

**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

TTAB

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

NB:

1. Content of this ANSWER for 92060328 and the ANSWER, the Complete Version of Amended ANSWER, for 92058656:

The contents of the 2 ANSWERs, that is, the content of this ANSWER for 92060328 and the content of the Complete Version of Amended ANSWER for 92058656 are almost same because both petitions are cancellation of my trademark, LOVE IS FOREVER ®, and the grounds to petition cancel of the 2 cases are abandonment of the trademark.

And the 2 contents are prepared according to truths and facts which are same each other, and proved by the **the defendant pretrial disclosures for 92058656 with 27 Evidences etc .**

And defendant/I have never abandoned and will never abandon the mark as explained/reported/proved in the Complete Version of Amended ANSWER for



92058656 including the defendant pretrial disclosures with 27 Evidences etc and as explained in this ANSWER as follows.

2. Meaning of Time to Answer, 2/14/2015:

Regarding meaning of time to answer, making telephone call to 571-272-8500 more than once, I received highly kind and reliable advice of TM Information Specialists of United States Patent and Trademark Office. The advice is that time to answer means that on or before the date I handed to a post office in Japan. So I will hand/present my ANSWER for United States Patent and Trademark Office on or before February 14, 2015 to a post office in Japan.

3. USA, USPTO:

Herein after USA will be used for United States of America and USPTO will be used for United States Patent and Trademark Office.

4. Mailing:

I will send by registered air mail including to plaintiff.

5. Certificate of Mailing etc:

In this ANSWER, I will attach one page of the Certificate of Service, which I will prepare.

6. Usage of I MY ME etc:

I will use for defendant the word, defendant, and will use the words, I MY ME or WE OUR US for defendant.

7. Evidences:

Regarding proofs, evidences etc of my assertions, I would like to omit in this ANSWER.

8. Regarding using ® as LOVE IS FOREVER ® as in the above etc:

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 place in a sightseeing place of the vicinity of Yokohama Japan and it was of on a day of a weekend or on a holiday of 2010 or so.

After applying for the mark to Japan Patent Office July 1, 2008, for class 14, it was registered May 15, 2009. Being registered by WIPO, World Intellectual Property Organization, May 13, 2009, on the same day application to USPTO was done and registered June 29, 2010. And the highly kind advice of the attorney was given to me at the sightseeing place 2010 or so.

I had started intercept survey by myself regarding LOVE IS FOREVER ® etc from 2008, and from 2009 at the sightseeing place almost every Saturday and Sunday, and holiday if possible. My survey being of a short time one of 1 minute or so with 1 or a few questions without asking individual information as personal name etc of answerer. Answerers are welcome for the short time one but unwelcome for the long one. So, I have to do almost every weekend or so in order to ask various kinds of questions. 50 to more than 100 answerers or so a day. At the early stage as 2009, 2010 around the number a day was small, but through experience becoming skilled, it has become many as 50 to 100 answerers a day etc, and in the summer season the number will be bigger than in cold winter season.

But I have been **obstructed** to do the survey including the start of production of my products, preparation of Internet shop etc from the end of February of 2014 due to the petition to cancel case, 92058656, and in addition by this case 92060328.

A result of the survey from December 2009 to 2010 Spring showed no ® mark, **LOVE IS FOREVER**, was more acceptable than with ® mark, **LOVE IS FOREVER ®**. With ® mark 275 (female 154 male 121) 44.6%, no ® mark 342 (female 188 male 154) 55.4%.

So my mind had been made up for using no ® mark, **LOVE IS FOREVER**.

On or around one of the days at the place, I met the attorney.

Receiving OK of him for my survey, starting conversation, he advised me to attach ® mark **firmly with friend like attitude** confirming my eyes if they showing positive understanding or not.

Noticing my eyes were not positive to attach ® mark, he said

he was an attorney and he seemed to want to say, "My words are of truth and reliable because I am an attorney."

His attitude and words gave me the strong impact to my mind that had been tended for no ® mark.

