

TTAB

**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

October 09, 2015

Ref No.: Souki 151004

Madam Mary Catherine Faint
Interlocutory Attorney

Dear Madam,

If it could be allowed, I would like to present Amendments (Ref No.: Souki 151005) and the attached.

If you could kindly and appropriately handle, I am highly thankful.

Attached: Amendments (Ref No.: Souki 151005)	5 pages
Amendment by Handwriting	10 pages
Amendment by Typewriting	10 pages
Certificate of Service	1 page

Very truly sincerely yours,

N. Minaki

1/2



U.S. Patent & TMO/TM Mail Rpt Dt. #22

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.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
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Plaintiff Trademark: LOVE IS FOREVER
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	Cancellation No.: 92060328
Defendant	Souki Manufacturing Inc.
No Assigned Attorney	Nobuhiko Minaki (Mr.) Representative Director Trademark Creator, Owner, User

October 09, 2015
Ref No.: Souki 151005

Amendments

In the following <title> of petitionary requests dated September 26, 2015 Ref No.:Souki 150909, if it could be allowed to amend as follows, I am highly happy.

~~~~~<title>~~~~~

September 26, 2015  
Ref No.: Souki 150909

- 1) **PETITIONARY REQUEST FOR HIGHLY RESPECTFUL TTAB TO SUPPORT TO IGNORE MOTION FOR DEFAULT JUDGMENT AND MOTION TO STRIKE FILLED BY PLAINTIFF**
- 2) **PETITIONARY REQUEST FOR HIGHLY RESPECTFUL TTAB TO SUPPORT MOTION FOR PLAINTIFF TO RESPECT SCHEDULE SET BY HIGHLY RESPECTFUL TTAB**

~~~~~

Amendment 1:

Place: On the 5th line and 11th line from the top line of page 2/18.
Before amendment: back ground
After amendment: background

Amendment 2:

Place: On the 10th line from the top line of page 8/18.
Before amendment: ... in China by defendant
After amendment: ... in China by defendant.

Amendment 3:

Place: On the 13th line from the last line of page 8/18.
Before amendment: 27 Evidences, Defendant' s Pretrial
After amendment: 27 Evidences, Defendant's Pretrial

Amendment 4:

Place: On the 4th line from the top line of page 9/18.
Before amendment: for Default Judgment of plaintiff
After amendment: for Default Judgment of plaintiff and

Amendment 5:

Place: On the 3rd line from the top line of page 10/18.
Before amendment: (7) 00:54 12/05/2014
After amendment: (7) 00:54 12/06/2014

Amendment 6:

Place: From the 9th line from the top line to the 11th line from the top line of page 13/18.
Before amendment: As I reported in the above "2. The issues/merits..." of this document's page 2 to 4, ...hypothetically.
After amendment: This case is the result of the loss of sanity in morality etc in plaintiff and the assigned attorney side, I think hypothetically, as I reported in the above from the 3rd line from the last line of page 5 to the last line of page 7 as "2. The issues/merits and Groundlessness...."

Amendment 7:

Place: From the 20th line from the top line to the 22nd line of page 14/18.
Before amendment: As I reported in the above "2. The issues/merits..." of this document's

page 2 to 4, ...hypothetically.

After amendment: This case is the result of the loss of sanity in morality etc in plaintiff and the assigned attorney side, I think hypothetically, as I reported in the above from the 3rd line from the last line of page 5 to the last line of page 7 as "2. The issues/merits and Groundlessness...."

Amendment 8:

Place: From the 6th line from the top line to the 8th line from the top line of page 15/18.

Before amendment: As I reported in the above "2. The issues/merits..." of this document's page 2 to 4, ...hypothetically.

After amendment: This case is the result of the loss of sanity in morality etc in plaintiff and the assigned attorney side, I think hypothetically, as I reported in the above from the 3rd line from the last line of page 5 to the last line of page 7 as "2. The issues/merits and Groundlessness...."

Amendment 9:

Place: From the 10th line from the last line to the 8th line from the last line of page 15/18.

Before amendment: As I reported in the above "2. The issues/merits..." of this document's page 2 to 4, ...hypothetically.

After amendment: This case is the result of the loss of sanity in morality etc in plaintiff and the assigned attorney side, I think hypothetically, as I reported in the above from the 3rd line from the last line of page 5 to the last line of page 7 as "2. The issues/merits and Groundlessness...."

Amendment 10:

Place: From the 13th line from the top line to the 15th line of the top line of page 16/18.

Before amendment: As I reported in the above "2. The issues/merits..." of this document's page 2 to 4, ...hypothetically.

After amendment: This case is the result of the loss of sanity in morality etc in plaintiff and the assigned attorney side, I think hypothetically, as I reported in the above from the 3rd line from the last line of page 5 to the last line of page 7 as "2. The issues/merits and Groundlessness...."

