ESTTA Tracking number: **ESTTA943005**
Filing date: **12/20/2018**

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

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Piper's Landing, Inc.		
Entity	Corporation	Citizenship	Florida
Address	6160 SW Thistle Terrace Palm City, FL 39440 UNITED STATES		

Attorney information	Kevin Markow, Esq. Becker & Poliakoff, P.A. 1 East Broward Boulevard, Suite 1800 Fort Lauderdale, FL 33301 UNITED STATES kmarkow@beckerlawyers.com, sjorgensen@beckerlawyers.com, cdeo@beckerlawyers.com, cgellman@beckerlawyers.com 954-987-7550

Applicant Information

Application No	87726742	Publication date	11/20/2018
Opposition Filing Date	12/20/2018	Opposition Period Ends	12/20/2018
Applicant	Castle Creek Partners, LLC 4521 SW Bimini Circle N. Palm City, FL 34990 UNITED STATES		

Goods/Services Affected by Opposition

Class 035. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Homeowner association services, namely,promoting the interests of homeowners in a specific community and marketing thecommunity nationwide to prospective newresidents and property owners

Grounds for Opposition

Fraud on the USPTO	In re Bose Corp., 580 F.3d 1240, 91 USPQ2d 1938 (Fed. Cir. 2009)

Attachments	Opposition.pdf(189247 bytes)

Signature	/s/ Kevin Markow
Name	Kevin Markow, Esq.

Date	12/20/2018

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

In the Matter of the U.S. Trademark Application of:	Castle Creek Partners, LLC
For the mark:	PIPER'S LANDING
Serial No.:	87/726742
Filing Date:	December 19, 2017
Publication Date:	November 20, 2018

PIPER'S LANDING, Opposer, v. Castle Creek Partners, LLC, and John J. Katsock, Jr., *as sole Manager and Registered Agen*t, Applicants.	Opposition No._____

NOTICE OF OPPOSITION

PIPER'S LANDING, INC. believes that it will be damaged by registration of the above captioned Application Serial No. 87/726742 (the "Application") and hereby opposes same. As grounds of opposition, it is alleged as follows.

INTRODUCTION

Opposer, PIPER'S LANDING, INC. is a homeowner's association, and has provided homeowner's association management and related services for the community of the same name since 1980. The Application was filed under the direction and control of John J. Katsock Jr., who is a resident of the community and member of the home owner's association known as Piper's Landing.

Applicant, through an "intent to use" application, seeks to register the exact mark used by Opposer, to perform the exact same services as Opposer, from the same location (i.e., behind the community gate and within the home owner's association known as Piper's Landing).

Applicant's efforts to register the mark are intentionally antagonistic to the Opposer, and the latest escalation in his history of antagonism. Registration of the mark by the Applicant must fail for each of the reasons set forth below. Most importantly, if registration were permitted, confusion between Applicant and Opposer would not just be likely; it would be all but assured by the design of the Applicant. At bottom, the Application is a thinly-veiled abuse of the process afforded by the Trademark Office. Such should be quickly recognized by this Board, and the Application should be swiftly rejected.

FACTS/BACKGROUND

1. Opposer PIPER'S LANDING, INC. ("Opposer" or "Piper's Landing") is a non-profit corporation that was organized under Florida law on or about November 13, 1980, and has existed and been in good standing from that time to the present. (See Florida Sec. of St., Div. of Corp., entity detail attached at Appendix ("App.") 001).

2. Piper's Landing is a homeowners' association (the "HOA") responsible for maintaining, operating, and managing a residential community named "Piper's Landing", or "Piper's Landing Yacht Club" (the "Association") located in Martin County, Florida, along the St. Lucie River. Piper's Landing oversees a community of homeowners and residents that includes three hundred and two (302) residences (single family, villas and condominium), and approximately 600 residents.

3. Included within the Piper's Landing community are resort-style amenities, including a golf course, marina, club house, tennis facilities, swimming pool(s), restaurants, and

LAW OFFICES
BECKER & POLIAKOFF, P.A.
1 E. BROWARD BLVD, SUITE 1800, FT. LAUDERDALE, FL 33301
TELEPHONE (954) 987-7550

common facilities, set amongst 600 acres of natural preserve. See http://www.piperslanding.com/. The residential property, common areas and amenities compromising the Association is collectively referred to as the "Community".

