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

Proceeding	91196016
Party	Defendant Staves Fredrick J
Correspondence Address	JASON R. LEE LEE, LEE & ASSOCIATES, P.C. SUITE 234, 2531 JACKSON ROAD ANN ARBOR, MI 48103 UNITED STATES jason@llapc.com
Submission	Other Motions/Papers
Filer's Name	Fredrick J.Staves
Filer's e-mail	ogpublishing@yahoo.com
Signature	/Fredrick J. Staves/
Date	12/09/2010
Attachments	initial to compel.pdf ( 8 pages )(86468 bytes )

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

_____ )	Opposition No: 91196016
Fredrick J. Staves )	Mark: MAJESTICS CAR CLUB
Individual (ProSe') Applicant )	Serial No. 77729569
)	
v. )	
)	
)	
Carlos Ramirez )	
An Individual Oppose )	
)	
)	
_____ )	

RESPONSE TO OPPOSER CARLOS RAMIREZ  
OPPOSITION TO APPLICANTS  
MOTION TO COMPEL  
INITIAL DISCLOSURE

TO THE HONORABLE COMMISSIONER OF TRADEMARKS:  
GROUNDS:

1. Applicant filed a motion to compel on Opposer Carlos Ramirez on 11-24-2010 because Opposer failed to provide Initial Disclosure in a timely manner consistent with the due date and time schedule.
2. Opposer claims in his motion to deny applicants motion to compel that Applicant failed to provide a subject in Applicants motion. The subject which is plain to see is, Opposers failure to provide Applicant with Opposers Initial Disclosure.
3. Applicant has provided Opposer with his initial disclosure but hasn't received any initial disclosure from Opposer to date.
4. Opposer claims that his initial disclosure was sent to applicant via email on 11-19-2010. Applicant has not received that initial disclosure and would ask Opposer to provide proof that on the said date that an email providing that initial disclosure was sent to applicant.

5. Exhibit 1 is a copy of all the emails applicant sent to Opposers Attorney Gordan Gray.

6. Applicant provided discovery to Opposers Initial Attorney Christina Loza.

7. Applicant made it clear to Opposers counsel that there could be no settlement because

Opposer wasn't a member of the MAJESTICS CAR CLUB and he had no rights to the MAJESTICS CAR CLUB designed logo.

8. Applicant has followed the rule 37C.F.R.2.126 **OPPOSER HAS FAILED TO FOLLOW RULE 37 C.F.R. 2.126** The Opposer, not the Applicant is to initiate all discovery and disclosures to applicant.

Conclusion:

The only discovery due at this point in the case are parties Initial Disclosures which Opposer has not provided, therefore Applicant prays his motion to compel Opposers Initial Disclosure is granted.

EXHIBIT 1

Conference (from Christina Loza)

Tuesday, October 19, 2010 10:29 AM

Dear Mr. Staves:

I have been in contact with Maria Ubario who was hoping to have a conference about the Opposition with me by tomorrow. Unfortunately, because Ms. Ubario is not an attorney and you are representing yourself pro se, I need to have the conference call with you. I understand that you do not have availability before tomorrow. Can you stipulate to a one week extension so that we can talk in the next week? What is your availability?

Please advise.

Best Regards,

Tina

Christina S. Loza, Esq.  
Loza & Loza, LLP  
An Intellectual Property Solutions Group  
*Orange County* ▪ *South Bay* ▪ *Inland Empire*  
President - National Association of Women Business Owners - Inland Empire Chapter

(949) 705-6777 - direct  
(949) 608-8934 - fax

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**Respond from Fredrick Staves:**

Tuesday, October 19, 2010 4:22 PM

"Original Gangsta Publishing" <ogpublishing@yahoo.com>  
[Add sender to Contacts](#)

From:

"Tina Loza" <tina@lozaip.com>

To:

MS. LOZA I HAVE NO ACCESS TO A PHONE UNTIL MARCH 2011.BUT I WILL STIPULATE TO A WEEK EXTENSION SO THAT WE CAN HANDLE THIS SITUATION THRU THE EMAIL.YOU CAN EMAIL WHATEVER IT IS TO MS.UBARIO AND SHE WILL FORWARD IT TO ME SO I CAN RESPOND TO IT.YOU CAN SET ANY DATE WITHIN THE NEXT WEEK AND LET ME KNOW SO I CAN TAKE OFF WORK THAT DAY.THANK YOU,FREDRICK STAVES.