Amendment 11:

Place: From the top line to the 3rd line from the top line of page 17/18.

Before amendment: As I reported in the above "2. The issues/merits..." of this document's

page 2 to 4, ...hypothetically.

After amendment: This case is the result of the loss of sanity in morality etc in plaintiff and the assigned attorney side, I think hypothetically, as I reported in the above from the 3rd line from the last line of page 5 to the last line of page 7 as "2. The issues/merits and Groundlessness...."

Amendment 12:

Place: From the 9th line from the last line to 7th line from the last line of page 17/18.

Before amendment: As I reported in the above "2. The issues/merits..." of this document's page 2 to 4, ...hypothetically.

After amendment: This case is the result of the loss of sanity in morality etc in plaintiff and the assigned attorney side, I think hypothetically, as I reported in the above from the 3rd line from the last line of page 5 to the last line of page 7 as "2. The issues/merits and Groundlessness...."

Amendment 13:

Place: Under the last line of the sentence of page 17/18, petitioned and reported as in the above, I sincerely petition the high judgment of,

Before amendment: 17/18

After amendment: Trademark Trial and Appeal Board.

17/18

Amendment 14:

Place: On the top line of page 18/18.

Before amendment: Trademark Trial and Appeal Board.

After amendment: None/Blank

Attached:

- | | |
|--|----------|
| 1) Before amendment, Handwriting | 10 pages |
| 2) After amendment/adding, Typewriting | 10 pages |

Very truly sincerely yours,

N. Minaki

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

ESTTA695492.

So, defendant will have been responding by this document.

And regarding the Petitionary Requests of the above 1) 2), if the high judgment could be given, defendant/I will be highly happy.

In the 1st part of the following, the ~~<back-ground>~~ ^{background} etc of this case are reported, and in the latter part of the following, <defendant's responses to/for plaintiff's assertions> are reported/mentioned. ← Amendment 1

NB: Single quotation, ' '':

It will be used to mention the word(s) inside the mark is/are slightly different from usual meaning.

~~<back-ground>~~ ^{background} etc of this case

I. Creation of Love is Forever ® etc:

1. 1986:

I had used for the first time LOVE IS FOREVER at my friend, Mr. T, wedding announcement party.

I wrote LOVE IS FOREVER on a Japanese traditional decorative paper which is for writing happy encouraging words, cartoons etc at a farewell party, wedding party, etc. Often many people getting together will write various messages etc on the paper and give it to a couple to marry or person to leave a company, or move to a new section etc.

The words, LOVE IS FOREVER, came to my mind spontaneously at the party.

February 14, 2014, knowing about the filing of 92058656, as to the writing on the traditional decorative paper, I made a telephone call to Mr. T. His wife taking up my call and she said he died 7 years ago and said she remembers the decorative paper but it was lost away together with his/her house by the big earthquake happened 1995 in Kobe and the vicinity. 6, 434 people died 3 people missing, 43,792 people injured by the earthquake according to Wikipedia of March 18, 2014 on Internet.

2. Regarding using ® as LOVE IS FOREVER ®:

Regarding using ® as LOVE IS FOREVER ® as in the above etc, I had started to use it according to the so highly kind advice of an attorney of USA. His advice was given to me at a

ESTTA695492.

So, defendant will have been responding by this document.

And regarding the Petitionary Requests of the above 1) 2), if the high judgment could be given, defendant/I will be highly happy.

In the 1st part of the following, the <background etc of this case> are reported, and in the latter part of the following, <defendant's responses to/for plaintiff's assertions> are reported/mentioned.

NB: Single quotation, ' _____ ':

It will be used to mention the word (s) inside the mark is/are slightly different from usual meaning.

<background etc of this case>

I. Creation of Love is Forever ® etc:

1. 1986:

I had used for the first time LOVE IS FOREVER at my friend, Mr. T, wedding announcement party.

I wrote LOVE IS FOREVER on a Japanese traditional decorative paper which is for writing happy encouraging words, cartoons etc at a farewell party, wedding party, etc. Often many people getting together will write various messages etc on the paper and give it to a couple to marry or person to leave a company, or move to a new section etc.