4. Among the responsibilities of Opposer are to promote the well-being and common interests of the Piper's Landing community and members.

5. The Association is governed by the "Amended and Restated Covenants and Restrictions of PIPER'S LANDING, INC.," a true and correct copy of which is attached at Appendix page 026 (the "Covenants").

6. The Covenants were publicly recorded in Martin County, Florida on April 14, 2010, and amend prior covenants and declarations, dating back to at least 1980, which create, identify and govern the community.

7. The Covenants govern, among other things, who may become a member of the Association by purchasing property within the community, and all functions, responsibilities, rights, and duties in connection with managing, maintaining, and operating the Association, among others ("association services").

8. Since at least 1980, the Association, and its predecessors in interest have provided association services at the Piper's Landing community under the subject mark: PIPER'S LANDING (the "mark").

9. By virtue of its exclusive and continuous use of the PIPER'S LANDING mark in connection with association services such as management, maintenance, advertising, promotion, and operation of the Piper's Landing Home Owners Association and its membership, the Association is the rightful owner and senior user of the mark.

10. Based on uninterrupted use at the same location from at least 1980 through the

LAW OFFICES
BECKER & POLIAKOFF, P.A.
1 E. BROWARD BLVD, SUITE 1800, FT. LAUDERDALE, FL 33301
TELEPHONE (954) 987-7550

present day, the Piper's Landing name has become inextricably linked to Opposer and the community.

11. As a result of such use, the mark has become distinctive of the services of Opposer. Opposer has developed substantial goodwill and commercial recognition in the mark as used in connection with the services provided.

12. Opposer has also registered the Trademark "**Piper's Landing**" in the State of Florida on October 18, 1989. Since then, this Trademark has been used exclusively by the Association in connection with association services. (See App. 004).

Applicant's Membership in the Association and History of Antagonism

13. Applicant Castle Creek Partners, LLC ("Applicant," or "Castle Creek") is a Limited Liability Corporation registered in the State of Florida in 2004. (See App. 122). Its sole Manager and Registered Agent is John J. Katsock, Jr. ("Katsock"). (See App. 122).

14. The address of Castle Creek, as registered with the State of Florida, is a residence located within the Piper's Landing, at 4510 SW Thistle Terrace, Palm City, FL 34990. (See App. 122, 174).

15. In February 2013, the Katsock property was purchased by the Norman Zlinkoff Revocable Trust.

16. Katsock lives at the 4510 SW Thistle Terrace property, within the Association, and has lived there since approximately 2013. The 4510 SW Thistle Terrace property is also referred to as the "Katsock property".

17. Katsock moved into 4510 SW Thistle Terrace with express notice of the Association, the association services provided by the Association under the Piper's Landing mark, and the Covenants governing the Community. Attached at App 118 is copy of deed through which

LAW OFFICES
BECKER & POLIAKOFF, P.A.
1 E. BROWARD BLVD, SUITE 1800, FT. LAUDERDALE, FL 33301
TELEPHONE (954) 987-7550

Katsock moved into the Community, as beneficiary of the Trust. Even the property description provided in the deed makes express reference to "Piper's Landing" as the location of the property being acquired.

18. Katsock became a resident of the Community following the recording of February 2013 deed.

19. Although its registered address is within Piper's Landing, on the instant Application, Castle Creek deceptively utilized an address outside of Piper's Landing, 4521 SW Bimini Circle N, Palm City, FL 34990, in an effort to conceal prior use by the Association and obscure likelihood of confusion issues. (Attached is a Florida Division of Corporations' website printout showing the registered address; App. 122). The address listed on the Application is owned by the Norman Zlinkoff Revocable Trust (the "Zlinkoff Trust"). (App. 121). Katsock, Applicant's sole and principal officer, is a beneficiary of the Zlinkoff Trust.

20. Based on information and belief, Normal Zlinkoff has died within the past sixty (60) days, and Katsock stands to take ownership of the Katsock Property by operation of the Trust.

21. Katsock's residence in Piper's Landing has been frought with antagonism and strife directed at fellow residents of Piper's Landing, their family members, Piper's Landing employees, and Piper's Landing Board Members. Katsock has been at the root of multiple incidents of alleged harassment of residents, family members and guests, Association employees, and Board members, in person, by telephone, and by email.

