

United States Patent and Trademark office Trademark Trial and Appeal Board

Carlos Ramires

Mailed November 15, 2014

Individual opposer

Opposition/Cancellation No. 91196016

v.

77.729, 569

Fredrick J Staves

Individual Applicant

Before Taylor, Lykos, and Shaw Administrative Trademark Judges

In response to the honorable Judges letter concerning the late filing of Fredrick J. Staves main brief as untimely and the discrepancy between the date Applicant certified by his signature that he had mailed the brief and the postmarked date of his brief .

"Reason For Final Brief Being Untimely"

Applicant Fredrick J .Staves final brief was late because David W.Dow was hired to draft and present the final brief to these honorable Administrative Trademark Judges by the 34 Chapters of the Majestics Car Club. Mr. Dow was hire to specifiely to draft and present applicants final brief, applicant felt that a real attorney would be better and more professional at drafting the final brief then applicant. Mr. Dow was paid \$5000.00 to draft and present the brief and represent applicant in the crucial and most important phase of this oppositioin. Applicant thought that the brief was taken care of by Mr. David W. Dow. Applicant recieved a phone call from Mr. Dow stating that the brief he sent in was rejected and only i could file the brief. I asked Mr. Dow had he filed a motion to this honorable court stating that he would be taking over for me and he would be filing the final brief which i knew he should have known. Mr. Dow told me he had not filed a motion to inform the court that he would be representing me. By the time Applicant recieved that information the deadline to file the brief had passed.

The Discrepancy Between The Date Applicant Certified By His Signature

Before Applicant aquired Mr. David W. Dow as his attorney applicant had written his final brief signed and dated it and was going to send the brief in on the signed date which



was August 26, 2014. After Applicant was told by Mr. Dow that Mr.Dow's brief was rejected Applicant quickly sent in the brief that he had already written along with a brief from Mr. Dow. The date on the brief was and overlooked honest mistake, at no time during the last five years of these proceedings has applicant ever been untimely filing a motion or brief nor has applicant ever put the wrong date on a brief or motion. Applicant prays that this honorable court understand that the circumstances and the situation applicant was put in by Mr. David w. Dow was the cause of the untimely final bried which caused applicant to quickly mail in the brief that applicant had wwritten before Mr.Dow was hired to represent applicant. For those reasons applicant prays that these Honorable Judges allow applicants final brief not be struck as untimely and excuse the wrong date and applicants signatue on the brief and Proof Of Service.

CERTIFICATE OF SERVICE

I hereby cerify that on November 15, 2014 I served the foregoing:

Applicant Reason For Brief Being Untimely And The Discrepancy Between The Date Applicant Certified By His Signature.

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