

**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

June 16, 2016 JST
 Ref No.: Souki 160604

Madam Mary Catherine Faint
 Interlocutory Attorney
 Trademark Trial and Appeal Board
 United States Patent and Trademark Office

Dear Madam,

I would like to present documents as follows, which if you could treat accordingly, I am highly happy.

- 1) Ref No.: Souki 160603 15 pages
- 2) Certificate of Service 1 page

Very truly sincerely yours,



06-21-2016

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #

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 on 06/16/2016 JST I have served a true and complete copy of the document, Ref No.: Souki 160603 via First Class Mail, EMS (service of Japan Post), tracking number EG424722851JP, postage prepaid to Mr. Milord A. Keshishian, Assigned Attorney, MILORD & ASSOCIATES, P.C. 10517 West Pico Boulevard, LOS ANGELES, CA 90064, USA.

Date: June 16, 2016 JST

Signature:

A handwritten signature in black ink that reads "N. Minaki". The signature is written in a cursive style with a small circle above the 'i'.

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
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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

June 16, 2016 JST
Ref No.: Souki 160603

Dear Mesdames/Sirs,

Response to Other Motions/Papers of Plaintiff filed 05/28/2016

Although so delayed by being obstructed by the filing of this case on 11/05/2014 by plaintiff asserting grounds of abandonment of my trademark which is opposite to fact, I would like to report I have started to sell my goods of **Love is Forever** ® on Internet shop. <http://mina-smi.a.la9.jp> is the URL to refer to confirm.

NB: The position of logo mark **Love is Forever** ® on the middle of the surface of the pendant top featured in the photo picture of the Internet shop is decided in accordance with the result of intercept survey done by myself Saturday (05/28/16) Sunday (05/29/16) Saturday (06/04/16)

Sunday (06/05/16).

The survey result of logo mark position that interviewees chose on Middle position are 55.10% (Female 85 interviewees Male 78 interviewees Ttl 163) on Lower position are 39.5% (Female 66 Male 51 Ttl 117) on upper position are 5.40% (Female 9 Male 7 Ttl 16).

Regarding cancellation cases, 1stly the cancellation petition, 92058656, was filed 02/07/2014 but the assigned attorney, Madam Catherine M.C. Farrelly, due to, I think, according to her high spirit of public order and morals etc, she has withdrawn from the case, to which I have been feeling deep respect and I have been doing nodding every time regarding the case visiting my head.

Then 92060328 was filed 11/05/2014.

And I would like to respond to the plaintiff assertions done dated May 28, 2016 including to each assertion in the EXHIBIT signed by Mr. Milord A. Keshishian, the assigned attorney for plaintiff of 92060328, as follows.

TRADEMARK APPLICATION

Ref. No. LAR08-061T

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

In re Trademark Registration No.: 3,811,074

Filed: May 13, 2009

Mark: LOVE IS FOREVER (stylized)

L.A. GEM AND JEWELRY DESIGN, INC.,) Cancellation No. 92060328
)
Petitioner,)
v.)
SOUKI MANUFACTURING INC.)
)
Respondent.)
)

**PETITIONER'S MOTION FOR LEAVE TO FILE
AMENDED PETITION TO CANCEL**

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

Initial assertion of plaintiff:

L.A. GEM & JEWELRY DESIGN, INC. ("LA Gem" or "Petitioner") moves the Trademark Trial and Appeal Board (the "Board") for an order permitting it to file an Amended Petition to Cancel, pursuant to Fed.R.Civ.P. 15(a), 37 C.F.R. § 2.107, and TBMP § 507.02, to amplify and more specifically allege the grounds for cancellation of SOUKI MANUFACTURING, INC.'s ("Souki" or "Respondent"), above-captioned registration, on the ground that Souki lacked a bona fide intent to use the mark in United States commerce.

Pursuant to Fed.R.Civ.P. 15(a), leave to amend shall be freely given when justice so requires. The Board liberally grants leave to amend pleadings at any stage of a proceeding when justice so requires, unless entry of the proposed amendment would violate settled law or be prejudicial to the rights of the adverse. TBMP § 507.02. See, for example, *Polaris Industries v. DC Comics*, 59 USPQ2d 1789 (TTAB 2001); *Boral Ltd. v. FMC Corp.*, 59 USPQ2d 1701 (TTAB 2000).

