

ESTTA Tracking number: **ESTTA284124**

Filing date: **05/14/2009**

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

Proceeding	91188462
Party	Defendant NITE LIFE CAR CLUB ASSOCIATION
Correspondence Address	W. DOUGLAS ENGLISH, III ENGLISH & ASSOCIATES 674 COUNTY SQUARE DR STE 101 VENTURA, CA 93003-0438 UNITED STATES wdenglishesq@yahoo.com
Submission	Opposition/Response to Motion
Filer's Name	Woodrow Douglas English
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Signature	/W.D.English/
Date	05/14/2009
Attachments	Responsive Discovery.pdf (2 pages)(1407534 bytes) RosasExhibit1.pdf (2 pages)(950853 bytes) Exhibit2.pdf (1 page)(8610931 bytes)

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

Nitelife of Santa Barbara,)
aka)
Nite Life Car Club)
)
Opposer,)
)
v.) Opposition 91188462
)
Nite Life Car Club Association)
aka)
NiteLife of Ventura)
Applicant,)

RESPONSIVE DISCOVERY DISCLOSURES

Yet another APPEARANCE OF FRAUD in the USPTO

Applicant, pursuant to Trademark Rule 2.120(a)(2) makes the following Disclosures in response to Opposer's submission via email on 30 April 2009.

1. Persons, Identified below by name and telephone number, have relevant information regarding this case including facts relating to the formation of the unincorporated association known as Nite Life Santa Barbara ("NLSB") and Nite Life Ventura (NLV,) the history of NLSB and NLV, and use of the trademark and service mark NITELIFE SANTA BARBARA and NITE LIFE VENTURA with and without the Cross Knives Logo. Both parties, Applicant and Opposer, have used Nite Life Santa Barbara since 1980, and Nite Life Ventura since 2004, and both parties have used and continue to use the mark Nite Life, with and without the "Crossed Knives" logo as well as a sole use of Nite Life by itself and the logo by itself as well.

Nitelife Santa Barbara

Danny Trejo -Tel. 805-680-6339
Augie Trejo- Tel. 805-680-1029
Juan Perez- Tel. 805-448-4580
Benny Perez - Tel. 805-452-1617
Rich Martinez- Tel. 805-937-1352
George Nevarez - Tel. 805-683-2940
Guillermo Aguilar - Tel. 805-455-3106
Jamie Maldonado - Tel. 805-896-7330
Raul Ortiz - Tel. 805-659-2039
Mike Corral - Tel. 805-705-7180
Lou Aguirre - Tel. 805-252-9066
Bobby Gonzales - Tel. 805-683-7414
Nacho Valdez- Tel. 805-562-676-6925
Rene Perez - Tel. 805-896-5538
Alfredo Mendoza - Tel. 805-403-3547
Sergio Diaz - Tel. 805-451-6113
Mando Rodriguez - Tel. 558-6363

Nite Life Ventura

Edmundo Rosas -Tel. 805-650-2555
Luis Aguirre - Tel. 805-984-1704
Frank Favela - Tel. 805-641-1071
Dickie Montoya - Tel. 805-218-0802
Henry Castro - Tel. 805-653-6612
Joel Kosub - Tel. 805-648-6260
Orlando Orrantia - Tel. 805-415-2247
Tony Aguilera - Tel. 805-653-2632
Lenard Lopez - Tel. 805-794-4064
Jerry Mejia - Tel. 805-647-2373
Tony Servin- Tel. 805-524-4118
Paul Vera- Tel. 805-525-9799

Underlined individuals are active members.

2. Documents relevant to this case are attached as Exhibits, illustrating both Applicant and Opposer use of the mark NITE LIFE and logo from 1980 to present, namely: 1. United States Trademark Registration, and 2. Media Coverage and Club Flyers.
3. APPEARANCE of FRAUD: Opposer's recent Discovery submission purports to indicate Jamie Maldonado as the "Author" i.e. "Artist" of the "Crossed Knives Logo", and that Mr. Maldonado thereby executed an assignment of "his" Copyright Work to the Nite Life Santa Barbara Association. However Applicant takes exception to said actions as being moot if not fraudulent in that Mr. Maldonado did not himself create said logo. We are advised that said work was crafted/drawn by Mr. Maldonado's then girlfriend as an art student at the University of California, Santa Barbara. We are attempting to locate said yet unnamed girlfriend who apparently has not executed a written assignment of the work to anyone, including Mr. Maldonado.

Respectfully submitted,

/WD English/

W. Douglas English
Attorney for Applicant

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being sent via email to opposer's counsel as well on May 14, 2009:

Victoria Carver
Carver Law
VC@ETMLAW.COM
Santa Barbara, CA 93102

By: Lisa Laughlin

/Lisa Laughlin/

May 14, 2009

(Signature)

EXHIBIT 1

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

Reg. No. 3,415,520

United States Patent and Trademark Office

Registered Apr. 22, 2008

TRADEMARK
PRINCIPAL REGISTER

NITE LIFE

NITE LIFE CAR CLUB ASSOCIATION (CALIFORNIA UNINC. ASSOCIATION)
2277 ANTHONY DRIVE
VENTURA, CA 93003

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

FOR: CLOTHING SOLD ONLY BY THE APPLICANT'S ASSOCIATION, NAMELY, COATS, JACKETS, T-SHIRTS, BLAZERS, AND HATS, IN CLASS 25 (U.S. CLS. 22 AND 39).

SN 78-344,503, FILED 12-22-2003.

FIRST USE 10-1-1980; IN COMMERCE 10-1-1980.

BRIAN PINO, EXAMINING ATTORNEY

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EXHIBIT 2

If the Office requests,

Applicant can submit over forty specimens demonstrating Applicant's and Opposer's joint use of the mark Nite Life for many years as:

NITELIFE

NITELIFE SANTA BARBARA

NITE LIFE

NITE LIFE VENTURA

and each of the foregoing with or without the Crossed Knives Logo.