Nodding of a Japanese lady made the impact firm. The nodding was of a modest lady of business lady atmosphere, and I recognized she had escorted him to the place for his job, not for sightseeing.

I have felt she looked like an employee of the Japanese branch or so of a well-established famous etc company of USA, of which USA headquarters asked him to visit Japan to investigate regarding LOVE IS FOREVER ® or so.

His and her high attitude, way of talking, and atmosphere had made me feel in this way. They were friendly, calm and composed.

According to his so highly kind advice, having started to study regarding ® mark, I decide to attach ® mark as **LOVE IS FOREVER ®**.

Regarding their names etc I do not know due to my survey being of 1 minute or so with 1 or a few questions not asking individual information as personal name etc of answerer.

The highly thankful matter regarding the attorney and the lady is to remain in and beyond my memory.

9. Regarding Certificate of Mailing and Certificate of Service:

In my ANSWER dated and mailed from Japan March 23, 2014 for TTAB, I have used the word, **Mailing**, as Certificate of Mailing.

I would like to keep it as it is due to the word was given by a highly kind lady of TTAB when I made a telephone call for advice for preparing my ANSWER.

Regarding the word, **Service**, as Certificate of Service I have been using since May 03, 2014 according to the words of another highly kind lady of TTAB, and I would like to keep it as it is.

ANSWER TO PETITION TO CANCEL

Defendant will fully deny and reject cancellation petition of plaintiff as follows.

I. Aspects of This Case:

1. Respect for fame and dignity of people:

I think hypothetically that there seems no sign/tint in the attorney and the plaintiff having considered the importance of the fame and dignity of people. If this sort of consideration was done in 92058656 and 92060328, the 2 cases have not happened, I think.

That is, regarding 2 cases, it seems that the people of the plaintiffs have no consideration for importance of Common Sense and Public Order and Morals, First Come First Served Rule etc and seem to abuse the trademark law, I feel hypothetically.

I do not know which side is the seller and/or buyer in this petition to cancel case and I do not know what kind of business discussions have been done or going on between the assigned attorney and the plaintiff.

I think the attorney has a big possibility to become the seller hypothetically. Finding/confirming my trademark on homepage of USPTO etc, he proposing to the plaintiff saying "Hello, Sir, how do you feel about this brand, LOVE IS FOREVER ®, interesting?" "Oh wonderful. Who has it?" "*If you want, I can prepare to sell it for you. But it is not cheap.*" "How much?" "*US\$〇△〇□〇〇〇. - by cash.*" "All right, I will buy it." "*Then I will arrange it next year or so. OK?*" "?!?!? It is a quite a long time to wait. Why it takes such a long time?" "Because ... my and/or your petition to cancel the registration of the mark may, upon payment of the prescribed fee, be filed ... I and you have been damaged and will continue to be damaged if/because the continued existence of such improper Registration stands as a bar to ... and casts a cloud upon our right to enjoy the free and exclusive use thereof in connection with the sale of its goods...." "I have understood. I will wait for a good news from you...."

This conversation/transaction is a hypothetical one of course. But no one can deny the possibility of the happening of this kind of business transaction, hypothetically, I think.

Selling and buying goods of other/stranger/3rd party without reporting/having the consent of other/stranger/3rd party is no good, which even an infant knows I think. But it might be that the persons related to these cases forgetting etc the unwritten law, Common Sense, Public Order and Morals, First Come First Served Rule etc, they have been abusing etc of the law, § 14 (15U.S.C. § 1064), I feel hypothetically.

If 100 or more this kind of things happened to a person or an organization, people might say it is a 'disaster', I feel. To do one crime is a crime, I feel. A selling and buying goods of other/stranger/3rd party without reporting/having the consent of other/stranger/3rd party is no good. 100 sellings and buyings of goods of others/strangers/3rd parties without reporting/having the consents of others/strangers/3rd parties are no good.

2. Defendant being in Wretched Situation, A Good Chance for Plaintiffs ? :

Defendant/I have been in the wretched situation as attacked by the plaintiff of another case, 92058656. Altogether defendant/I will be or have been attacked by 2 cases, which will be a good chance to the plaintiff of 92060328?

