaching and accessing to me and filing of

1: I have added a in/on the above although have not typewritten in/on the same place of ANSWER mailed for TTAB and plainiff 02/13/2015. And if it could be regarded this amendment as the amendment for the place of ANSWER mailed for TTAB, I am highly happy.

And he should have made a phonecall to me in advance or visited me like such as the wonderful attorney who visiting me and recommended to attach ® mark.

But he, Mr. Milord A. Keshishian, did not.

And I have never abandoned and will never abandon the registered trademark, LOVE IS FOREVER ®, by all means, and will continue to prepare/bring up the business of the trademark step by step as a tortoise for wonderful-customers-to-be although being delayed and delayed due to the heavy OBSTRUCTION OF BUSINESS including PRIVACY etc.

Mr. Milord A. Keshishian, it is highly recommendable for you to respectfully withdraw from this petition to cancel, OBSTRUCTION OF MY BUSINESS, etc.

11. Regarding CONCLUSION,

“11. Petitioner is damaged and will continue to be damaged because the continued existence of such improper Registration stands as a¹ bar to Petitioner's ability to federally register its LOVE IS FOREVER mark, and casts a cloud upon Petitioner's right to enjoy the free and exclusive use thereof in connection with the sale of its goods.”

Response: The allegations of the paragraph 11 in the above, it seems to be the consequent of blunders/mistakes etc of the assigned attorney etc, therefore I will deny the allegations of the paragraph 11 in the above.

And the above words of the assigned attorney in paragarph 11 are irrellevant to the merits/issues of this case. One of the issues/merits etc of this case is to be OBSTRUCTION OF BUSINESS and PRIVACY etc, I think.

And mentioning irrellevant things, approaching and accessing to me and filing of

1: I have added a in/on the above although have not typewritten in/on the same place of ANSWER mailed for TTAB and plainiff 02/13/2015. And if it could be regarded this amendment as the amendment for the place of ANSWER mailed for TTAB, I am highly happy.

Certificate of Service

I hereby certify that:

- 1) a true and complete copy of the AMENDED ANSWER as attached ~~have~~ ^{has} *Amendemnt 7* been served on MR. MILORD A. KESHISHIAN, Assigned Attorney for plaintiff, MILORD & ASSOCIATES, PC
- 2) by mailing on July 10, 2015 via First Class Mail, EMS (Tracking No.:EJ358408383JP), service of Japan Post, postage prepaid to:
- 3) MR. MILORD A. KESHISHIAN
MILORD & ASSOCIATES, PC 2049 CENTURY PARK EAST, SUITE 3850 LOS ANGELES, CA 90067, USA

Attached : 1) AMENDED ANSWER: 31 pages
2) Receipt of Japan Post: 1 page

Date: July 11, 2015

Signature:



Nobuhiko Minaki

Defendant

Souki Manufacturing Inc.

Nobuhiko Minaki

Representative Director

Trademark Creator, Owner, User

326-6 Sakamoto-cho, Hodogaya-ku, Yokohama-shi

Kanagawa, 240-0043, Japan

Tel 81-45-333-4525 81-45-332-7890 direct

Fax 81-45-515-0047 mina-csj@nifry.com

Certificate of Service

I hereby certify that:

- 1) a true and complete copy of the AMENDED ANSWER as attached has been served on MR. MILORD A. KESHISHIAN, Assigned Attorney for plaintiff, MILORD & ASSOCIATES, PC
- 2) by mailing on July 10, 2015 via First Class Mail, EMS (Tracking No.:EJ358408383JP), service of Japan Post, postage prepaid to:
- 3) MR. MILORD A. KESHISHIAN
MILORD & ASSOCIATES, PC 2049 CENTURY PARK EAST, SUITE 3850 LOS ANGELES, CA 90067, USA

Attached : 1) AMENDED ANSWER: 31 pages
2) Receipt of Japan Post: 1 page

Date: July 11, 2015

Signature:



Nobuhiko Minaki
Defendant
Souki Manufacturing Inc.
Nobuhiko Minaki
Representative Director
Trademark Creator, Owner, User
326-6 Sakamoto-cho, Hodogaya-ku, Yokohama-shi
Kanagawa, 240-0043, Japan
Tel 81-45-333-4525 81-45-332-7890 direct
Fax 81-45-515-0047 mina-csj@nifry.com

Certificate of Service

I hereby certify that a true and complete copy of Amendments in **AMENDED ANSWER** etc and the concerned documents have been served on MR. MILORD A. KESHISHIAN, Assigned Attorney for plaintiff, MILORD & ASSOCIATES, PC by mailing on July 21, 2015 via First Class Mail, EMS, service of Japan Post, postage prepaid to:

MR. MILORD A. KESHISHIAN
MILORD & ASSOCIATES, PC 2049 CENTURY PARK EAST, SUITE 3850 LOS
ANGELES, CA 90067, USA

Date: July 22, 2015

Signature:

A handwritten signature in black ink that reads "N. Minaki". The signature is written in a cursive, flowing style.

Nobuhiko Minaki

Defendant

Souki Manufacturing Inc.

Nobuhiko Minaki

Representative Director

Trademark Creator, Owner, User

326-6 Sakamoto-cho, Hodogaya-ku, Yokohama-shi

Kanagawa, 240-0043, Japan

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