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2. Regarding using ® as LOVE IS FOREVER ®:

Regarding using ® as LOVE IS FOREVER ® as in the above etc, I had started to use it according to the so highly kind advice of an attorney of USA. His advice was given to me at a

3. Brief History of This Case, 92060328, etc:

- 06/03/2013 Plaintiff of 92058656 applied WHEN LOVE IS FOREVER aiming at refusal of WHEN LOVE IS FOREVER due to similarity, hypothetically I have been feeling.
- 09/18/2013 92058656 plaintiff's WHEN LOVE IS FOREVER was refused. And being refused, not trying to overcome the refusal, the plaintiff filed petition to cancel LOVE IS FOREVER ®, it seems in order to receive chance to obtain LOVE IS FOREVER ® as follow.
- 12/21/2013 **Airticket to China booked/reserved to produce products of LOVE IS FOREVER ® in China by defendant.** *Amendment 2*
- **Business preparation continued.** *To add period*
- 02/07/2014 Petition to Cancel was applied by plaintiff of 92058656.
OBSTRUCTION OF BUSINESS?
- 03/14/2014 Airticket to China was cancelled due to the above Petition to Cancel.
OBSTRUCTION OF BUSINESS. The ticket was for leaving Tokyo March 16 coming back to Japan March 29, 2014.
- 05/19/2014 LOVE IS FOREVER was applied by plaintiff of 92060328 aiming at to receive a chance to register after cancellation of LOVE IS FOREVER ®? **OBSTRUCTION OF BUSINESS?**
- 08/27/2014 But LOVE IS FOREVER was refused in 3 months or so after the application.
- 11/05/2014 Petition to Cancel LOVE IS FOREVER ® was applied by plaintiff of 92060328. **OBSTRUCTION OF BUSINESS?**
- 12/05/2014 According to the high spirit of so many highly respectful persons of TTAB, defendant requesting the due date extension, it was granted from 12/16/2014, the original due date, to 02/14/2015. *Amendment 3*
Defendant's → Defendant's
- 01/26/2015 **27 Evidences, Defendant's Pretrial Disclosures, for 92058656 were mailed to TTAB including the assigned attorney of 92058656.**
- 02/14/2015 Time to answer of defendant after motion for an Extension of Answer.
So, I had to present my ANSWER on or before 02/14/2015 to a post office in Japan.
- 02/13/2015 I presented my ANSWER to the post office in Yokohama, Japan for TTAB.
→ **Never stop business preparation.**
- 03/05 or 06/2015 Motion to Strike by plaintiff of 92060328 mailed on 03/05 or 06/2015.
I have confirmed the arrival of the mail in my mail box 03/14 (Saturday)/2015.
If the actual mailing date that the post office received is 03/05/2015, I am happy to accord with the date/fact.
- 06/12/2015 Order to amend the ANSWER for this case was mailed by TTAB.
- 07/12/2015 Due date to present the AMENDED ANSWER.

3. Brief History of This Case, 92060328, etc:

- 06/03/2013 Plaintiff of 92058656 applied WHEN LOVE IS FOREVER aiming at refusal of WHEN LOVE IS FOREVER due to similarity, hypothetically I have been feeling.
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- 07/12/2015 Due date to present the AMENDED ANSWER.

- 07/11/2015 the AMENDED ANSWER was presented to the post office in Yokohama, Japan.
- 07/31/2015 Motion for Default Judgment of plaintiff was filed.
- 08/23/2015 Defendant's Responsive Motions to the Motion for Default Judgment of plaintiff and Motion to Strike of plaintiff. *To add and*
Amendment 4
- 09/11/2015 Plaintiff's requests that the Board to consider to support plaintiff's Motion to Strike and to Enter Default Judgment ("Motion").
- 09/23/2015 Withdrawal of plaintiff of 92058656 was formally completed with highly proudly respectful self-judgment, I think.

4. Defendant/I Respect Direction, Rule of USPTO etc:

(1) Due date for defendant who are in outside USA such as in Japan:

According to the highly respectful advice of Trademark Information Specialists, Representatives of USPTO, it is the date a post office in Japan has received a letter/document of/from sender/defendant, not the date TTAB has received.

Regarding the above advice, I have been advised by the highly respectful Representatives, Trademark Information Specialists, of USPTO through the Contact Number 571-272-8500. Being deeply thankful, I have received the highly important advice.

(2) 02/15/2014 05:05 Japan Time I had made the telephone call to USPTO and the highly kindly respectful gentleman having responded to my telephone call. He had advised me as mentioning, "It is not necessary for you to visit USA, USPTO, all through out this Trial."

The tracking number is 1-298426804.

(3) 04:00 03/01/2014 Japan time I made the telephone call to the assigned attorney for 92058656, too. The attorney had so astounded to my call, which has made a good mutual confirmation of no abandonment of my trademark, LOVE IS FOREVER ®, too.

(4) Regarding this case, 92060328, I had responded/answered/presented my ANSWER 02/13/2015 for TTAB to the post office in Yokohama, Japan lawfully in the schedule receiving the time extension to answer etc.

(5) 22:55 03/09/2015 Japan Time, regarding my method/style/form of ANSWER/AMENDMENTS for 92060328, I had telephoned to 571-272-8500 for highly respectful advice.

The highly respectful gentleman kindly gave words, "No problem."

The tracking number is 1-323083957.

07/11/2015 the AMENDED ANSWER was presented to the post office in Yokohama, Japan.