22. Katsock's antagonism toward individuals within and associated with the Community includes allegations profanity, insults to intelligence, disparagement as to place of birth, gender, physical appearance, and chastity. Incidents involving Katsock's behavior toward Community members includes threats of physical violence and death. (See copies of Sheriff's

LAW OFFICES
BECKER & POLIAKOFF, P.A.
1 E. BROWARD BLVD, SUITE 1800, FT. LAUDERDALE, FL 33301
TELEPHONE (954) 987-7550

reports, emails, and incident reports at App. 071-087, 061-116, 176-189) ("I'm going to drink their blood"; "going to f** you and we will kill you"; "I will get you"; incidents of road rage at App. 066; etc.). Katsock, Jr. has also regularly threatened civil and criminal litigation against residents and employees. (See App. 176-189).

23. Katsock's conduct has already caused confusion within the community as to the ownership of the mark. For example, Katsock sent out a "newsletter" to Association members around the time of Hurricane Irma, with a return email address of **pipersweekly@gmail.com**. (App. 200-201). Katsock also initiated a blog at http:\piperspeaks.com with abusive posts about community residents, the Board, and Association employees. The posts are meant to confuse the public as to their origin, with post names such as "from the board and manager", and "contributor" names are hidden by aliases, such as "Tacitus", "Old Geezer," "land Baron," "just say/'n" and "the Avenger." (See, e.g., App. 202-207). Based on information and belief, these posts are by Katsock. Katsock's attorney in the civil suit, see paragraph 24, is referred to as "our attorney". (Id.).

24. Opposer has been forced to file a suit in equity to enjoin Katsock's disruptive behavior within the community. (See App. 190). The suit is ongoing.

25. The current Application is the latest example of antagonism by Katsock toward the Association and the Community it represents. Seeking to register the subject mark as its own, Applicant is engaging in a thinly-disguised abuse of process.

26. Through the Application, Applicant seeks to appropriate the name and trademark PIPER'S LANDING, Inc. as his own, to the exclusion of Opposer and the long-established community. The description of services included within the Application describe exactly the services provided by the Association to the community since long before Applicant ever knew of Piper's Landing.

LAW OFFICES
BECKER & POLIAKOFF, P.A.
1 E. BROWARD BLVD, SUITE 1800, FT. LAUDERDALE, FL 33301
TELEPHONE (954) 987-7550

27. By the above-captioned Application, Applicant seeks to secure rights to the Mark over which he has no right or entitlement and which if granted, would cause confusion with the rights, services, and obligations that belong to and originate from the Opposer in connection with the Piper's Landing Association.

COUNT I

(Registration must be denied under 15 U.S.C. § 1052(d))

OPPOSER IS THE SENIOR PRIORITY USER OF THE MARK AND HAS CONTINUOUSLY USED THE MARK IN CONNECTION WITH THE SERVICES PROPOSED BY APPLICANT

28. Opposer repeats and re-alleges the allegations of Paragraphs 1 through 27.

29. Applicant's attempt to register the mark is spurious. Opposer is the true owner of the mark, having used the mark in connection with the identical services proposed by Applicant, at the same location, since at least 1980.

30. Opposer, and its predecessors in interest invented, adopted, advertised, and displayed the mark prior to Applicant's intent to use, as reflected in the Application.

31. Opposer, and its predecessors in interest, has conspicuously held itself out to the general public under the mark prior to the instant Application. Applicant has express and direct knowledge of the identical association services provided by Opposer under the mark, and has sought to register the mark in contravention of Opposer's rights.

32. Opposer and/or its predecessors in interest has offered and performed required services under the Mark, in commerce in the normal course of business, to the general public and/or to the residents of the community, prior to Applicant offering any services under the mark.

33. Opposer and/or its predecessors in interest developed a connection between Opposer and the mark with the relevant public prior to Applicant's Application alleged and improper claims of ownership in connection with same.

LAW OFFICES
BECKER & POLIAKOFF, P.A.
1 E. BROWARD BLVD, SUITE 1800, FT. LAUDERDALE, FL 33301
TELEPHONE (954) 987-7550

34. Opposer and/or its predecessors possessed goodwill associated with the mark prior to Applicant's use or intent to use the mark.