This is the one of the current aspects of this case.

3. Fascination of LOVE IS FOREVER ® :

LOVE IS FOREVER ® has fascination.

So, sometimes it makes people to lose power of proper/sane judgment in mind and to be mad and/or insane.

And this case, 92060328, might be a case invited by the power of the fascination to make people mad and/or insane, hypothetically I feel.

For people who run accessory items business such as engage rings, earrings, bracelets, necklaces, or the like etc, it seems that this brand **LOVE IS FOREVER ®** is fascinating, I feel. And in rare case some people who run such business, might lose the power to control to be mad and insane in front of the brand, hypothetically I

feel.

4. This case is one of the 2 petition to cancel cases:

This case, 92060328, is one of the 2 petition to cancel cases. Another is 92058656. The brief histories are as follows.

- 11/23&24/2008 I did a marketing research on street regarding image of LOVE IS FOREVER ® .
- 05/13/2009 LOVE IS FOREVER ® was applied by defendant/registrant.
- 06/29/2010 LOVE IS FOREVER ® was registered.
- ➔ So registrant/I having been continued to prepare business step by step although encountering Obstruction of Business etc.
- 2012 Many legal offices to use LOVE IS FOREVER ® appeared as follows on Internet in order to draw eyes of customers-to-be for their business without OK of Registrant.
- Inputting Souk Manufacturing Inc., my company name, on Google,
- | | |
|----------------------|----------------------------|
| (1) May 01, 2012 | 405,000 lists appeared, |
| (2) June 27, 2012 | 1, 540,000 lists appeared, |
| (3) October 18, 2012 | 2, 710,000 lists appeared. |
- 06/03/2013 Plaintiff of **92058656** applied WHEN LOVE IS FOREVER aiming at refusal 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 follows.
- 12/21/2013 **Airticket to China booked/reserved to produce products of LOVE IS FOREVER ® in China by defendant.**
- ➔ **Business preparation continued.**
- 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.
- 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**.

02/14/2015 Time to Answer of defendant after motion for an Extension of Answer. **So, I have to present my ANSWER on or before 02/14/2015 to a post office in Japan. → Never stop business preparation.**

5. Abuse of Law?:

1) Disregard of ownership of other people?:

If in this petition to cancel of plaintiff, false petitions are included, this case will be a case to take away the right of ownership of the trademark by means of false petitions.

If so, this case might become a case related to a criminal law concerned or so, hypothetically, I feel. **If so, I would like to recommend for plaintiff to withdraw from this case.**

And this case should be judged in accordance with stand points of such as Common Sense, Public Order and Morals, First Come First Served Rule etc too, I do feel so.

2) In order to take away the owner ship from the real owner, 2 kinds of methods were prepared respectively, hypothetically I feel. The one is method of 92058656 and the other is of 92060328.

The method of 92058656 is to file/apply similar trademark, WHEN LOVE IS FOREVER, to LOVE IS FOREVER ® and the method of 92060328 is to file/apply the same trademark to LOVE IS FOREVER ® , and both of them being refused.

And now both owners of the marks filed/applied the petition to cancel LOVE IS FOREVER ® .

3) Normal response in application in finding similar trademark registered:

Normally at the stage of finding similar ones, the applicant will do as,

- (1) withdrawing from the initial choice, similar ones,
- (2) creating and/or finding out new choices not similar to the registered ones,
- (3) then applying them for registration, I think. This is normal method, and this is my method, too.

But the one plaintiff, of 92058656, clinging onto the similar one, WHEN LOVE IS FOREVER,

(4) another plaintiff, of 92060328, applying the same trademark, LOVE IS FOREVER, and being refused,

(5) then the plaintiffs applied for 92058656 and 92060328 respectively aiming at the mark, LOVE IS FOREVER ® if my understanding being correct,

4) Common Sense, Public Order and Morals, First Come First Served Rule etc:

I think, it is a very important article/law that § 14 (15 U.S.C. § 1064), Cancellation.

But they, Common Sense, Public Order and Morals, First Come First Served Rule etc, are equivalently or more important for us not to disregard, I think.