07/31/2015 Motion for Default Judgment of plaintiff was filed.

08/23/2015 Defendant's Responsive Motions to the Motion for Default Judgment of plaintiff and Motion to Strike of plaintiff.

09/11/2015 Plaintiff's requests that the Board to consider to support plaintiff's Motion to Strike and to Enter Default Judgment ("Motion").

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The tracking number is 1-323083957.

(6) 12/04/2014 of USA western time, I had made the telephone call to the assigned attorney, Mr. Milord A. Keshishian, regarding extension of time to answer for this 92060328.

Amend to 06

(7) 00:54 12/05/2014 Japan time I had faxed to him, Mr. Milord A. Keshishian, regarding my many deep thanks for his OK to extend time to answer until 02/15/2015.

Amendment 5

5. 09/11/2015 plaintiff filed assertions:

The assigned attorney filed the assertions as follows, for which I would like to respond etc as follows:



**PETITIONER'S REPLY BRIEF IN SUPPORT OF ITS MOTION TO STRIKE
RESPONDENT'S ANSWER AND AMENDED ANSWER AND ENTER
DEFAULT JUDGMENT**

Commissioner for Trademarks
BOX TTAB
P.O. Box 1451
Arlington, VA 22313-1451

Petitioner respectfully requests the Board to consider this reply brief in support of its Motion to Strike and Enter Default Judgment ("Motion").

I. ARGUMENT

A. RESPONDENT DID NOT ADDRESS ANY OF THE ISSUES RAISED IN THE UNDERLYING MOTION AND THE PURPORTED ANSWERS ARE DEFECTIVE

Respondent's "Opposition" did not respond to the substantive argument advanced by Petitioner in its Motion, namely that, Respondent's purported "Answers" consist entirely of immaterial matter that fail to conform to the requirements of Rule 8(b) of the Federal Rules of Civil Procedure. Without enumerating the particulars and lengthy detailed assertions found in Respondent's "Opposition," both the "Answers" and "Opposition" fall far short of what is required under the rules of Court. For example, paragraph 6 of the Petition states, "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." Respondent's response is as follows:

(6) 12/04/2014 of USA western time, I had made the telephone call to the assigned attorney, Mr. Milord A. Keshishian, regarding extension of time to answer for this 92060328.

(7) 00:54 12/06/2014 Japan time I had faxed to him, Mr. Milord A. Keshishian, regarding my many deep thanks for his OK to extend time to answer until 02/15/2015.

5. 09/11/2015 plaintiff filed assertions:

The assigned attorney filed the assertions as follows, for which I would like to respond etc as follows:



**PETITIONER’S REPLY BRIEF IN SUPPORT OF ITS MOTION TO STRIKE
RESPONDENT’S ANSWER AND AMENDED ANSWER AND ENTER
DEFAULT JUDGMENT**

Commissioner for Trademarks
BOX TTAB
P.O. Box 1451
Arlington, VA 22313-1451

Petitioner respectfully requests the Board to consider this reply brief in support of its Motion to Strike and Enter Default Judgment (“Motion”).

I. ARGUMENT

**A. RESPONDENT DID NOT ADDRESS ANY OF THE ISSUES RAISED IN
THE UNDERLYING MOTION AND THE PURPORTED ANSWERS ARE
DEFECTIVE**

Respondent’s “Opposition” did not respond to the substantive argument advanced by Petitioner in its Motion, namely that, Respondent’s purported “Answers” consist entirely of immaterial matter that fail to conform to the requirements of Rule 8(b) of the Federal Rules of Civil Procedure. Without enumerating the particulars and lengthy detailed assertions found in Respondent’s “Opposition,” both the “Answers” and “Opposition” fall far short of what is required under the rules of Court. For example, paragraph 6 of the Petition states, “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.” Respondent’s response is as follows:

Because regarding the above assertions of plaintiff, are not itemized, if it could be allowed, dividing it into 8 paragraphs, I would like to respond as follows.

Paragraph 1:

I. ARGUMENT

A. RESPONDENT DID NOT ADDRESS ANY OF THE ISSUES RAISED IN THE UNDERLYING MOTION AND THE PURPORTED ANSWERS ARE DEFECTIVE

Response to paragraph 1:

as I reported in the above from the 3rd line from the last line of page 5 to the last line of page 7 as "2. The issues/merits and Groundlessness...."

~~As I reported in the above "2. The issues/merits" of this document's page 2 to 4, this~~ ^(This) case is the result of the loss of sanity in morality etc in plaintiff and the assigned attorney side, I think hypothetically,

Amendment 6

So, defendant/I will DENY the words of plaintiff and the assigned attorney in the paragraph 1.

Defendant/I would like to recommend for plaintiff and the assigned attorney to withdraw from this case.