35. Applicant has full knowledge of Opposer's priority of adoption and use of the mark.

36. Opposer and/or its predecessors in interest have recorded the Covenants (including prior versions and other requisite documents) creating the Association. Opposer has further erected a sign displaying the mark at the entrance to the community, has continuously maintained such signage to the present, and makes widespread use of the mark in its provision of association services to the community. (Appendix 059).

37. Opposer and/or its predecessor(s) in interest has held itself out to the general public under the mark and continues to do so at present. Opposer is the party with which the general public associates the mark, and continues to be such party at present.

38. Opposer and/or its predecessors in interest has offered services under the mark since at least 1980, in commerce and in the normal course of business, to the general public and/or to the residents of the community and continues to do so at present.

39. Opposer and/or its predecessors in interest has, from inception through the present, monitored and maintained the quality of the services offered under the mark in accordance with documents governing the Piper's Landing community, including but not limited to negotiating contracts for maintenance and management of the Piper's Landing community, and enforcing standards of appearance and operation for the community.

40. Opposer owns and possesses the goodwill associated with the mark.

41. In a warranty deed recorded February 28, 2013 the real property at Lot 37, Block 1, Piper's Landing Plat No. 1, recorded in Plat Book 8, page 61, parcel identification number 42-38-41-010-00370.40000, was transferred to the Norman Zlinkoff Living Revocable Trust "subject

LAW OFFICES
BECKER & POLIAKOFF, P.A.
1 E. BROWARD BLVD, SUITE 1800, FT. LAUDERDALE, FL 33301
TELEPHONE (954) 987-7550

to the covenants, conditions, restrictions, easements, reservations and limitations of record." (Appendix 118-120). An "Approval of Transfer" form, dated February 22, 2013, is attached to the deed, recording that the Piper's Landing Board of Directors approved the transfer and approved Norman Zlinkoff as a member of Piper's Landing Yacht & Country Club. (Appendix 120).

42. Accordingly, reference is made in the recorded deed to the mark as being the name of Opposer, Piper's Landing Home Owners Association, rather than a name Applicant may appropriate for itself. Katsock is the co-Trustee of the Zlinkoff Living Revocable Trust and was at all times aware of the deed, the Covenants, and of course the Association.

43. The real property described in paragraph 41 is the address which the Applicant has registered as its principal place of business, despite its provision of a different address on its Application.

44. Katsock is the sole principal of Applicant, Castle Creek Advisors, LLC. Accordingly, Applicant has full knowledge of the ownership rights of Opposer.

COUNT II

APPLICANT'S (AND KATSOCK'S) ASSERTION OF OWNERSHIP OF THE MARK VIOLATES OPPOSER'S RIGHTS AS SET FORTH IN THE COVENANTS GOVERNING THE ASSOCIATION, OF WHICH KATSOCK WAS EXPRESSLY AWARE

45. Opposer repeats and realleges the allegations of Paragraphs 1 through 44.

46. At some time after the deed for the Thistle Terrace property was recorded on February 28, 2013, Katsock became a resident of the Community and a member of the Association. (See recorded deed transferring 4510 SW Thistle Terrace, Piper's Landing, to Zlinkoff Revocable Trust, February 2013, App. 118-120).

47. At that time, Katsock became subject to the Covenants and documents governing the Association which are public record and long precede Katsock's, and by extension Applicant's,

LAW OFFICES
BECKER & POLIAKOFF, P.A.
1 E. BROWARD BLVD, SUITE 1800, FT. LAUDERDALE, FL 33301
TELEPHONE (954) 987-7550

introduction to the community.

48. The recorded Covenants (and myriad recorded documents pre-dating them) ubiquitously refer to the PIPER'S LANDING mark as being a name of the community, and the Association being the governing body of same.

49. The Covenants and governing law further empower and compel Opposer to perform the above-described duties and responsibilities on behalf of the community.

50. Katsock has received, and has full knowledge of the Covenants and documents governing the Piper's Landing Home Owners Association, and has made use of the services of the Association.

COUNT III
FRAUD ON THE TRADEMARK OFFICE

51. Opposer repeats and realleges the allegations of Paragraphs 1 through 50.

52. In the Application, Applicant made false representations of material facts.

53. Applicant falsely stated that there was no prior owner of the mark and that it was entitled to register the mark, knowing full well that the mark belongs to Opposer, which is a senior priority use of the mark in connection with the identical services sought to be offered by Applicant. Applicant falsely represents it is entitled to use the mark in commerce for those same services.