First Come Served Rule must not be forgotten, but forgetting it, the 2 plaintiffs have been trying to abuse the cancellation system in order to be ahead etc of the first come, that is, trying to make my possession plaintiffs' possession, I think hypothetically.

Common Sense, Public Order and Morals, First Come First Served Rule etc should not be disregarded, I feel. If they are disregarded, which will/might damage Common Sense, Public Order and Morals, First Come First Served Rule etc, which might cause quarrels everywhere as in a train etc to fight to get a seat to sit etc etc.

II. Attitude of Defendant for Business, History of LOVE IS FOREVER ® etc:

1. Marketing research:

The use of the trademarks including LOVE IS FOREVER ®, as business procedure, has been processed respecting for instance from 1) to 5) as I reported as follows.

I respect marketing research in commerce and business. It is a built in procedure in commerce and business, I think. I do not respect to start production and selling without marketing research in advance.

- 1) marketing research for creating ideal image of the trademark etc,
- 2) marketing research for creating ideal products themselves etc,
- 3) marketing research for creating ideal packages etc,
- 4) marketing research for creating ideal advertisement etc,
- 5) marketing research for creating ideal company image etc.

2. Application of LOVE IS FOREVER ®:

Respecting First Come First Served Rule, I applied as follows.

Date of filing (application) to Japan Patent Office:	July 01 2008
Date of registration by WIPO:	May 13 2009
Date of registration by Japan Patent Office:	May 15 2009
Date of filing to USPTO:	May 13 2009
Date of registration by USPTO:	June 29 2010

3. History 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) February 05, 2008:

I/entrepreneur/defendant applied to register current company, Souki Manufacturing Inc. and it was registered on the same day and started as a company operated by defendant only with no other staff, with no beautiful office.

3) The trademark, LOVE IS FOREVER ®, application and registration etc are as follows and as in the above.

Date of filing (application) to Japan Patent Office:	July 01 2008
Date of registration by WIPO:	May 13 2009
Date of registration by Japan Patent Office:	May 15 2009
Date of filing to USPTO:	May 13 2009
Date of registration by USPTO:	June 29 2010

4) November 23 and 24, 2008:

I did a marketing research on street regarding image of LOVE IS FOREVER ® .

5) I had registered **the following domain names as candidates for my Internet shop.**

love-is-forever.com	January 18, 2010
Soukimfg.com	December 28, 2010
love-is-forever.jp	January 19, 2010

love-is-forever.com etc, we can confirm the registrations by WHOIS.

6) 2012:

I had noticed on Internet the unwelcome homepages using my trademark, LOVE IS FOREVER ® etc, without OK of me.

The homepages were of legal offices' ones mainly, that need to visit often the data base of USPTO, where I think they noticed LOVE IS FOREVER ®. **OBSTRUCTION OF BUSINESS to defendant has started from this time around.**

Inputting Souki Manufacturing Inc., my company name, on Google,

- (1) May 01, 2012 405,000 lists appeared,
- (2) June 27, 2012 1, 540,000 lists appeared,
- (3) October 18, 2012 2, 710,000 lists appeared.

I had contacted some companies etc and asked them to refrain from featuring my company name and trademarks. They OKed to refrain showing ladies and gentlemen manner.

Then the unwelcome homepages started to decrease, which had given me a big respect regarding USA.

Among the above (1) (2) and (3), I saw a homepage with face photo of the attorney of 92058656, Madam Catherine M.C. Farrelly, but I did not know it was hers then. And I had forgotten about her face photo.

7) February 13, 2014:

The highly kind e-mail of the attorney in Michigan has arrived, which I noticed February 14. It informed about the cancellation trial, 92058656, precisely.

8) 2012 around:

Madam Catherine M.C. Farrelly of 92058656, she must have noticed about LOVE IS FOREVER ® according to situation.

The attorney of 92060328 might have started to notice about my LOVE IS FOREVER ® at USPTO data base, I feel/think.

