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

Proceeding	91230108
Party	Defendant United Plastics Corporation
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

SONY CORPORATION,	X		
)		
)		
Opposer,)		
)		
v.)	Opposition No. 91230108	
)		
UNITED PLASTICS CORPORATION)		
)		
Applicant.)		
	X		

**UNITED PLASTICS CORPORATION’S ANSWER
TO
NOTICE OF OPPOSITION**

Now comes Applicant, United Plastics Corporation (hereinafter referred to as “United Plastics” or “Applicant”), and answers the Notice of Opposition of Opposer, Sony Corporation (hereinafter referred to as “Sony” or “Opposer”), by paragraph.

Preamble. United Plastics admits seeking registration of the trademark SONIBLOCK in International Class 17 for thermoplastic sheet that provides acoustical sound and vibration barrier performance in automotive and building applications; flexible sound barrier sheets formed of a polymer composition; acoustical panels for buildings; acoustical panels for vehicles. United Plastics admits that the application for SONIBLOCK was filed as Serial No. 86847669 on December 14, 2015, and was published in the Official Gazette of the United States Patent and Trademark Office on May 24, 2016. United Plastics is without knowledge or information sufficient to form a belief as to the truth of the averments of the preamble regarding the address and country of incorporation of Sony and it is, thus, denied. As to the remaining averments of the preamble, United Plastics denies the same.

1. United Plastics is without knowledge or information sufficient to form a belief as to the truth of the averments of paragraph 1 and it is, thus, denied.

2. United Plastics is without knowledge or information sufficient to form a belief as to the truth of the averments of paragraph 2 and it is, thus, denied.

3. United Plastics is without knowledge or information sufficient to form a belief as to the truth of the averments of paragraph 3 and it is, thus, denied.

4. United Plastics is without knowledge or information sufficient to form a belief as to the truth of the averments of paragraph 4 and it is, thus, denied.

5. United Plastics is without knowledge or information sufficient to form a belief as to the truth of the averments of paragraph 5 and it is, thus, denied.

6. United Plastics admits that Exhibits 1 and 2 appear to be TSDR copies of U.S. Reg. Nos. 3243454 and 777,400, but is without knowledge or information sufficient to form a belief as to the truth of the remaining averments of paragraph 6 and, therefore, denies the same.

7. United Plastics is without knowledge or information sufficient to form a belief as to the truth of the averments of paragraph 7 and it is, thus, denied.

8. United Plastics is without knowledge or information sufficient to form a belief as to the truth of the averments of paragraph 8 and it is, thus, denied.

9. United Plastics is without knowledge or information sufficient to form a belief as to the truth of the averments of paragraph 9 and it is, thus, denied.

10. United Plastics is without knowledge or information sufficient to form a belief as to the truth of the averments of paragraph 10 and it is, thus, denied.

11. United Plastics is without knowledge or information sufficient to form a belief as to the truth of the averments of paragraph 11 and it is, thus, denied.

12. United Plastics admits that Exhibit 3 appears to be an article obtained from the

internet titled “The Harris Poll Names 2016 Brands of the Year.” United Plastics also admits that the name Sony is identified as #76 on Exhibit 4. As to the remaining averments in paragraph 12, United Plastics is without knowledge or information sufficient to form a belief as to the truth of such averments of paragraph 12 and it is, thus, denied.

13. United Plastics is without knowledge or information sufficient to form a belief as to the truth of the averments of paragraph 13 and it is, thus, denied.

14. United Plastics is aware of the electronics company and movie company named Sony. United Plastics is unaware that Sony is in the business of manufacturing, selling or advertising any product that is the same or similar to the products associated with the trademark SONIBLOCK and thus denies the remaining averments contained in paragraph 14.

15. United Plastics denies that its trademark SONIBLOCK is similar in sound to Opposer’s SONY mark. United Plastics mark is a mark created from the base words “sonic” and “block” to create the arbitrary mark SONIBLOCK. As to the remaining averments in paragraph 15, United Plastics is without knowledge or information sufficient to form a belief as to the truth of such averments of paragraph 15 and it is, thus, denied.

