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

Proceeding	91255303
Party	Defendant JMM Lee Properties, LLC
Correspondence Address	JMM LEE PROPERTIES, LLC JMM LEE PROPERTIES, LLC 2807 ANTIGUA DR. BURBANK, CA 91504 mlee@jmmlee.com no phone number provided
Submission	Answer
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Date	05/14/2020
Attachments	DudleyOppositionAnswer.pdf(119402 bytes)

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

In the Matter of U.S. Serial No. 88662319
Mark: DUDLEY DO-RIGHT
Opposition No. 91255303

Ward Productions, Inc.,)
)
Opposer,)
)
v.)
)
JMM Lee Properties, LLC,)
)
Applicant.)
_____)

APPLICANT’S ANSWER TO NOTICE OF OPPOSITION

JMM Lee Properties, LLC, a Limited Liability Corporation organized and existing under the State of California, located at 2807 Antigua Dr., Burbank, CA 91504 (“JMM Lee” or “Applicant”), hereby answers the Notice of Opposition of Ward Productions, Inc. (“Opposer”), a California corporation located and doing business at 1638 Babcock Street, Suite F, Costa Mesa, California 92627, as follows:

1. Opposer fails to identify or define its “predecessors-in-interest, related companies and/or licensees” that allegedly “adopted, began using, and has continuously used” the DUDLEY DO-RIGHT trademark. Moreover, Opposer does not define with any specificity, the goods and services in connection with which it or its predecessors-in-interest, related companies and/or licensees allegedly used the DUDLEY DO-RIGHT mark in interstate commerce.

Therefore, Applicant lacks the knowledge or information to be able to readily admit or deny the allegations contained in Paragraph 1 of the Notice of Opposition, and thereby denies them on that basis.

2. Opposer fails to identify or define its “predecessors-in-interest, related companies and/or licensees” that allegedly “established and developed substantial common law rights in and to its DUDLEY DO-RIGHT Mark based on Opposer’s continuous use of the DUDLEY DO- RIGHT Mark in interstate commerce.

Therefore, Applicant lacks the knowledge or information to be able to readily admit or deny the allegations contained in Paragraph 2 of the Notice of Opposition, and thereby denies them on that basis.

3. Applicant lacks the knowledge or information to be able to readily admit or deny the allegations contained in Paragraph 3 of the Notice of Opposition, and thereby denies them on that basis.

4. Applicant lacks the knowledge or information to be able to readily admit or deny the allegations contained in Paragraph 4 of the Notice of Opposition, and thereby denies them on that basis.

5. Opposer fails to identify or define its “predecessors-in-interest, related companies and/or licensees” that allegedly “have adopted, began using, and has continuously used a design trademark consisting of the Dudley Do-Right character. Moreover, Opposer fails to define with specificity the goods and services in connection with which its predecessors-in-interest, related companies and/or licensees allegedly used the Dudley Do-Right character.

Therefore, Applicant lacks the knowledge or information to be able to readily admit or deny the allegations contained in Paragraph 5 or the Notice of Opposition, and thereby denies

them on that basis.

6. Opposer fails to identify or define its “predecessors-in-interest, related companies and/or licensees” that allegedly “established and developed substantial common law rights in and to its DUDLEY-DO RIGHT [sic] Design Mark based on Opposer’s continuous use of the DUDLEY DO-RIGHT Design Mark in interstate commerce”. Moreover, Opposer does not define the goods and services in connection with which it or its predecessors-in-interest, related companies and/or licensees allegedly established and developed substantial common law rights in and to its DUDLEY-DO RIGHT [sic] Design Mark.

Therefore, Applicant lacks the knowledge or information to be able to readily admit or deny the allegations contained in Paragraph 6 or the Notice of Opposition, and thereby denies them on that basis.

7. Applicant lacks the knowledge or information to be able to readily admit or deny the allegations contained in Paragraph 7 of the Notice of Opposition, and thereby denies them on that basis.

8. Applicant lacks the knowledge or information to be able to readily admit or deny the allegations contained in Paragraph 8 of the Notice of Opposition, and thereby denies them on that basis.

9. Applicant lacks the knowledge or information to be able to readily admit or deny the allegations contained in Paragraph 9 of the Notice of Opposition, and thereby denies them on that basis.

10. Applicant lacks the knowledge or information to be able to readily admit or deny the allegations contained in Paragraph 10 of the Notice of Opposition, and thereby denies them on that basis.

11. Applicant admits the allegations contained in Paragraph 11 of the Notice of Opposition.

12. Applicant admits that it is the owner of applications with the USPTO for the marks “RENAULT” in connection with lawn mowers and “MR. MAGOO” in connection with greeting cards. Applicant also admits that it is the owner of registered trademarks with the USPTO for the marks “WONDER TWINS in connection with gaming machines for gambling and “RANGEAIRE” for range hoods.

Applicant lacks the knowledge or information to be able to readily admit or deny the remaining allegations contained in Paragraph 12 of the Notice of Opposition, and thereby denies them on that basis.

13. Applicant admits the allegation contained in Paragraph 13 of the Notice of Opposition.

14. Applicant’s DUDLEY DO-RIGHT Application, including its effective filing date, speaks for itself.

15. Applicant’s Application for DUDLEY DO-RIGHT is based on an intent to use. Therefore, Applicant admits that it has yet to use its DUDLEY DO-RIGHT mark in commerce.

16. Denied

17. To the extent that paragraph 17 recites an unsupported legal conclusion, Applicant is not required to address such a conclusion. Applicant admits paragraph 17 without conceding that Opposer’s consent, authorization, or permission is necessary or required.

18. Denied.

APPLICANT’S ANSWERS TO OPPOSER’S FIRST CLAIM FOR RELIEF

19. Applicant repeats its answers to preceding paragraphs 1-18 as if set forth herein.

20. Denied

21. Denied

APPLICANT'S ANSWERS TO OPPOSER'S SECOND CLAIM FOR RELIEF

22. Applicant repeats its answers to preceding paragraphs 1-21 as if set forth herein.

23. Denied

24. Denied

Date: May 14, 2020

Respectfully submitted,

By: /s/Michael J Lee
Michael J. Lee
Managing Partner
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CERTIFICATE OF SERVICE

I hereby certify that on May 14, 2020 a copy of the foregoing **Applicant's Answer to Notice of Opposition** is being served upon the attorney for Opposer via email as follows:

Priya M. Gianino
Associate Attorney
Innis Law Group LLC
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/Michael J. Lee/
Managing Partner
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