9) December 05, 2012:

IRS for the first time started to give me an e-mail regarding taxation matter, 2013 they giving, January 16, 2014 they gave me an e-mail.

But I having had no income in USA yet, I have not responded until now.

10) June 03, 2013:

If it is correct, on the above date, the trademark of the plaintiff of 92058656 case, WHEN LOVE IS FOREVER, was applied.

11) June 2013:

I had posted my home page for the first time on Internet for safety of good people against the unwelcome home pages of the above (1) (2) (3).

There I mentioned "Regarding the use of ...LOVE IS FOREVER ®, Souki Manufacturing Inc. has OKed no organization etc ... Souki Manufacturing Inc. has no related/affiliated organizations ...if in case organizations or individual persons etc suffered damages and/or losses etc ...regarding which seems to be good to consult with authorities concerned."

The domain name for the above homepage is **www.soukimfg.com**.

12) My time being forced to use for coping with the above unwelcome homepages, due to this struggling, my jobs including preparation of Internet shop etc are delayed and delayed.

13) September 18, 2013:

If it is correct, on the above date, the application of the plaintiff trademark, WHEN LOVE IS FOREVER, was refused by USPTO due to the similarity to LOVE IS FOREVER ®.

14) December 2013:

I had almost finished preparation of Internet shop homepage.

15) December 21, 2013:

I had booked/reserved airticket to Shanghai leaving Tokyo March 16, 2014 staying in China until March 29, 2014.

This visit was for my business to produce etc my products.

I have visited so many times to China to prepare/confirm suppliers to ask my products to prepare.

16) February 07, 2014:

If it is correct, on the above date, the plaintiff, of 92058656, applied the cancellation petition.

The plaintiff selected no creative invention of another or new trademarks method **without responding the refusal of the WHEN LOVE IS FOREVER**, according to the information I have now.

I can use my small creativity for a new trademark etc, I feel.

17) February 11, 2014:

Notice of application for cancellation trial issued.

But I did not know about the petition to cancel case then.

18) February 13, 2014:

The very kind e-mail was arrived from the legal office in Michigan informing regarding this cancellation trial, 92058656, which I noticed February 14, 2014.

19) February 14, 2014:

Looking at the face photo of Madam Catherine M.C. Farrelly of her office homepage, I have noticed she is the same person who was on a homepage among the many unwelcome homepages appeared 2012 on Internet.

I printed her office homepage February 28, 2014.

20) March 01, 2014:

I made a phone call to Madam Catherine M.C. Farrelly, the assigned attorney for the plaintiff of 92058656 and recommended her to withdraw from this cancellation case.

But she did not show intention to withdraw then.

21) March 06/12, 2014:

Postponement to visit China for production etc.

Obstruction of Business in the wretched situation by the 92058656 case.

I sent an e-mail March 06 and March 12 to my friend in Shanghai regarding possibility of postponing of my visit to China from March 16.

22) March 14, 2014:

I had cancelled the airticket leaving Tokyo March 16 coming back to Japan March 29, 2014.

23) March 20, 2014:

Example of the transaction regarding 92058656.

Because feeling uncertainty regarding Madam Catherine M.C. Farrelly, thinking it might be good to send a copy of my ANSWER then preparing directly to plaintiff, I made a telephone call to Samuel Aaron's phone number, 718-392-5454, I saw on the homepage, [www. the-aaron-group.com/](http://www.the-aaron-group.com/), etc, early morning March 20 Japan time.

A lady taking up the phone, and giving me a fax number different from the one, 7813-786-2748, I can see on the homepage, and said she could handle the document from me accordingly.

But she did not give the name of the president of the company etc according to my request.

Feeling uncertainty, I confirmed the homepage of Samuel Aaron, Inc. But there I could not find the name of the president, etc which I saw on the same homepage or the like page or so a few days ago. And it had disappeared that another homepage featuring scenes of timbering, loading, carrying, cargo vessel, the name of Samuel Aaron, etc, according to my memory, although the memory was not precise.

The above gave me feeling of uncertainty about Samuel Aaron, Inc.

24) May 19, 2014:

The plaintiff and the assigned attorney of/for **92060328** applied the LOVE IS FOREVER.