By allowing Petitioner to amend its Petition to Cancel, the Board is permitting full adjudication of the merits of this dispute. See, Beth A. Chapman, *TIPS FROM THE TTAB: Amending Pleadings: The Right Stuff*, 81 Trademark Rep. 306 (1991). ("The fact that the adverse party may be prejudiced as a result of the delay to the proceedings is generally outweighed by the principal that there should be full adjudication."). Petitioner submits that permitting it to amend its Petition to Cancel will not prejudice Respondent and that this Motion is timely because the discovery period is still open. TBMP § 507.02(a). Further, grounds for the new claim were learned during discovery. TBMP § 507.02(b). See *Karsten Manufacturing Corp. v. Editoy AG*, 79 USPQ2d 1783, 1786 (TTAB 2006) (motion for leave to amend pleading granted because ground for new claim was learned during discovery). In response to LA Gem's Requests for Production, Respondent failed to produce any evidence of a *bona fide* intent to use the mark in the United States.

A copy of the proposed Amended Petition to Cancel pursuant to TBMP § 507.01 is

attached as Exhibit 1, wherein the primary changes from the original petition are the addition of a claim for cancellation based on lack of *bona fide* intent to use the mark in United States commerce pursuant to 15 U.S.C. § 1126 (see ¶¶ 5-6 of Exhibit 1). The change relates to Petitioner's already asserted ground's for cancellation, namely, failure to use the mark in United States commerce.

Wherefore, Petitioner respectfully requests that the Board grant this Motion for leave to file the attached Amended Petition to Cancel.

Dated: May 28, 2016

Respectfully submitted,
MILORD & ASSOCIATES, PC
/Milord A. Keshishian/
Milord A. Keshishian, Esq.
Attorneys for Petitioner
L.A. GEM AND JEWELRY DESIGN, INC.
10517 West Pico Boulevard
Los Angeles, CA 90064
Telephone: (310) 226-7878
Facsimile: (310) 226-7879

Response to the above initial assertion of plaintiff:

Irrelevant and obstruction of business. I do recommend for Mr. Milord A. Keshishian, assigned attorney and plaintiff to refrain from doing obstruction of business and to withdraw from this case.

Since filing for registration May 13, 2009 of this Love is Forever to USPTO, I have been deeply intending to use this trademark, Love is Forever ®, and I had reserved air plane ticket to visit China to do production of products of Love is Forever ® in my cooperating factories from March 16, 2014 staying in China until March 29, 2014. But due to the filing of 92058656 February 07, 2014, I was forced to choose to cancel the visit.

Then, I think hypothetically, Mr. Milord A. Keshishian thinking it being good chance to file cancellation case due to 2 cases against 1 pro se, he filed 92060328 11/05/2014.

But the assigned attorney for 92058656, Madam Catherine M.C. Farrelly, I think according to her high spirit of public order and morals etc, she has withdrawn from the case 09/23/2015.

EXHIBIT 1

TRADEMARK APPLICATION

Ref. No. LAR08-061T

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

In re Trademark Registration No.: 3,811,074

Filed: May 13, 2009

Mark: LOVE IS FOREVER (stylized)

L.A. GEM AND JEWELRY DESIGN, INC.,)	Cancellation No. 92060328
Petitioner,)	
v.)	
SOUKI MANUFACTURING, INC.)	
Respondent.)	
)	
)	

AMENDED PETITION TO CANCEL REGISTRATION

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

Petitioner L.A. Gem and Jewelry Design, Inc. aka LA Rocks ("LA Rocks"), is a

corporation organized and existing under the laws of California, having its principal place of business at 659 South Broadway, 7th Floor, Los Angeles, California 90014, believing that it is and will continue to be damaged by U.S. Registration No. 3,811,074 (“Registered Mark”), and hereby petitions for cancellation of the same.

As grounds for this Petition for Cancellation, it is alleged that:

Assertion 1. On May 13, 2009, Respondent filed an application to register the trademark LOVE IS FOREVER on the Principal Register for use in connection with “key rings of precious metal; ornaments, namely, earrings, precious metal insignias, precious metal badges, precious metal medals, tiepins, necklaces, bracelets, pendants, jewelry brooches, medals, rings to wear on finger, medallions; cuff links; clocks and watches, namely, wristwatches, table clocks, watches for carrying in pockets, clocks for vehicles, stop watches, wall clocks, alarm clocks,” in International Class 014. The Registration was issued under Section 66(a) of the United States Trademark Act.