Regarding my method/style/form of ANSWER/AMENDMENTS, I had telephoned to 571-272-8500 for highly respectful advice.

The highly respectful gentleman kindly gave words, "No problem."

The above my telephone call has been of 22:55 03/09/2015 Japan time.

The tracking number is 1-323083957.

I mailed by post my ANSWER for 92060328 02/13/2015.

I submitted the Amendments 03/03/2015 on ESTTA, the tracking number: ESTTA658870.

03/05/2015 the assigned attorney has filed Motion to Strike including regarding my documents' method/style/form etc, I think.

So, I have made the above telephone call on 22:55 03/09/2015 Japan time for highly respectful advice of the highly respectful Trademark Information Specialist, Representative of USPTO.

Paragraph 2:

Respondent's "Opposition" did not respond to the substantive argument advanced by Petitioner in its Motion, namely that, Respondent's purported "Answers" consist entirely of immaterial matter that fail to conform to the requirements of Rule 8(b) of the Federal Rules of Civil Procedure. Without enumerating the particulars and lengthy detailed assertions found in Respondent's "Opposition," both the "Answers" and "Opposition" fall far short of what is required under the rules of Court. For example, paragraph 6 of the Petition states, "Petitioner has been damaged and will continue to be damaged if the Registered Mark is permitted to

Because regarding the above assertions of plaintiff, are not itemized, if it could be allowed, dividing it into **8 paragraphs**, I would like to respond as follows.

Paragraph 1:

I. ARGUMENT

A. RESPONDENT DID NOT ADDRESS ANY OF THE ISSUES RAISED IN THE UNDERLYING MOTION AND THE PURPORTED ANSWERS ARE DEFECTIVE

Response to paragraph 1:

This case is the result of the loss of sanity in morality etc in plaintiff and the assigned attorney side, I think hypothetically, as I reported in the above from the 3rd line from the last line of page 5 to the last line of page 7 as "2. The issues/merits and Groundlessness...."

So, defendant/I will **DENY** the words of plaintiff and the assigned attorney in the paragraph 1.

Defendant/I would like to recommend for plaintiff and the assigned attorney to withdraw from this case.

Regarding my method/style/form of ANSWER/AMENDMENTS, I had telephoned to 571-272-8500 for highly respectful advice.

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Paragraph 2:

Respondent's "Opposition" did not respond to the substantive argument advanced by Petitioner in its Motion, namely that, Respondent's purported "Answers" consist entirely of immaterial matter that fail to conform to the requirements of Rule 8(b) of the Federal Rules of Civil Procedure. Without enumerating the particulars and lengthy detailed assertions found in Respondent's "Opposition," both the "Answers" and "Opposition" fall far short of what is required under the rules of Court. For example, paragraph 6 of the Petition states, "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." Respondent's response is as follows:

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 [sic] in the paragraph 6 in the above, it seems to be the consequent of the blunder/mistake of the assigned attorney etc [sic] 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 [sic] of the case is to be OBSTRUCTION OF BUSINESS and PRIVACY etc [sic], 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 and PRIVACY etc. Mr. Milord A. Keshishian, it is highly recommendable for you to respectfully withdraw from this petition to cancel, OBSTRUCTION OF BUSINESS etc."

Response to paragraph 2:

as I reported in the above from the 3rd line from the last line of page 5 to the last line of page 7 as "2. The issues/merits and Groundlessness...."

~~As I reported in the above "2. The issues/merits" of this document's page 2 to 4, this case~~ ^(This) is the result of the loss of sanity in morality etc in plaintiff and the assigned attorney side, I think hypothetically,

Amendment 7

So, defendant/I will DENY the words of plaintiff and the assigned attorney in the paragraph 2.

Defendant/I would like to recommend for plaintiff and the assigned attorney to withdraw from this case.

Paragraph 3:

Courts have held that, "[p]leading deficiencies that warrant dismissal include (1) "confused and rambling narrative of charges and conclusions," (2) "untidy assortment of claims that are neither plainly nor concisely stated, nor meaningfully distinguished from bold conclusions, sharp harangues and personal comments..." *Poblete v. Goldberg*, 680 F. Supp. 2d 18 (D.D.C. Dec. 29, 2009) (dismissing with prejudice the complaint where the complaint was comprised of confusing legal theories and insufficient factual pleadings). Here, Respondent filed two "Answers," which do not meet the standard under Rule 8(b). The July 11, 2015 34 page "Answer" again presents substantial argument regarding the merits of the case and is not in proper format because it does not simply admit or deny the allegations in the Petition for Cancellation; and the July 12, 2015 "Amended Answer" is defective for the same reasons, and is also incomplete because it contains only amended pages of the Answer and not a full version of

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." Respondent's response is as follows:

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 [sic] in the paragraph 6 in the above, it seems to be the consequent of the blunder/mistake of the assigned attorney etc [sic] 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 [sic] of the case is to be OBSTRUCTION OF BUSINESS and PRIVACY etc [sic], 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 and PRIVACY etc. Mr. Milord A. Keshishian, it is highly recommendable for you to respectfully withdraw from this petition to cancel, OBSTRUCTION OF BUSINESS etc."