And I do not know if they have known or not regarding I have been in the wretched situation to do responding etc as to the 92058656,

25) August 27, 2014:

The LOVE IS FOREVER applied by the plaintiff of 92060328 was refused in 3 months or so, after the application, which might have been too early for the plaintiff expectation.

The plaintiff might have expected my LOVE IS FOREVER ® cancellation before August 27, 2014 due to the petition to cancel my LOVE IS FOREVER ® has been filed since February 07, 2014 by another plaintiff of 92058656. If my LOVE IS FOREVER ® was cancelled before August 26 or so, LOVE IS FOREVER of plaintiff of 92060328 might have been registered, I think, if my supposition is in accordance with the law etc concerned.

26) November 05, 2014:

The petition of cancellation of the plaintiff, **92060328**, was applied. December 16, 2014 was the due date to answer regarding **92060328**.

27) December 04, 2014:

Regarding **92060328**, according to so many highly kind advice of highly efficient persons of TTAB including the lady's highly kind advice, I having contacted by telephone with the attorney, Mr. MILORD A. KESHISHIAN, of/for the plaintiff, I asked his consent for my request to extend the time to answer.

It might be that it was the request of me who know the facts, it might have been difficult for him to say NO or so. He was very kindly OKed for my request.

I explained to him as to misfortune of one of my family, I have to take care etc, and being busy, too, which might have made him to say NO, too, I feel now.

28) December 05, 2014:

Regarding **92060328**, I filed consent motion to extend and it was highly kindly respectfully granted.

29) February 14, 2015:

The above date is the extended due date of my answer, which was given by/through the high spirit of so many highly respectful people of TTAB etc, I feel.

4. Preparation of Business: Purchasing Softwares, Camera to Prepare Internet Shop:

Being encountering the OBSTRUCTIONS in the wretched situation, defendant has been continuing to prepare its business step by step.

1) January 11, 2009:

I purchased ADOBE Illustrator CS4 for making top page etc of my Internet 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.

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

Obtaining goods/rights etc of an owner etc without reporting/having the consent of the owner is no good, which even an infant knows, I think.

But it might be that the persons related to this case forgetting etc Common Sense, Public Order and Morals, First Come First Served Rule etc, including criminal law

etc, and it might be that the persons concerned have been abusing etc the law/article, § 14 (15 U.S.C. § 1064), I feel hypothetically.

And this case might be the case rather to be handled according to the criminal law etc too, I feel hypothetically.

As I petitioned and reported in the above, I will deny this petition to cancel including all the grounds asserted below by plaintiff.

And as a matter of course registrant/defendant/I have never abandoned and will never abandon the trademark and defendant/registrant/I will continue to promote on and on the business using the mark, **LOVE IS FOREVER ®**.

As Common Sense we should respect Public Order and Morals, First Come First Served Rule, the right of ownership etc, but it seems that the assigned attorney and plaintiff have been happy to obtain a seat in a train/theater/restaurant or goods/rights etc which has been used, and/or possessed peacefully/lawfully by a firstcomer or owner.

Getting rid of or pushing aside firstcomer and/or owner etc, they seem to be happy to occupy/obtain the seat, goods/rights etc, hypothetically, I feel..

That is, they seem to be happy to obtain the trademark, **LOVE IS FOREVER ®** already being registered and has been used for/by Registrant as I explained/reported in the above including by the pretrial disclosures for 92058656 etc, they are happily trying to obtain the trademark by abusing the trademark law and by pushing aside the firstcomer, the Registrant, I feel hypothetically.

If this kind of matter which is against law concerned, First Come First Served Rule, etc being allowed in daily life, fame and dignity of people, Public Order etc will be destroyed, which are not welcome, so this kind of deed must be stopped or prohibited by all means.

But for certainty, I will confirm as follows regarding each ground asserted.

