

TTAB

14.June.08

USPTO Trademark Trial and Appeal Board
c/o Brian D. Brown, Interlocutory Attorney
PO BOX 1451
Alexandria, VA 22313-1451

78407551

RE: Opposition Number 91169106

Dear Sir,

I have received your response and have sent a copy of the appeal to the opposition. Though I guarantee your office has never received proof of any service to myself that is legitimate or legal, I provided the tracking information below. I recently received your letter today, the 14th, leaving me six (6) days to respond with a trip planned out of state, later in the week. Correspondence is being mailed to a UPS Store, staffed with high school kids that have little concern for certified letters and would have no sense of urgency to call and advise me. I do not believe I will receive the 'proof' of service from a legitimate employee of this company in time, so the tracking is all I can provide. This company has continually made false statements and fails to provide information that would give their claim any grounds for this ongoing fiasco. I find it disturbing that I am encouraged to hire an attorney in this matter as it is procedural set by the USPTO. All information needed was provided to the USPTO, all criterions were met, and the Trademark was awarded. The time and resources spent have been a complete waste of time due to our own Federal Government agency buying into lies.

It has become apparent that all that is needed are simple formalities to manipulate procedures since the information provided will never be investigated. The first approach I should have taken was recognizing the inability of our own USPTO to investigate false claims, and then contact the Ohio Bar Association myself. If no procedure exists to address false statements and pointless debates to waste time and resources, then one should be drafted. If our own government agencies lack the capacity to obtain personnel that are able to resolve matters involving this, then why do we have that agency? To me and the people I associate with, when a claim arises, proof of this claim must be submitted or it is not considered. One cannot simply state that an item will cause harm without supporting proof. If asked for proof and obvious avoidance is provided instead then the claim is discredited until proof is provided. It is not drawn out over a span of two (2) years wasting valuable time and resources. In the original response it was made clear that there is no confusion between Kangaroos and California or associations between restaurant themes and outdoor recreation. The objective was proving there would be and it has never been proven. Proof was submitted by myself of publications created "before" the opposition even existed, showing the use of the terms in the trademark. So why continue this ongoing fiasco? It seems a deep pocket client is continually being sold a sales pitch in order to prove this company's existence is needed. Why, so staff can continually eat out and drive luxury vehicles? That is all that would make sense. If not, someone please explain it to me and all the professionals I associate with here in California. Thank you for your time and have a good day...

USPS Tracking #: 7006 0810 0004 6169 6813

RFife Jr



06-19-2008