16. United Plastics mark is a mark created from the base words “sonic” and “block” to create the arbitrary mark SONIBLOCK. As to the remaining averments in paragraph 16, United Plastics is without knowledge or information sufficient to form a belief as to the truth of such averments of paragraph 16 and it is, thus, denied.

17. United Plastics is without knowledge or information sufficient to form a belief as to the truth of the averments of paragraph 17 and it is, thus, denied.

18. United Plastics denies that its trademark SONIBLOCK in connection with thermoplastic sheet that provides acoustical sound and vibration barrier performance in automotive and building applications; flexible sound barrier sheets formed of a polymer

composition; acoustical panels for buildings; acoustical panels for vehicles is likely to cause consumers to be confused, deceived or misled into the mistaken belief that United Plastics' goods or services emanate from or are sponsored, affiliated or somehow related to Sony.

19. United Plastics is without knowledge or information sufficient to form a belief as to the truth of the averments of paragraph 19 that Opposer's SONY mark is famous and it is, thus, denied. As to the remaining averments in paragraph 19, United Plastics denies such averments.

20. Denied.

21. United Plastics repeats and realleges its answers to the preamble and to paragraphs 1-20.

22. United Plastics is without knowledge or information sufficient to form a belief as to the truth of the averments of paragraph 22 that Opposer's SONY mark is famous and it is, thus, denied.

23. United Plastics is without knowledge or information sufficient to form a belief as to the truth of the averments of paragraph 23 that Opposer's SONY mark is famous and it is, thus, denied.

24. Denied.

25. Denied.

AFFIRMATIVE DEFENSES

26. There is no likelihood of confusion, mistake, or deception between United Plastics' trademark SONIBLOCK and Opposer's SONY mark, inter alia, they are not confusingly similar.

27. There is no likelihood of confusion, mistake, or deception between United Plastics' trademark SONIBLOCK and Opposer's alleged U.S. Registration No. 3,243,454 for

SONY which issued on May 22, 2007, inter alia, they are not confusingly similar.

28. There is no likelihood of confusion, mistake, or deception between United Plastics' trademark SONIBLOCK and Opposer's alleged U.S. Registration No. 777,400 for SONY which issued on September 22, 1964, inter alia, they are not confusingly similar.

29. There will be no dilution of Opposer's SONY mark by the registration of the mark SONIBLOCK to United Plastics.

30. There will be no dilution of Opposer's alleged U.S. Registration No. 3,243,454 for SONY which issued on May 22, 2007 by the registration of the mark SONIBLOCK to United Plastics.

31. There will be no dilution of Opposer's alleged U.S. Registration No. 777,400 for SONY which issued on September 22, 1964 by the registration of the mark SONIBLOCK to United Plastics.

32. Opposer is barred by the doctrine of laches, estoppel and/or acquiescence from bringing the subject opposition.

33. Opposer is barred by the doctrine of unclean hands from bringing the subject opposition.

34. Opposer will not be damaged by registration on the Principal Register of United States Trademark Application Serial No. 86847669 for SONIBLOCK to United Plastics.

35. Opposer's Opposition is brought in bad faith.

36. Opposer has failed to state a claim upon which relief can be granted.

WHEREFORE, United Plastics has the right to register SONIBLOCK in connection with thermoplastic sheet that provides acoustical sound and vibration barrier performance in automotive and building applications; flexible sound barrier sheets formed of a polymer composition; acoustical panels for buildings; acoustical panels for vehicles, and respectfully requests that Sony's Notice of Opposition be dismissed and the subject application be returned to the Examining Attorney with orders to issue the application.

Dated: October 25, 2016

Respectfully submitted,

FAY SHARPE LLP

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Attorneys for Applicant

CERTIFICATE OF SERVICE

I hereby certify that on October 25, 2016, the foregoing **ANSWER** was filed electronically. Notice of this filing was served by First Class Mail, postage prepaid, on the following attorney for Opposer:

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