1. Regarding "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: Because I did the application of the trademark by myself as you could see the every application procedure as fax communications etc of me recorded on the database of USPTO, the registration, I do feel, was done/proceeded accordingly, scientifically, professionally, fair and highly respectfully by the highly respectful, scientific, professional and fair examining attorneys after announcing publicly for every person and organization including for every legal office etc and including the legal offices of this time cases etc as we could see in the database of USPTO including Trademark Status & Document Retrieval etc.

And the defendant had been continuously preparing the business step by step as a tortoise until early February 2014 but the tortoise has been encountered the **OBSTRUCTION OF BUSINESS**, 92058656, and now 92060328, and the business has been **interfered/OBSTRUCTED** and has been delayed and delayed.

The words of the attorney in the above are irrelevant to the issues/merits of this case. The one of the issues/merits of this case is the assigned attorney has been happy to obtain a seat in a train/theater/restaurant etc which has been used by a firstcomer, I feel hypothetically.

Getting rid of or pushing aside the firstcomer, registrant/defendant, from the seat the firstcomer has sat/used, he seems to be happy to push aside the firstcomer in order to occupy/obtain the seat, I feel hypothetically.

I have been only one work force in defendant since its foundation, February 05, 2008, so I have been doing every thing by myself such as regarding the preparation for the products with **LOVE IS FOREVER ®** and etc etc. And now 92058656 from February 07, 2014 and 92060328 from November 05, 2014 having been filed by

the two plaintiffs, my preparation of the products has been delayed and delayed.

And the assigned attorney, is happily trying to obtain the trademark, pushing aside the firstcomer, the registrant, from the one seat, I feel hypothetically.

That is, the plaintiff has been doing OBSTRUCTION OF BUSINESS to defendant, I feel hypothetically.

But actually defendant is OBSTRUCTED, and I have been coping with the petition to cancel receiving highly thankful advice of so many respectful people.

Mr. Milord A. Keshishian, if you could kindly/respectfully refrain from doing OBSTRUCTION OF BUSINESS to defendant, I am highly thankful.

In order to obtain the one seat/trademark registered for the firstcomer, defendant/registrant, abusing the trademark law should be strictly prohibited, too I think. This is another issue/merit of this case, I feel.

For selling and buying goods/property, for movement of right of ownership of goods/property, we should not abuse the trademark law, cancellation system, I feel. To obtain things etc of others/strangers/3rd parties without reporting/having the consent of others/strangers/3rd parties is no good and should be refrained, which even an infant knows, I think.

I have been only one work force in defendant since its foundation, February 05, 2008. So I have to be busy for all matters for the business including production etc. So OBSTRUCTION OF BUSINESS is not welcome by all means. So I do hope the stop of the OBSTRUCTION OF BUSINESS.

2. Regarding “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: The words of the attorney in the above are irrelevant to the issues/merits of this case. The one of the issues/merits of this case is the assigned attorney has been happy to obtain a seat in a train/theater/restaurant etc which has been used by a firstcomer, I feel hypothetically.

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3. Regarding “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: The words of the attorney in the above are irrelevant to the issues/merits of this case. The one of the issues/merits of this case is the assigned attorney has been happy to obtain a seat in a train/theater/restaurant etc which has been used by a firstcomer, I feel hypothetically.

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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: The words of the attorney in the above are irrelevant to the issues/merits of this case. The one of the issues/merits of this case is the assigned attorney has been happy to obtain a seat in a train/theater/restaurant etc which has been used by a firstcomer, I feel hypothetically.

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reporting/having the consent of others/strangers/3rd parties is no good and should be refrained, which even an infant knows, I think.

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: The words of the attorney in the above are irrelevant to the issues/merits of this case. The one of the issues/merits of this case is the assigned attorney has been happy to obtain a seat in a train/theater/restaurant etc which has been used by a firstcomer, I feel hypothetically.

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Regarding the words of the assigned attorney, "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," I do not know what the assigned attorney is mentioning about.

For instance, defendant/I had been consecutively busy for preparing the products with the trademark, LOVE IS FOREVER ® such as doing marketing researches, the intercept surveys etc etc, using the trademark etc etc, from 2008 to/until March of 2014, but I had to stop the survey completely in/after March 2014, due to the cancellation case, 92058656.

