

ESTTA Tracking number: **ESTTA309562**

Filing date: **10/03/2009**

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

Proceeding	91187342
Party	Defendant PACIFIC RIM MARKETING INC
Correspondence Address	PACIFIC RIM MARKETING INC 1306 VIA TORNASOL APTOS, CA 95003-5654 UNITED STATES fred@pacrim-marketing.com
Submission	Answer
Filer's Name	Fred Scherrer
Filer's e-mail	fred@pacrim-marketing.com
Signature	/fred scherrer 1024/
Date	10/03/2009
Attachments	Applicant Response.pdf (2 pages)(92589 bytes)

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

TO OPPOSITION No. 9118742,

Sean Puffy Combs,
Opposer,
-against_

Pacific Rim Marketing, Inc.
Applicant

In response we would state the following:

On April 25, 2005 Pacific Rim Marketing, Defendant, filed application Serial Number 78/615,932 to register IDIDDY for “Headphones and cases especially adapted for MP3 players, cell phones and video disc player in Class 9, with a first use in commerce date of April 6, 2005.

1. The brand name and MP3 carrying case iDiddy was conceived from the phrase “Diddy Bag”, which was a reference to a small bag used to carry small items by U.S. Military servicemen as early as World War One. This descriptive phrase for a small bag used to carry incidental items was used in the defendant’s household as a child.
2. The “i” in iDiddy was derived from the letter “i” used in Apple Inc’s. iMac, iPod, and iTunes and the “i” and the word Diddy (from Diddy Bag) were combined to create the product brand and product name “iDiddy”. The name was not derived from Opposer’s mark, but rather from a proud military tradition of “Diddy Bags” issued to and carried by our service men before Opposer was born.
3. We do NOT BELIEVE that iDiddy is descriptive of the product. Our description of how our creative process and concept came to evolve into the brand name iDiddy appears to have led to some assumptions by the opposition that are not necessarily valid.

/fred scherrer 1024/

Applicant Confirmation of Proof of Service to Opposer

This will confirm that the Opposer Sean Puffy Combs as represented by
Fross Zelnick Lehrman & Zissu, P.C.
866 United Nations Plaza
New York, NY 10017 UNITED STATES
rbecker@frosszelnick.com

The undersigned hereby certifies that a true and correct
copy of the foregoing "Response to PTO" was served upon
opposer by forwarding said copy, via email, to Mr. Robert
Becker, at the email
address rbecker@frosszelnick.com on October 3, 2009.

/fred scherrer 1024/