

ESTTA Tracking number: **ESTTA616592**

Filing date: **07/19/2014**

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

Proceeding	91208911
Party	Defendant Sunshine C & C, Inc.
Correspondence Address	IRMA SEVIN SUNSHINE C & C INC ATTN IRMA SEVIN, 197 HILLTOP CRESCENT WALNUT CREEK, CA 94597 UNITED STATES igsevin@gmail.com
Submission	Answer
Filer's Name	Sunshine /C&C,Inc/Irma Sevin
Filer's e-mail	igsevin@gmail.com
Signature	Sunshine/C&C,Inc./Irma Sevin
Date	07/19/2014
Attachments	Response to Summary Judgement July 19 2014 I rma Sevin.pdf(219087 bytes )

is

I Irma Sevin, President

Sunshine C & C, Inc.

197 Hilltop Crescent

Walnut Creek, 94597

Sent by Email and USPS: July 19, 2014

Opposition No. 91208911

Fox Restaurant Concepts LLC

v.

Sunshine C & C, Inc.

**Response to Opposition Request for Summary Judgment**

from Irma Sevin, Pro Se

TO: Lalita Greer, Paralegal Specialist USPTO

Trademark Trial and Appeal Board

P.O. Box 1451, Alexandria, VA 22313-1451

Receipt is acknowledged of documents from Opposition regarding their intent to file for Summary Judgment in the case labeled Opposition No. 91208911

**Pro Se Information**

Applicant continues to proceed Pro Se in this matter to the best of her ability.

1. Applicant admits failure to comply with the Board's Order for furnishing additional responses, but pleads inability to do so for reason of lack of funds to accomplish this.
2. Applicant wishes to reaffirm the stand taken in her response to the January request for Summary Judgment that for simple reasons presented at that time, the terms Zinburger and

Zen Burger hold different connotations and should not be considered as detrimental one to the other in a normal market place. The half ream of paper sent by opposition was not convincing of there being a problem.

3. The documents sent by opposition contained examples also of the early use of the term Zen Burger by our kindred company Zen Palate, but this is incidental to the primary point of disagreement – confusion of name.
4. Applicant welcomes the possibility of a Summary Judgment from the Board and trusts the wisdom therein.
5. This acquiescence does not come from any implied success resulting from what at times has seemed excessive and approaches bullying. It is simply a fact of life that Sunshine C & C, Inc. has already expended more funds than should have been necessary and does not have additional for the amount of attorney fees that appear to be required to maintain the legal responsibility of presenting its case.

The undersigned hereby certifies that a copy of  
Response to Opposition's Request for Summary Judgment  
From Irma Sevin, Pro Se for Sunshine C & C, Inc.  
to Lalita Greer, Paralegal Specialist USPTO  
in Opposition Proceeding 91208911 of the Trademark Trial and Appeal Board,  
has been sent both by USPS and email to the following on this date, July 19, 2014:

Lalita Greer, Paralegal Specialist USPTO  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451

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Sunshine C & C, Inc.  
197 Hilltop Crescent  
Walnut Creek, CA 94597

/s/ Irma Sevin  
Irma Sevin