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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
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Submission	Opposition/Response to Motion
Filer's Name	Fredrick J.Staves
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Date	09/16/2010
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

)	
Carlos Ramirez,)	
An Individual,)	
)	Opposer,
)	
v.)	Opposition No: 91196016
)	Mark: Majestics Car Club
)	Serial No: 77/729,569
)	
Fredrick J. Staves)	
An Individual,)	
)	
)	Applicant,
)	

RESPONSE TO NOTICE OF OPPOSITION

To the Honorable Commissioner for Trades:

The Applicant is Responding (ProSe)

In the matter of Serial Number 77/729,569 for the design mark MAJESTICS CAR CLUB, filed May 5, 2009 and published for the opposition April 13,2010 to Applicant Fredrick J. Staves, an Individual Located at P.O.Box 211 Rialto, California 92377.

Opposer Carlos Ramirez contents that if Applicant design mark is registered be believes that it will be damaged by the

Registration of the above identified mark on the Principal Register and hereby opposes the same.

As grounds for the response of the opposition, it is factual that:

1. Applicant seeks to register the design mark MAJESTICS CAR CLUB in connection with “customized printing of company names and logo’s for promotional and advertising purpose on the goods of others”, in International Class 040.
2. The stylized design mark is exclusively recognized all over America and in other Countries as the mark of the MAJESTICS CAR CLUB. That mark has no relation to a MAJESTICS Organization.
3. Applicant has been a member of the MAJESTICS CAR CLUB since 1978.
4. Applicant was the Vice President of the MAJESTICS CAR CLUB from 1992 - 1996.
5. Applicant has been The President of the MAJESTICS CAR CLUB from 1996 – Present.
6. There are 26 chapters of the MAJESTICS CAR CLUB in America and one in Japan, Australia Canada, and the Netherlands which Applicant is President over all of them.
7. Applicants fiancé’ Maria Teresa Ubario is the owner of Ogpublishing, which will be the outlet for the International Class 040. Applicant also intends to add other Classes of goods as well in the future

8. Applicant ha continuously used the MAJESTICS CAR CLUB mark in commerce since 1979 for Apparel, sponsoring little league baseball, drill team, promoting parties, hosting picnics, giving car shows and for customized printing of Company names and Logos, for promotional and advertising purposes on the goods of others.
9. Opposer is not a member of the MAJESTIC CAR CLUB presently and has not been a member since the 1980's if in fact he was a member Applicant does not remember opposer.
10. Applicant made a Documentary on the MAJESTICS CAR CLUB from 1996-2001
And opposer was not involved because he was not a member.
11. Applicant is present in numerous magazines representing the MAJESTICS CAR CLUB with the stylized design mark.
12. Applicant first filed for the MAJESTICS TRADEMARK in May 2004, again in November 2006, and this last time in May 2009. Applicant isn't a Serial filer, Applicant tried to file the first two times him self, the third time Applicant hired a Lawyer. The Lawyer filed the paperwork right and on April 13, 2009 Applicants Trademark was published for opposition.
13. Applicant does have Bonafide Intent to use the mark and also Applicant doesn't want anyone else using the mark because it is the MAJESTIC CAR CLUB design Logo.

14. Applicant is sending proof by sending photos, DVD and Magazines to the Honorable Commissioner for Trademarks to prove Applicants use of the design mark.
15. Opposer has produced no proof that he has used the mark for anything. If he has used it, it has only been in the last year or two.
16. Opposers Application for the use of the mark for the MAJESTICS was suspended April 23, 2009. It's been over a year ago, so his opposition makes no sense.
17. Applicant filed and received a Fictitious Business name for MAJESTICS CAR CLUB on April 30, 2009 at 10:49am with the Los Angeles County Register, and Applicant also filed and received a Fictitious Business name for MAJESTICS CAR CLUB on December, 30, 2008 in the COUNTY of San Bernardino. In which are enclosed along with this motion.
18. Enclose is also a copy of the MAJESTICS CAR CLUB history.
19. The photos are just to show that the MAJESTICS CAR CLUB uses the stylized design mark MAJESTICS as their Logo.
20. Applicant is known as "G" or "GANGSTER" in the low rider world, so whenever the Honorable Commissioner comes across "G" or "GANGSTER" in the DVD or magazines those are the aka/names referred to the Applicant.
21. In 2006 Rock Star Games distributed a documentary named Sunday Driver Chronicling the MAJESTICS CAR CLUB. The Documentary first started in 1996. The introduction of Rock Star Games of The MAJESTICS CAR CLUB had been down loaded off their Web-Site and presented with this motion.

22. Enclose is a copy of Maria T. Ubario's Ogpublishing Fictitious Business name Statement and Publication which was filed on April 11, 2007 and published on May 5, 2007 In which MAJESTICS CAR CLUB will be under the umbrella of Ogpublishing when Ogpublishing is incorporated, which will be used to produce Class 040 and others.
23. Each of these Magazines has an article stating and showing that the MAJESTICS CAR CLUB uses the design MAJESTICS Logo. Page 18, in the "Wheels Magazine #46". Pages 30-32 in Black Wheels Magazine Vol. #1 number 3 and Pages 36-37 in the Black Wheels Magazine Volume #1 number 2. Also an article and lay out of Fredrick J. Staves's car on the front cover of the Lowrider Magazine representing the MAJESTICS CAR CLUB.

Therefore the Applicant deems that after the Honorable Commissioner for trademarks sees all the evidence that Applicant has provided to prove that the MAJESTICS design Logo belongs to Applicant who is, the President of all the Chapters of the MAJESTICS CAR CLUB the Honorable Commissioner of Trademarks will dismiss opposers claim and grant Applicants application to have the MAJESTICS CAR CLUB design mark approved as it relates to goods in International Class 040. Applicant prays that his mark is allowed to be register.

Dated August 31, 2010

Respectfully Submitted
Fredrick J. Staves
President of: the MAJESTIC CAR CLUB

/Fredrick J. Staves/
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