Response to paragraph 2:

This case is the result of the loss of sanity in morality etc in plaintiff and the assigned attorney side, I think hypothetically, as I reported in the above from the 3rd line from the last line of page 5 to the last line of page 7 as "2. The issues/merits and Groundlessness..."

So, defendant/I will **DENY** the words of plaintiff and the assigned attorney in the paragraph 2.

Defendant/I would like to recommend for plaintiff and the assigned attorney to withdraw from this case.

Paragraph 3:

Courts have held that, "[p]leading deficiencies that warrant dismissal include (1) "confused and rambling narrative of charges and conclusions," (2) "untidy assortment of claims that are neither plainly nor concisely stated, nor meaningfully distinguished from bold conclusions, sharp harangues and personal comments..." *Poblete v. Goldberg*, 680 F. Supp. 2d 18 (D.D.C. Dec. 29, 2009) (dismissing with prejudice the complaint where the complaint was comprised of confusing legal theories and insufficient factual pleadings). Here, Respondent filed two "Answers," which do not meet the standard under Rule 8(b). The July 11, 2015 34 page "Answer" again presents substantial argument regarding the merits of the case and is not in proper format because it does not simply admit or deny the allegations in the Petition for Cancellation; and the July 12, 2015 "Amended Answer" is defective for the same reasons, and is also incomplete because it contains only amended pages of the Answer and not a full version of

the document incorporating the amendment. Petitioner appreciates Respondent's time and care in drafting his response, but finds it challenging to untangle and decipher Respondent's documents, which are long-winded, repetitive, and convoluted, and fail to simply answer or deny the allegations.

Response to paragraph 3:

as I reported in the above from the 3rd line from the last line of page 5 to the last line of page 7 as "2. The issues/merits and Groundlessness...."

~~As I reported in the above "2. The issues/merits ..."~~ of this document's page 2 to 4, ^(This) this case is the result of the loss of sanity in morality etc in plaintiff and the assigned attorney side, I think hypothetically,

Amendment 8

And July 12, 2015 should be July 21, 2015, I think.

So, defendant/I will DENY the words of plaintiff and the assigned attorney in the paragraph 3.

Defendant/I would like to recommend for plaintiff and the assigned attorney to withdraw from this case.

Paragraph 4:

A Respondent who is proceeds on a pro se basis is held to the same legal standard as a party who is represented by counsel, which means that he must follow court rules and regulations, and are subject to the same sanctions or dismissal as a party represented by counsel. Petitioner again notes that on April 29, 2014, in Cancellation No. 92058656, Respondent was advised in the Order Setting Trial Dates to either retain counsel or become "familiar with the authorities governing this proceeding..." *Samuel Aaron, Inc. v. Souki Manufacturing Inc.*, Cancellation No. 92058656, ECF No. 8. Almost one year later, Respondent has not retained counsel, nor has he become familiar with the authorities which govern this proceeding.

Response to paragraph 4:

as I reported in the above from the 3rd line from the last line of page 5 to the last line of page 7 as "2. The issues/merits and Groundlessness...."

~~As I reported in the above "2. The issues/merits ..."~~ of this document's page 2 to 4, ^(This) this case is the result of the loss of sanity in morality etc in plaintiff and the assigned attorney side, I think hypothetically,

Amendment 9

Defendant/I must keep money to produce products etc in China etc.

So, defendant/I will DENY the words of plaintiff and the assigned attorney in the paragraph 4.

Defendant/I would like to recommend for plaintiff and the assigned attorney to withdraw from this case.

Paragraph 5:

Further, Interlocutory Attorney, Benjamin U. Okeke, provided Respondent with guidance as to the format for Respondent's Second Amended Answer, the text of an appropriate answer,

the document incorporating the amendment. Petitioner appreciates Respondent's time and care in drafting his response, but finds it challenging to untangle and decipher Respondent's documents, which are long-winded, repetitive, and convoluted, and fail to simply answer or deny the allegations.

Response to paragraph 3:

This case is the result of the loss of sanity in morality etc in plaintiff and the assigned attorney side, I think hypothetically, as I reported in the above from the 3rd line from the last line of page 5 to the last line of page 7 as "2. The issues/merits and Groundlessness...."

And July 12, 2015 should be July 21, 2015, I think.

So, defendant/I will **DENY** the words of plaintiff and the assigned attorney in the paragraph 3.

Defendant/I would like to recommend for plaintiff and the assigned attorney to withdraw from this case.