Response:

Irrelevant and obstruction of business. I do recommend for Mr. Milord A. Keshishian, assigned attorney, and plaintiff to refrain from doing obstruction of business and to withdraw from this case.

Since filing for registration May 13, 2009 of this Love is Forever to USPTO, I have been deeply intending to use this trademark, Love is Forever ®, and I had reserved air plane ticket to visit China to do production of products of Love is Forever ® in my cooperating factories from March 16, 2014 staying in China until March 29, 2014. But due to the filing of 92058656 February 07, 2014, I was forced to choose to cancel the visit.

Then, I think hypothetically, Mr. Milord A. Keshishian thinking it being good chance to file cancellation case due to 2 cases against 1 pro se, he filed 92060328 11/05/2014.

But the assigned attorney for 92058656, Madam Catherine M.C. Farrelly, I think according to her high spirit of public order and morals etc, she has withdrawn from the case 09/23/2015.

Assertion 2. To the best of Petitioner’s knowledge, the name and address of the current owner of the Registered Mark is: SOUKI MANUFACTURING, INC., 326-6 SAKAMOTO-CHO, HODOGAYA-KU, KANAGAWA, 240-0043, JAPAN, email: mina-csj@nifty.com.

Response:

Irrelevant and obstruction of business. I do recommend for Mr. Milord A. Keshishian, assigned

attorney, and plaintiff to refrain from doing obstruction of business and to withdraw from this case.

Since filing for registration May 13, 2009 of this Love is Forever to USPTO, I have been deeply intending to use this trademark, Love is Forever ®, and I had reserved air plane ticket to visit China to do production of products of Love is Forever ® in my cooperating factories from March 16, 2014 staying in China until March 29, 2014. But due to the filing of 92058656 February 07, 2014, I was forced to choose to cancel the visit.

Then, I think hypothetically, Mr. Milord A. Keshishian thinking it being good chance to file cancellation case due to 2 cases against 1 pro se, he filed 92060328 11/05/2014.

But the assigned attorney for 92058656, Madam Catherine M.C. Farrelly, I think according to her high spirit of public order and morals etc, she has withdrawn from the case 09/23/2015.

Assertion 3. On May 19, 2014, Petitioner filed a Use Based application to register the trademark LOVE IS FOREVER on the Principal Register, Serial No. 86/285,762, for use in connection with bracelets, earrings, jewelry, necklaces, pendants, rings, and women's jewelry, in International Class 014.

Response:

Irrelevant and obstruction of business. I do recommend for Mr. Milord A. Keshishian, assigned attorney, and plaintiff to refrain from doing obstruction of business and to withdraw from this case.

Since filing for registration May 13, 2009 of this Love is Forever to USPTO, I have been deeply intending to use this trademark, Love is Forever ®, and I had reserved air plane ticket to visit China to do production of products of Love is Forever ® in my cooperating factories from March 16, 2014 staying in China until March 29, 2014. But due to the filing of 92058656 February 07, 2014, I was forced to choose to cancel the visit.

Then, I think hypothetically, Mr. Milord A. Keshishian thinking it being good chance to file cancellation case due to 2 cases against 1 pro se, he filed 92060328 11/05/2014.

But the assigned attorney for 92058656, Madam Catherine M.C. Farrelly, I think according to her high spirit of public order and morals etc, she has withdrawn from the case 09/23/2015.

Assertion 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:

Irrelevant and obstruction of business. I do recommend for Mr. Milord A. Keshishian, assigned attorney, and plaintiff to refrain from doing obstruction of business and to withdraw from this case.

Since filing for registration May 13, 2009 of this Love is Forever to USPTO, I have been deeply intending to use this trademark, Love is Forever ®, and I had reserved air plane ticket to visit China to do production of products of Love is Forever ® in my cooperating factories from March 16, 2014 staying in China until March 29, 2014. But due to the filing of 92058656 February 07, 2014, I was forced to choose to cancel the visit.

Then, I think hypothetically, Mr. Milord A. Keshishian thinking it being good chance to file cancellation case due to 2 cases against 1 pro se, he filed 92060328 11/05/2014.

But the assigned attorney for 92058656, Madam Catherine M.C. Farrelly, I think according to her high spirit of public order and morals etc, she has withdrawn from the case 09/23/2015.