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: The words of the attorney in the above are irrelevant to the issues/merits of this case. The one of the issues/merits of this case is the assigned attorney has been happy to obtain a seat in a train/theater/restaurant etc which has been used by a firstcomer, I feel hypothetically.

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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: Defendant/registrant/I have been continuing to prepare the business of the defendant step by step as a tortoise although being encountering the OBSTRUCTION OF BUSINESS by the parties including hypothetically the plaintiff or so.

The words of the attorney in the above are irrelevant to the issues/merits of this case. The one of the issues/merits of this case is the assigned attorney has

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8. Regarding "8. 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: Defendant/registrant/I have been continuing to prepare the business of the defendant step by step as a tortoise although being encountering the OBSTRUCTION OF BUSINESS by the parties including hypothetically the plaintiff or so.

The words of the attorney in the above are irrelevant to the issues/merits of this case. The one of the issues/merits of this case is the assigned attorney has been happy to obtain a seat in a train/theater/restaurant etc which has been used by a firstcomer, I feel hypothetically.

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9. Regarding “9. 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) 1127.”

Response: Defendant/registrant/I have been continuing to prepare the business of the defendant step by step as a tortoise although being encountering the OBSTRUCTION OF BUSINESS by the parties including hypothetically the plaintiff or so.

The words of the attorney in the above are irrelevant to the issues/merits of this case. The one of the issues/merits of this case is the assigned attorney has been happy to obtain a seat in a train/theater/restaurant etc which has been used by a firstcomer, I feel hypothetically.

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Regarding the words of the assigned attorney, "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," I do not know what the assigned attorney is mentioning about.

For instance, defendant/I had been consecutively busy for preparing the products with the trademark, LOVE IS FOREVER ® such as doing marketing researches, the intercept surveys etc etc, using the trademark etc etc, from 2008 to/until March of 2014, but I had to stop the survey completely in/after March 2014, due to the cancellation case, 92058656.

10. Regarding "10. 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: Defendant/registrant/I have been continuing to prepare the business of the defendant step by step as a tortoise although being encountering the OBSTRUCTION OF BUSINESS by the parties including hypothetically the plaintiff or so.

The words of the attorney in the above are irrelevant to the issues/merits of this case. The one of the issues/merits of this case is the assigned attorney has been happy to obtain a seat in a train/theater/restaurant etc which has been used by a firstcomer, I feel hypothetically.

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11. Regarding CONCLUSION,

“11. Petitioner is damaged and will continue to be damaged because the continued existence of such improper Registration stands as 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: It seems that this matter is of self-responsibility for what a person has done or will do on one's own responsibility, and if so, Mr. Milord A. Keshishian, you should take the responsibility, I feel.

The words of the attorney in the above are irrelevant to the issues/merits of this case. The one of the issues/merits of this case is the assigned attorney has been happy to obtain a seat in a train/theater/restaurant etc which has been used by a firstcomer, I feel hypothetically.

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12. Regarding CONCLUSION,

“12. 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.”

Response: I respect words/intention of people, if they are lawful and welcome in Common Sense, Public Order and Morals, First Come First Served Rule etc.

The words of the attorney in the above are irrelevant to the issues/merits of this case. The one of the issues/merits of this case is the assigned attorney has been happy to obtain a seat in a train/theater/restaurant etc which has been used by a firstcomer, I feel hypothetically.

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Regarding this case, that is, 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.

Very truly sincerely yours,
February 13, 2015

A handwritten signature in cursive script that reads "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 a true and complete copy of the foregoing document, ANSWER, as enclosed have been served on MR. MILORD A KESHISHIAN MILORD & ASSOCIATES, PC by mailing said copy on January 13, 2015 via First Class Mail, EMS, postage prepaid to: MR. MILORD A KESHISHIAN MILORD & ASSOCIATES, PC 2049 CENTURY PARK EAST, SUITE 3850 LOS ANGELES, CA 90067, UNITED STATES.

Enclosed: ANSWER 35 pages

Date: February 13, 2015

Signature:

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

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

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