54. Through its filing, Applicant misrepresents to the Trademark Office that no other person or entity had the right to use the mark in a way that is likely to cause confusion, mistake, or deception between an existing user and the Applicant.

55. Applicant intentionally concealed the existence of Opposer from the Trademark Office for its, and its principal, Katsock's, for personal benefit.

56. Applicant has intentionally misled the Trademark Office through false statements

LAW OFFICES
BECKER & POLIAKOFF, P.A.
1 E. BROWARD BLVD, SUITE 1800, FT. LAUDERDALE, FL 33301
TELEPHONE (954) 987-7550

or purposeful concealment of material fact of Opposer's ownership and prior rights over the mark.

57. Applicant made the false or misleading statements of material fact with the intent to deceive the Trademark Office into believing that: Applicant (rather than Opposer) owned and/or had the right to use the Mark in connection with Association services; Applicant had adopted or intended to use the mark prior to any adoption or use by any other party (including Opposer); Applicant was entitled to use the mark (notwithstanding the rights of Opposer); and Applicant's use of the mark in commerce would not be likely to cause confusion, mistake, and deception with the Mark as owned and used by any other party (including Opposer).

58. The Trademark Office reasonably relied on the statements of Applicant even though Applicant knew all the while of Opposer, and that registration of the mark by Applicant would be hostile to the Opposer's long-standing rights and priority over the mark.

59. Opposer stands to suffer substantial irreparable damage proximately caused by Applicant's misstatements of material fact in that the Application could mature into an issued U.S. trademark registration, at which point Applicant would be entitled to a legal presumption that it owns the mark, and that it has the exclusive right to use the mark for the services it claims. Opposer would also suffer harm to its goodwill and reputation should its name become associated with Castle Creek or Katsock.

COUNT IV

REGISTRATION SHOULD BE DENIED DUE TO ABUSE OF PROCESS, INEQUITABLE AND HOSTILE CONDUCT BY APPLICANT IN CONNECTION WITH THE MARK

60. Opposer repeats and re-alleges the allegations of Paragraphs 1 through 59.

61. Applicant's principal, Katsock, has a history of harassment and threats against members of the community, and Association employees, including regular use of foul and belittling language, racial slurs, threats of false prosecution, and physical violence. (See App. 061-

LAW OFFICES
BECKER & POLIAKOFF, P.A.
1 E. BROWARD BLVD, SUITE 1800, FT. LAUDERDALE, FL 33301
TELEPHONE (954) 987-7550

116, 176-189).

62. Applicant's principal has repeatedly stated his intentions to run the community, replace board members and fire employees. (See, e.g., emails at App. 105, 176-177, 181, 184). His intent in attempting, through the Applicant, to register Opposer's mark is to further those threats and escalate antagonism toward the Association.

63. Applicant knows it has no legal claim to the mark with respect to governance of the community or the provision of association services. Applicant's attempt to register the mark is an abuse of process afforded by the Trademark Board and is based on, and intended to further antagonism and hostility toward the Association.

64. Applicant's purpose in attempting to register the Mark, and in failing to disclose his mal-intent, animus for, and continuing hostilities toward Opposer, is a material consideration compelling rejection of the Application.

COUNT V

FALSE SUGGESTION OF ASSOCIATION

(Registration must be denied under 15 U.S.C. § 1052(a))

65. Opposer repeats and re-alleges the allegations of Paragraphs 1 through 64.

66. Neither Applicant nor its products or services are endorsed or sponsored by the Association.

67. Registration of the mark by Applicant would falsely suggests a professional association, connection, endorsement, sponsorship or approval by the Association of the services to be offered by Applicant under the identical mark Opposer has utilized for approximately forty (40) years.

68. Applicant was incorporated for the purposes of providing investment advice. (See Castle Creek Bylaws, Art. 5, at App. 126).

LAW OFFICES
BECKER & POLIAKOFF, P.A.
1 E. BROWARD BLVD, SUITE 1800, FT. LAUDERDALE, FL 33301
TELEPHONE (954) 987-7550

69. Applicant's principal and sole officer was barred by NASD from offering investment services. (App. 141).

70. The documented behavior of Katsock has been "scandalous" and "immoral," 15 U.S.C. §1052(a), including behavior hostile and antagonistic to the Association. Alleged and documented incidents include racial epithets, verbal assaults, name-calling, physical threats, insults to employees and residents of the Association, and their families. Other misgivings as to potential registration of the mark by Applicant arise by virtue of Katsock's record of impropriety in his fiduciary capacity as an investment advisor. It would be damaging to the Association's reputation and property values to have the Association's name linked with the Katsock's business endeavors.

