

ESTTA Tracking number: **ESTTA812820**

Filing date: **04/11/2017**

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

Proceeding	91233225
Party	Defendant 133 FILMusic Group, LLC
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Submission	Answer
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Signature	/Michael K. Hagemann, Esq./
Date	04/11/2017
Attachments	Answer_toFile.pdf(109577 bytes )

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10 Attorneys for Applicant 133 FILMusic Group LLC

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

13 R. JOSEPHS LICENSING INC., a  
14 corporation,

15 Opposer,

16 vs.

17 133 FILMUSIC GROUP, LLC, a limited  
18 liability company,

19 Applicant.  
20

Opposition No.: ESTTA805176

**APPLICANT'S ANSWER TO  
OPPOSITION**

Application Published: February 7, 2017

Opposition Filed: March 4, 2017

21  
22 Applicant 133FILMusic Group, LLC, by its attorney, hereby answers the  
23 allegations set forth in the Notice of Opposition as follows:

24 1. Applicant has insufficient knowledge or information as to the truth of  
25 the allegations set forth in Paragraph 1 of the Notice of Opposition and therefore  
26 denies those allegations.

27 ///

1           2.     Applicant has insufficient knowledge or information as to the truth of  
2 the allegations set forth in Paragraph 2 of the Notice of Opposition and therefore  
3 denies those allegations.

4           3.     Applicant has insufficient knowledge or information as to the truth of  
5 the allegations set forth in Paragraph 3 of the Notice of Opposition and therefore  
6 denies those allegations.

7           4.     Applicant has insufficient knowledge or information as to the truth of  
8 the allegations set forth in Paragraph 4 of the Notice of Opposition and therefore  
9 denies those allegations.

10          5.     Applicant has insufficient knowledge or information as to the truth of  
11 the allegations set forth in Paragraph 5 of the Notice of Opposition and therefore  
12 denies those allegations.

13          6.     Opposer makes no allegations in Paragraph 6. To the extent that  
14 Applicant understands Opposer to be alleging that the exhibits listed in Paragraph  
15 6 are true and correct copies of screenshots, a newspaper advertisement, and  
16 clothing hangtags, Applicant has insufficient knowledge or information as to the  
17 truth of the allegations and therefore denies them.

18          7.     Applicant denies the allegations in Paragraph 7 of the Notice of  
19 Opposition.

20          8.     Applicant denies the allegations in Paragraph 8 of the Notice of  
21 Opposition.

22          9.     Applicant admits that Opposer is the owner of U.S. Trademark  
23 Registration Number 1541125, issued May 30, 1989. Applicant admits that  
24 Registration Number 1541125 was based on an application filed on December 22,  
25 1987. Applicant denies the remaining allegations in Paragraph 9 of the Notice of  
26 Opposition.



1 **CERTIFICATE OF SERVICE**

2 I am over the age of 18 and not a party to the case. My business address is  
3 1801 Century Park East, Suite 2400, Century City, CA 90067. My e-mail address  
4 is mhagemann@mkhlaw.com.

5 On April 11, 2017, I served the attached document(s) described as:

6 **APPLICANT’S ANSWER TO OPPOSITION**

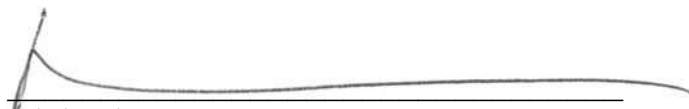
7 on the interested parties in this action as stated below:

8  
9 Timothy T. Tyson, Esq.  
10 LAW OFFICE OF LAWRENCE S. COHEN  
11 1401 Westwood Boulevard, Suite 240  
12 Los Angeles, CA 90024-4963  
13 cohenlaw@coheniplaw.com  
14 **Attorney for Opposer R. Josephs Licensing Inc.**

- 15  (BY E-MAIL) By e-mailing a copy of the foregoing document(s) to the e-  
16 mail address specified above at approximately 10:53 a.m.
- 17  (BY FIRST-CLASS MAIL) By placing a true copy of the foregoing  
18 document(s) in a sealed envelope addressed as set forth on the mailing list  
19 above. I deposited each such envelope, with postage thereon fully prepaid,  
20 with the United States Postal Service in Los Angeles, California.

21 I declare under penalty of perjury under the laws of the United States of  
22 America that the foregoing is true and correct.

23 Executed on April 11, 2017 at Los Angeles, California.

24  
25 By:   
26 Michael K. Hagemann