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

Proceeding	91233580
Party	Plaintiff Holla'back Records, Ent. & Talent Mgt.
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Submission	Opposition/Response to Motion
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Date	05/08/2017
Attachments	HBMGFINALOPPOSITION.pdf(412451 bytes )

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

In the matter of trademark Opposition No. 91233580  
Serial No. 86725500

For the mark HBMG HOLLA BACK MUSIC GROUP  
Published in the Official Gazette on March 7, 2017

Holla'back Records, Ent. & Talent Mgt.

v.

HBMG LLC

NOTICE OF NON-CONSENTING MOTION AND OPPOSITION TO  
DEFENDANT'S MOTION FOR AN EXTENSION OF TIME TO ANSWER  
OPPOSITION

Carla B. Boone, P. O. Box 970, Tyrone, GA 30290

On March 25, 2017, Plaintiff Carla B. Boone filed a timely Opposition to the pending Trademark application for HBMG, LLC.

The grounds stipulated for opposition specifically referenced Defendants' admitted illegal First Use during the period of Plaintiff's Federally registered trademark (December 10, 2012) unbeknownst to Plaintiff until the official register was published.

Plaintiff is of the belief that the factors stipulated for the request for extension are not in good faith for the following reasons:

- 1) Plaintiff contends the admission of newly hired counsel that she was hired at the eleventh hour ("the night before the 5/4/17 due date) in replacing Counsel is not within the definition of "good cause" due to the fact that such was well within the reasonable control of the Defendant. Plaintiff should not continue to suffer irreparable damage to her label's name due to the negligence of Defendant to replace prior counsel in a timely fashion.
- 2) Additionally, it is respectfully submitted that Carla B. Boone has suffered and will continue to suffer prejudice in the unreasonable delay of resolution of terminating this application due to the initial and original, *admitted*, illegal first use of a registered Trademark' Registration No. 3,789,86 Registered on May 10, 2010 (operating in the same jurisdiction of Plaintiff's original filing and additional jurisdictions). and:
- 3) Defendants were, obviously, well aware of the procedures for filing/searching for such registered marks, yet knowingly used such mark nonetheless.

Plaintiff, respectfully, requests that the Motion for Extension be denied and their Trademark application terminated as Plaintiff has had years of illegal use and should not be provided with one additional day to continue such .

  
Carla B. Boone 5/8/17