71. Applicant's attempt to register the Mark is deceptive as defined in Section 2 of the Trademark Act, 15 U.S.C. § 1052(a), and should properly be refused registration.

COUNT VI

APPLICANT'S REGISTRATION OF THE MARK IS LIKELY TO CAUSE CONFUSION

(Registration must be denied under 15 U.S.C. § 1052(d))

72. Opposer repeats and realleges the allegations of Paragraphs 1 through 71.

73. Applicant's attempt to register the identical name used by Opposer since 1980, for the identical services provided by Opposer, offered from the same geographic location (within the Piper's Landing community) is likely to cause confusion.

74. Applicant's principal and sole officer, Katsock, resides in Piper's Landing and has a history of seeking to usurp the functions and authorities of the Association, its Board, and its employees. (See, e.g., emails at App. 105, 176-177, 181, 184).

75. The registered address of the Applicant, the Katsock property, is the single family

LAW OFFICES
BECKER & POLIAKOFF, P.A.
1 E. BROWARD BLVD, SUITE 1800, FT. LAUDERDALE, FL 33301
TELEPHONE (954) 987-7550

home located in the community, 4150 SW Thistle Terrace, Palm City, FL 34990.

76. Neither Applicant nor Applicant's products or services it proposes to offer have any affiliation or connection with the Association, except that Katsock took up residency in the community in 2013.

77. Applicant's attempt to register the mark, if approved, is likely to deceive and cause confusion among the consuming public as to affiliation between the Applicant and the Association. (See, e.g., App. 200).

78. Given that Applicant's stated place of business is within Piper's Landing, and Applicant's sole principal and officer resides within Piper's Landing, the use of the mark by Applicant is further likely to cause confusion.

CONCLUSION

79. Opposer has priority in time and in right as to the mark. Applicant's has at all times had direct knowledge of the Association's prior use and right to the mark in connection with identical services sought to be offered by Applicant.

80. Kasock, Applicant's principal, had to be approved by the Association prior to becoming a member of the Association. Kasock and Applicant knew well the restrictions contained in the Covenants, and the longstanding, conspicuous and interrupted use of the mark by the Opposer in connection with the same services to be offered by Applicant.

81. The Application is an abuse of the process afforded by the Trademark Office and is nothing more that the latest manifestation of Applicant's and Kasock's antipathy toward the Association and members of the Community.

82. If permitted to register the mark, likelihood of confusion, misuse and abuse is assured. Any defect objection, or fault found with Applicant's to-be-offered services offered under

LAW OFFICES
BECKER & POLIAKOFF, P.A.
1 E. BROWARD BLVD, SUITE 1800, FT. LAUDERDALE, FL 33301
TELEPHONE (954) 987-7550

the mark would necessarily reflect upon, and damage the goodwill and reputation which Opposer has established for its own services in connection with the mark.

83. If Applicant is permitted to register the mark. Applicant would thereby obtain a prima facie exclusive right to the mark, to the damage and injury of Opposer. Applicant has misled and attempted to defraud the Trademark Office by failing to disclose the known prior use by Opposer, and by failing to disclose the ongoing pattern of hostility Kasock harbors toward the Association. Applicant has also failed to disclose ongoing litigation with the Association seeking to enjoin Katsock's anti-social behavior toward and within the Community.

WHEREFORE, Opposer requests that this Opposition and objection to the mark's registration by Applicant be sustained, that the Application be rejected and refused registration to Applicant, that this Board grant sanctions against Applicant to the extent permitted by law, and grant all such other and further relief as may be just and proper.

Respectfully submitted,

Date: December 20, 2018

Kevin Markow, Esq.
Susan Z. Jorgensen, Esq.
Becker & Poliakoff, P.A.
1 East Broward Blvd.Suite 1800
Fort Lauderdale, Florida 33301
Telephone: (954) 987-7550
Facsimile: (954) 985-4176
Email: KMarkow@beckerlawyers.com
Attorneys for Opposer
Piper's Landing, Inc.