Assertion 5. Upon information and belief, Registrant at the time it filed its application did not have a *bona fide* intent to use the LOVE IS FOREVER mark on the goods identified in the Registration, including, but not limited to, "key rings of precious metal; ornaments, namely, earrings, precious metal insignias, precious metal badges, precious metal medals, tiepins, necklaces, bracelets, pendants, jewelry brooches, medals, rings to wear on finger, medallions; cuff links; clocks and watches, namely, wristwatches, table clocks, watches for carrying in pockets, clocks for vehicles, stop watches, wall clocks, alarm clocks."

Response:

Irrelevant and obstruction of business. I do recommend for Mr. Milord A. Keshishian, assigned attorney, and plaintiff to refrain from doing obstruction of business and to withdraw from this case.

Since filing for registration May 13, 2009 of this Love is Forever to USPTO, I have been deeply intending to use this trademark, Love is Forever ®, and I had reserved air plane ticket to visit China to do production of products of Love is Forever ® in my cooperating factories from March 16, 2014 staying in China until March 29, 2014. But due to the filing of 92058656

February 07, 2014, I was forced to choose to cancel the visit.

Then, I think hypothetically, Mr. Milord A. Keshishian thinking it being good chance to file cancellation case due to 2 cases against 1 pro se, he filed 92060328 11/05/2014.

But the assigned attorney for 92058656, Madam Catherine M.C. Farrelly, I think according to her high spirit of public order and morals etc, she has withdrawn from the case 09/23/2015.

Assertion 6. As Registrant did not at the time of filing its application have a *bona fide* intent to use the LOVE IS FOREVER mark in connection with the goods listed in the Registration, the Registration is void *ab initio* pursuant to 15 U.S.C. § 1126 (Trademark Act Section 44(e)).

Response:

Irrelevant and obstruction of business. I do recommend for Mr. Milord A. Keshishian, assigned attorney, and plaintiff to refrain from doing obstruction of business and to withdraw from this case.

Since filing for registration May 13, 2009 of this Love is Forever to USPTO, I have been deeply intending to use this trademark, Love is Forever ®, and I had reserved air plane ticket to visit China to do production of products of Love is Forever ® in my cooperating factories from March 16, 2014 staying in China until March 29, 2014. But due to the filing of 92058656 February 07, 2014, I was forced to choose to cancel the visit.

Then, I think hypothetically, Mr. Milord A. Keshishian thinking it being good chance to file cancellation case due to 2 cases against 1 pro se, he filed 92060328 11/05/2014.

But the assigned attorney for 92058656, Madam Catherine M.C. Farrelly, I think according to her high spirit of public order and morals etc, she has withdrawn from the case 09/23/2015.

Assertion 7. Alternatively, 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:

Irrelevant and obstruction of business. I do recommend for Mr. Milord A. Keshishian, assigned attorney, and plaintiff to refrain from doing obstruction of business and to withdraw from this case.

Since filing for registration May 13, 2009 of this Love is Forever to USPTO, I have been deeply intending to use this trademark, Love is Forever ®, and I had reserved air plane ticket to visit China to do production of products of Love is Forever ® in my cooperating factories from March 16, 2014 staying in China until March 29, 2014. But due to the filing of 92058656 February 07, 2014, I was forced to choose to cancel the visit.

Then, I think hypothetically, Mr. Milord A. Keshishian thinking it being good chance to file cancellation case due to 2 cases against 1 pro se, he filed 92060328 11/05/2014.

But the assigned attorney for 92058656, Madam Catherine M.C. Farrelly, I think according to her high spirit of public order and morals etc, she has withdrawn from the case 09/23/2015.

Assertion 8. 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:

Irrelevant and obstruction of business. I do recommend for Mr. Milord A. Keshishian, assigned attorney, and plaintiff to refrain from doing obstruction of business and to withdraw from this case.

Since filing for registration May 13, 2009 of this Love is Forever to USPTO, I have been deeply intending to use this trademark, Love is Forever ®, and I had reserved air plane ticket to visit China to do production of products of Love is Forever ® in my cooperating factories from March 16, 2014 staying in China until March 29, 2014. But due to the filing of 92058656 February 07, 2014, I was forced to choose to cancel the visit.

Then, I think hypothetically, Mr. Milord A. Keshishian thinking it being good chance to file cancellation case due to 2 cases against 1 pro se, he filed 92060328 11/05/2014.