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Response to paragraph 4:

This case is the result of the loss of sanity in morality etc in plaintiff and the assigned attorney side, I think hypothetically, as I reported in the above from the 3rd line from the last line of page 5 to the last line of page 7 as "2. The issues/merits and Groundlessness...."

Defendant/I must keep money to produce products etc in China etc.

So, defendant/I will **DENY** the words of plaintiff and the assigned attorney in the paragraph 4.

Defendant/I would like to recommend for plaintiff and the assigned attorney to withdraw from this case.

Paragraph 5:

Further, Interlocutory Attorney, Benjamin U. Okeke, provided Respondent with guidance as to the format for Respondent's Second Amended Answer, the text of an appropriate answer,

and directed to him to the TBMP for additional information. See ECF No. 23, pages 3-5. Mr. Okeke further warned Respondent that failure to file and serve an acceptable answer may result in the entry of default judgment against Respondent.

Response to paragraph 5:

For the highly respectful guidance of Mr. Benjamin U. Okeke, Interlocutory Attorney, I have been so deeply thankful.

Paragraph 6:

While entry of default judgment is a harsh remedy, such remedy is appropriate in situations like this where a party has repeatedly ignored the TTAB rules and recommendations. Respondent's improper Answers should be stricken and default entered for failing to file and serve an acceptable answer.

as I reported in the above from the 3rd line from the last line of page 5 to the last line of page 7 as "2. The issues/merits and Groundlessness...."

Response to paragraph 6:

As I reported in the above "2. The issues/merits" of this document's page 2 to 4, ^(This) this case is the result of the loss of sanity in morality etc in plaintiff and the assigned attorney side, I think hypothetically,

Amendment 10

So, defendant/I will DENY the words of plaintiff and the assigned attorney in the paragraph 6.

Defendant/I would like to recommend for plaintiff and the assigned attorney to withdraw from this case.

Paragraph 7:

B. RESPONDENT'S "OPPOSITION" SHOULD BE STRICKEN

Under Rule 2.127(a), a brief on a motion may not exceed 25 pages in length, including table of contents, index of cases, description of record, statement of the issues, recitation of the facts, argument, and summary. Here, Petitioner further objects to Respondent's "opposition" brief because it is excessive at 39 pages in length. Even if Petitioner did not object to the length, the page limitation on a brief cannot be waived by action, inaction, or consent of the parties. *Saint-Gobain v. Minnesota Mining and Manufacturing Company*, 66 USPQ2d 1220 (TTAB 2005). Since Respondent's "Opposition" violates the Board's rule regarding page limitations for a brief on motion, it should not be considered.

Response to paragraph 7:

Regarding the excessive pages matter, which is not intentional, but I have no words.

But I do not have sufficient knowledge/information to form a belief as to the intentions that the assigned attorney has intended by the words in the above paragraph 7, therefore I will DENY the intentions and words in the paragraph 7.

and directed to him to the TBMP for additional information. See ECF No. 23, pages 3-5. Mr. Okeke further warned Respondent that failure to file and serve an acceptable answer may result in the entry of default judgment against Respondent.

Response to paragraph 5:

For the highly respectful guidance of Mr. Benjamin U. Okeke, Interlocutory Attorney, I have been so deeply thankful.

Paragraph 6:

While entry of default judgment is a harsh remedy, such remedy is appropriate in situations like this where a party has repeatedly ignored the TTAB rules and recommendations. Respondent's improper Answers should be stricken and default entered for failing to file and serve an acceptable answer.

Response to paragraph 6:

This case is the result of the loss of sanity in morality etc in plaintiff and the assigned attorney side, I think hypothetically, as I reported in the above from the 3rd line from the last line of page 5 to the last line of page 7 as "2. The issues/merits and Groundlessness...."

So, defendant/I will **DENY** the words of plaintiff and the assigned attorney in the paragraph 6.

Defendant/I would like to recommend for plaintiff and the assigned attorney to withdraw from this case.

Paragraph 7:

B. RESPONDENT'S "OPPOSITION" SHOULD BE STRICKEN

Under Rule 2.127(a), a brief on a motion may not exceed 25 pages in length, including table of contents, index of cases, description of record, statement of the issues, recitation of the facts, argument, and summary. Here, Petitioner further objects to Respondent's "opposition" brief because it is excessive at 39 pages in length. Even if Petitioner did not object to the length, the page limitation on a brief cannot be waived by action, inaction, or consent of the parties. *Saint-Gobain v. Minnesota Mining and Manufacturing Company*, 66 USPQ2d 1220 (TTAB 2005). Since Respondent's "Opposition" violates the Board's rule regarding page limitations for a brief on motion, it should not be considered.

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But I do not have sufficient knowledge/information to form a belief as to the intentions that the assigned attorney has intended by the words in the above paragraph 7, therefore I will **DENY** the intentions and words in the paragraph 7.

as I reported in the above from the 3rd line from the last line of page 5 to the last line of page 7 as "2. The issues/merits and Groundlessness...."