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And again I emailed Ms Christina Loza , but still I got no email back:

Friday, October 29, 2010 1:41 PM

From:

"Original Gangsta Publishing" <ogpublishing@yahoo.com>

To:

tina@lozaip.com

Ms. Tina:

I have not heard back from you, I will continue to wait on your response.

Fredrick Staves

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And again we emailed Ms Christina Loza , and "again" I got no respond back:

Saturday, October 30, 2010 9:40 AM

From:

"Original Gangsta Publishing" <ogpublishing@yahoo.com>

To:

"Tina Loza" <tina@lozaip.com>

Ms. Loza this is Fredrick Staves informing you that I sent you a email request to be added to my email list so that we can have the conference thru email, since im not physically available. I sent you an email responding to the email you sent me thru OG Publishing confirming that we could have the conference thru that email address but you never responded so once you accept my email request you can email me directly. thank you sincerely, Fredrick Staves

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And once again I made an intent to email Ms.Christina Loza: but still no respond from her.

Monday, November 1, 2010 1:48 PM

From:

"Original Gangsta Publishing" <ogpublishing@yahoo.com>

[Add sender to Contacts](#)

To:

"Tina Loza" <tina@lozaip.com>

MS. CHRISTINA LOZA,THIS IS FREDRICK STAVES AND IM EMAILING YOU TO INFORM YOU THAT IM STILL WAITING FOR YOU TO ACCEPT MY EMAIL REQUEST SO WE CAN HAVE THE CONFERENCE THATS NEEDED CONCERNING THE TRADEMARK.OR WE CAN HAVE THE CONFERENCE THROUGH THE OG PUBLISHING @YAHOO.COM ,EMAIL ADDRESS ALSO.IM WAITING FOR YOUR RESPONSE.THANK YOU SINCERELY,FREDRICK STAVES.

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Then We Get this email from Mr. Gordan Gray:

--- On Mon, 11/1/10, Gordon Gray <geg@grayiplaw.com> wrote:

From: Gordon Gray <geg@grayiplaw.com>

Subject: Rule 26 Discovery Conference

To: ogpublishing@yahoo.com

Date: Monday, November 1, 2010, 3:59 PM

Dear Mr. Staves,

I represent Carlos Ramirez and am in the process of substituting in as counsel of record in the TTAB matter. Please direct all future correspondence to me. Ms. Loza will no longer be involved in this case.

While the discovery conference typically requires a telephonic or in-person meeting, I understand that you are incarcerated and only able to communicate by email at this time. Accordingly, I propose that we conduct the conference in two parts. First, please send me any proposed discovery plan you have for the case; when and how you intend to provide your initial disclosures; and, whether you have any electronically-stored information on which you base your case and where it is stored. Next, if you have any position on settlement, please provide me your position for my client. Once you have provided your half of the discovery conference, I will provide you with Mr. Ramirez's portion to complete the discovery conference so we can then begin conducting discovery..

If you have any questions, please do not hesitate to contact me.

Very Truly Yours,

Gordon Gray  
Gray Law Firm  
4401 N. Atlantic Ave., Suite 233  
Long Beach, CA 90807  
TEL: (562) 984-2020  
FAX: (562) 984-2019

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I responded to Mr. Gray's email as soon as I received it.

Tuesday, November 2, 2010 7:12 AM

"Original Gangsta Publishing" <ogpublishing@yahoo.com>

From:

"Gordon Gray" <geg@grayiplaw.com>

To:

MR GORDAN GREY THIS IS FREDRICK STAVES RESPONDING TO YOUR EMAIL IN REGARDS TO THE DISCOVERY AND MY POSITION ON A SETTLEMENT IN THIS MATTER THAT YOU ARE REPRESENTING CORLOS RAMIREZ IN.I HAVE SENT ALL THE DISCOVERY TO MS.CHRISTINA LOZA AS REQUIRED, AND IT HAS BEEN POSTED ON THE USPTO(TTABVUE) WEBSITE. AS FOR MY POSITION ON AN SETTLEMENT, THERE CAN BE NO SETTLEMENT BECAUSE MR. RAMIREZ IS NOT A MEMBER OF THE MAJESTICS CAR CLUB AND HAS NOT BEEN A MEMBER IN OVER 20 YEARS.HE HAS NO AUTHORITY NOR CLAIM TO USE THE MAJESTICS NAME OR LOGO. SO WE CAN MOVE FORWARD WITH THE CONFERENCE AS SOON AS YOU SEND ME MR. RAMIREZ DISCOVERY WHICH I HAVE NOT BEEN PROVIDED WITH.

THANK YOU

SINCERELY FREDRICK STAVES  
And again I emailed Mr Gordan:

On Nov 4, 2010, at 5:00 PM, Original Gangsta Publishing wrote:

MR. GORDEN GREY, THIS IS FREDRICK STAVES AGAIN. IM REQUESTING ANY AND ALL DISCOVERY THAT YOU HAVE FOR THE OPPOSITION OF THE MAJESTICS CAR CLUB TRADEMARK BEING OPPOSED BY YOUR CLIENT CARLOS RAMIREZ. I'VE ALREADY STATED MY POSITION TO YOU ON A SETTLEMENT IN THIS MATTER SO I HOPE THAT WE CAN MOVE ON TO THE CONFERENCE PHASE OF THIS OPPOSITION. I WILL BE WAITING FOR YOUR RESPONSE. SINCERELY  
FREDRICK STAVES

And He finally emailed me with this statement:  
PM

Thursday, November 4, 2010 5:06

"Gordon Gray" <geg@grayipl

From:

"Original Gangsta Publishing" <ogpublishing@yahoo.com

To:

Mr. Staves,

If it is your position that the discovery conference is complete, I will prepare my initial disclosures and await yours.

Very Truly Yours,

Gordon Gray  
Gray Law Firm  
4401 N. Atlantic Ave., Suite 233  
Long Beach, CA 90807  
TEL: (562) 984-2020  
FAX: (562) 984-2019

I then emailed Mr Gordan, because I had not received any Discovery or initial Disclosure as he said he would

Thursday, November 11, 2010 6:25 PM

"Original Gangsta Publishing" <ogpublishing@yahoo.com>

From:

"Gordon Gray" <geg@grayiplaw.com>

MR. GRAY I have already provided Mr. Ramirez former attorney Christina Loza with my entire discovery. It is also posted on the USPTO website. I haven't received any discovery from Mr. Ramirez former attorney, nor have I received any discovery from you. My position on a settlement agreement is that I will not settle with Mr. Ramirez because he is not a member of the MAJESTICS CAR CLUB and he has no rights, authority or reason to be in opposition of

the MAJESTICS designed mark that I applied for. I will provide you with my initial disclosure on 11-18-2010. I also provided Ms. Loza with a copy of a DVD named "SUNDAY DRIVER" that I will be using as part of the information on which I base my case which she should have provided to you. I'm waiting for you to provide me with your discovery and initial disclosure. SINCERELY FREDRICK STAVES

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TO THE HONORABLE COMMISSIONER OF TRADEMARKS:

These are all the emails that I email Ms Christina Loza , and Mr. Goran Gray. This is proof that I in fact I did try to get in contact With his former Counsel (Christina Loza) and now Gordan Gray

On November 17, I send all of my initial disclosure to Mr. Gordan Gray thru the email system because that's how we had agreed upon. Up to date, I still have not received any discovery or any initial Disclosure from the Opposer or his Counsel.

When Mr.Gordan did not meet the dead lines that is when I send in my motion to compel because he was not cooperating,

RESPECTFULLY  
SUBMITTED  
(Pro`se) Applicant  
FREDRICK J.  
STAVES  
PO BOX 211  
RIALTO, CA 92377



CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of this motion has been served upon all parties electronically at their email address of record and a copy of this motion has been mailed to Opposers Attorney Gordon Gray at his address of record first class U.S. mail on this date 12-9-2010

Respectfully Submitted

FREDRICK J. STAVES  
(Pro Se`) APPLICANT  
PO BOX 211  
RIALTO CA. 92377