But the assigned attorney for 92058656, Madam Catherine M.C. Farrelly, I think according to her high spirit of public order and morals etc, she has withdrawn from the case 09/23/2015.

Assertion 9. Upon information and belief, Registrant has either never actively used the mark in question, or has permanently ceased all use of the Registered Mark in connection with "key rings of precious metal; ornaments, namely, earrings, precious metal insignias, precious metal badges,

precious metal medals, tiepins, necklaces, bracelets, pendants, jewelry brooches, medals, rings to wear on finger, medallions; cuff links; clocks and watches, namely, wristwatches, table clocks, watches for carrying in pockets, clocks for vehicles, stop watches, wall clocks, alarm clocks,” with no intention to resume use of the Registered mark.

Response:

Irrelevant and obstruction of business. I do recommend for Mr. Milord A. Keshishian, assigned attorney, and plaintiff to refrain from doing obstruction of business and to withdraw from this case.

Since filing for registration May 13, 2009 of this Love is Forever to USPTO, I have been deeply intending to use this trademark, Love is Forever ®, and I had reserved air plane ticket to visit China to do production of products of Love is Forever ® in my cooperating factories from March 16, 2014 staying in China until March 29, 2014. But due to the filing of 92058656 February 07, 2014, I was forced to choose to cancel the visit.

Then, I think hypothetically, Mr. Milord A. Keshishian thinking it being good chance to file cancellation case due to 2 cases against 1 pro se, he filed 92060328 11/05/2014.

But the assigned attorney for 92058656, Madam Catherine M.C. Farrelly, I think according to her high spirit of public order and morals etc, she has withdrawn from the case 09/23/2015.

Assertion 10. Upon information and belief, by reason of the facts set forth above, and that the Registrant has failed to use the mark for at least three consecutive years, Registrant had abandoned the Registered Mark within the meaning of 15 U.S.C. §§ 1064(3) and 1127.

Response:

Irrelevant and obstruction of business. I do recommend for Mr. Milord A. Keshishian, assigned attorney, and plaintiff to refrain from doing obstruction of business and to withdraw from this case.

Since filing for registration May 13, 2009 of this Love is Forever to USPTO, I have been deeply intending to use this trademark, Love is Forever ®, and I had reserved air plane ticket to visit China to do production of products of Love is Forever ® in my cooperating factories from March 16, 2014 staying in China until March 29, 2014. But due to the filing of 92058656 February 07, 2014, I was forced to choose to cancel the visit.

Then, I think hypothetically, Mr. Milord A. Keshishian thinking it being good chance to file

cancellation case due to 2 cases against 1 pro se, he filed 92060328 11/05/2014.

But the assigned attorney for 92058656, Madam Catherine M.C. Farrelly, I think according to her high spirit of public order and morals etc, she has withdrawn from the case 09/23/2015.

Assertion 11. 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:

Irrelevant and obstruction of business. I do recommend for Mr. Milord A. Keshishian, assigned attorney, and plaintiff to refrain from doing obstruction of business and to withdraw from this case.

Since filing for registration May 13, 2009 of this Love is Forever to USPTO, I have been deeply intending to use this trademark, Love is Forever ®, and I had reserved air plane ticket to visit China to do production of products of Love is Forever ® in my cooperating factories from March 16, 2014 staying in China until March 29, 2014. But due to the filing of 92058656 February 07, 2014, I was forced to choose to cancel the visit.

Then, I think hypothetically, Mr. Milord A. Keshishian thinking it being good chance to file cancellation case due to 2 cases against 1 pro se, he filed 92060328 11/05/2014.

But the assigned attorney for 92058656, Madam Catherine M.C. Farrelly, I think according to her high spirit of public order and morals etc, she has withdrawn from the case 09/23/2015.

Assertion 12. Upon information and belief, by reason of the facts set forth above, the Registrant lacked a *bona fide* intent to use the mark in connection with the goods listed in the Registration, making the mark void pursuant to 15 U.S.C. § 1126 (Trademark Act Section 44(e)), and has failed to use the mark for at least three consecutive years, thus abandoning the Registered Mark within the meaning of 15 U.S.C. §§ 1064(3) and 1127.

Response:

Irrelevant and obstruction of business. I do recommend for Mr. Milord A. Keshishian, assigned attorney, and plaintiff to refrain from doing obstruction of business and to withdraw from this case.