~~As I reported in the above "2. The issues/merits" of this document's page 2 to 4, this~~ ^(This) case is the result of the loss of sanity in morality etc in plaintiff and the assigned attorney side, I think hypothetically.

Amendment 11

Therefore I will DENY the intentions and words in the paragraph 7, too.

And defendant/I would like to recommend for plaintiff and the assigned attorney to withdraw from this case.

Paragraph 8:

II. CONCLUSION

For the reasons set forth above and in Petitioner's Motion, Petitioner respectfully requests that this Court strike Respondent's "Answers," give no consideration to its "Opposition" brief, and enter default judgment against Respondent for failure to file and serve an acceptable answer.

Dated: September 11, 2015

Respectfully submitted,
MILORD & ASSOCIATES, PC
/Milord A. Keshishian/
Milord A. Keshishian, Esq.
Attorneys for Petitioner
L.A. GEM AND JEWELRY DESIGN, INC.
2049 Century Park East, Suite 3850
Los Angeles, CA 90067
Telephone: (310) 226-7878
Facsimile: (310) 226-7879

Amendment 12

Response to paragraph 8:

~~As I reported in the above "2. The issues/merits" of this document's page 2 to 4, this~~ ^(This) case is the result of the loss of sanity in morality etc in plaintiff and the assigned attorney side, I think hypothetically, as I reported in the above from the 3rd line from the last line of page 5 to the last line of page 7 as "2. The issues/merits and Groundlessness...."

So, defendant/I will DENY the words of plaintiff and the assigned attorney in the paragraph 8.

Defendant/I would like to recommend for plaintiff and the assigned attorney to withdraw from this case.

Regarding this case, 92060328, the petition to cancel the registration of my trademark, LOVE IS FOREVER ®, by plaintiff, due to the facts/reasons etc being as petitioned and reported as in the above, I sincerely petition the high judgment of Trademark Trial and Appeal Board.

Amendment 13

~~17/18~~
17/18

22/25

This case is the result of the loss of sanity in morality etc in plaintiff and the assigned attorney side, I think hypothetically, as I reported in the above from the 3rd line from the last line of page 5 to the last line of page 7 as "2. The issues/merits and Groundlessness...."

Therefore I will **DENY** the intentions and words in the paragraph 7, too.

And defendant/I would like to recommend for plaintiff and the assigned attorney to withdraw from this case.

Paragraph 8:

II. CONCLUSION

For the reasons set forth above and in Petitioner's Motion, Petitioner respectfully requests that this Court strike Respondent's "Answers," give no consideration to its "Opposition" brief, and enter default judgment against Respondent for failure to file and serve an acceptable answer.

Dated: September 11, 2015

Respectfully submitted,
MILORD & ASSOCIATES, PC
/Milord A. Keshishian/
Milord A. Keshishian, Esq.
Attorneys for Petitioner
L.A. GEM AND JEWELRY DESIGN, INC.
2049 Century Park East, Suite 3850
Los Angeles, CA 90067
Telephone: (310) 226-7878
Facsimile: (310) 226-7879

Response to paragraph 8:

This case is the result of the loss of sanity in morality etc in plaintiff and the assigned attorney side, I think hypothetically, as I reported in the above from the 3rd line from the last line of page 5 to the last line of page 7 as "2. The issues/merits and Groundlessness...."

So, defendant/I will **DENY** the words of plaintiff and the assigned attorney in the paragraph 8.

Defendant/I would like to recommend for plaintiff and the assigned attorney to withdraw from this case.

Regarding this case, 92060328, the petition to cancel the registration of my trademark, LOVE IS FOREVER ®, by plaintiff, due to the facts/reasons etc being as petitioned and reported as in the above, I sincerely petition the high judgment of Trademark Trial and Appeal Board.

Move to page 17/18

Trademark Trial and Appeal Board.

Amendment 14

Very truly sincerely yours,

N. Minaki

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

Very truly sincerely yours,

N. Minaki

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

Certificate of Service

I hereby certify that:

1) true and complete copies of:

Amendments	Ref No.: Souki 151005	5 pages
Amendment by Handwriting		10 pages
Amendment by Typewriting		10 pages

have been served on MR. MILORD A. KESHISHIAN, Assigned Attorney for plaintiff,
MILORD & ASSOCIATES, PC

- 2) by mailing on October 09, 2015 via EMS (Tracking No.:EG 424722953 JP) , 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

Date: October 09, 2015

Signature:



Nobuhiko Minaki
Defendant
Souki Manufacturing Inc.
Nobuhiko Minaki
Representative Director
Trademark Creator, Owner, User
326-6 Sakamoto-cho, Hodogaya-ku, Yokohama-shi
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