Since filing for registration May 13, 2009 of this Love is Forever to USPTO, I have been deeply intending to use this trademark, Love is Forever ®, and I had reserved air plane ticket to visit China to do production of products of Love is Forever ® in my cooperating factories from March 16, 2014 staying in China until March 29, 2014. But due to the filing of 92058656 February 07, 2014, I was forced to choose to cancel the visit.

Then, I think hypothetically, Mr. Milord A. Keshishian thinking it being good chance to file cancellation case due to 2 cases against 1 pro se, he filed 92060328 11/05/2014.

But the assigned attorney for 92058656, Madam Catherine M.C. Farrelly, I think according to her high spirit of public order and morals etc, she has withdrawn from the case 09/23/2015.

Assertion 13. By virtue of the foregoing, if the Registered Mark is permitted to remain on the Principal Register with all the rights and privileges conferred on it by its status as a Principal Registration, Petitioner will be damaged, including its inability to secure a registration for its LOVE IS FOREVER mark, and Registrant will enjoy unlawful gain and advantage to which it is not entitled under the Lanham Act 15 U.S.C. § 1051, *et seq.*

Response:

Irrelevant and obstruction of business. I do recommend for Mr. Milord A. Keshishian, assigned attorney, and plaintiff to refrain from doing obstruction of business and to withdraw from this case.

Since filing for registration May 13, 2009 of this Love is Forever to USPTO, I have been deeply intending to use this trademark, Love is Forever ®, and I had reserved air plane ticket to visit China to do production of products of Love is Forever ® in my cooperating factories from March 16, 2014 staying in China until March 29, 2014. But due to the filing of 92058656 February 07, 2014, I was forced to choose to cancel the visit.

Then, I think hypothetically, Mr. Milord A. Keshishian thinking it being good chance to file cancellation case due to 2 cases against 1 pro se, he filed 92060328 11/05/2014.

But the assigned attorney for 92058656, Madam Catherine M.C. Farrelly, I think according to her high spirit of public order and morals etc, she has withdrawn from the case 09/23/2015.

CONCLUSION

Assertion 14. 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:

Irrelevant and obstruction of business. I do recommend for Mr. Milord A. Keshishian, assigned attorney, and plaintiff to refrain from doing obstruction of business and to withdraw from this case.

Since filing for registration May 13, 2009 of this Love is Forever to USPTO, I have been deeply intending to use this trademark, Love is Forever ®, and I had reserved air plane ticket to visit China to do production of products of Love is Forever ® in my cooperating factories from March 16, 2014 staying in China until March 29, 2014. But due to the filing of 92058656 February 07, 2014, I was forced to choose to cancel the visit.

Then, I think hypothetically, Mr. Milord A. Keshishian thinking it being good chance to file cancellation case due to 2 cases against 1 pro se, he filed 92060328 11/05/2014.

But the assigned attorney for 92058656, Madam Catherine M.C. Farrelly, I think according to her high spirit of public order and morals etc, she has withdrawn from the case 09/23/2015.

Assertion 15. WHEREFORE, Petitioner respectfully requests that this Petition be granted and that Registration No. 3,811,074 be cancelled pursuant to 15 U.S.C. § 1064.

Dated: May 28, 2016

Respectfully submitted,
MILORD & ASSOCIATES, PC
/Milord A. Keshishian/
Milord A. Keshishian, Esq.
Attorneys for Petitioner
L.A. GEM AND JEWELRY DESIGN, INC.
10517 West Pico Boulevard
Los Angeles, CA 90064
Telephone: (310) 226-7878
Facsimile: (310) 226-7879

Response:

Irrelevant and obstruction of business. I do recommend for Mr. Milord A. Keshishian, assigned attorney, and plaintiff to refrain from doing obstruction of business and to withdraw from this

case.

Since filing for registration May 13, 2009 of this Love is Forever to USPTO, I have been deeply intending to use this trademark, Love is Forever ®, and I had reserved air plane ticket to visit China to do production of products of Love is Forever ® in my cooperating factories from March 16, 2014 staying in China until March 29, 2014. But due to the filing of 92058656 February 07, 2014, I was forced to choose to cancel the visit.

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But the assigned attorney for 92058656, Madam Catherine M.C. Farrelly, I think according to her high spirit of public order and morals etc, she has withdrawn from the case 09/23/2015.

Sincerely yours,

A handwritten signature in cursive script that reads "N. Minaki".

Defendant

Souki Manufacturing Inc.

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