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

Proceeding no.	91272964
Party	Defendant Eagle Eyes Vision LLC
Correspondence address	EAGLE EYES VISION LLC 8383 WILSHIRE BLVD SUITE 106 BEVERLY HILLS, CA 90211 UNITED STATES Primary email: fnosrati@eyezoom.com Secondary email(s): bshamsian@eyezoom.com 310-770-7230
Submission	Answer
Filer's name	Jeffrey A Finn
Filer's email	jeff@finniplaw.com
Signature	/Jeffrey A Finn/
Date	12/24/2021
Attachments	Answer to Opposition_mark_EYEZOOM.pdf(136755 bytes )

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

KABUSHIKI KAISHA ZOOM,

Opposition No. 91272964

*Opposer,*

Application No. 90/402490  
Mark: EYEZOOM

v.

EAGLE EYES VISION LLC,

*Applicant.*

\_\_\_\_\_ /

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451

**NOTICE OF APPEARANCE OF COUNSEL**

EAGLE EYES VISION LLC ("Applicant"), hereby answers the Notice of Opposition ("opposition) filed by KABUSHIKI KAISHA ZOOM ("Opposer") as follows. To the extent not explicitly admitted, all allegations in the opposition are denied.

**ANSWER**

1. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the matters alleged in Paragraph 1 and, on that basis, denies them.
2. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the matters alleged in Paragraph 2 and, on that basis, denies them

3. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the matters alleged in Paragraph 3 and, on that basis, denies them.

4. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the matters alleged in Paragraph 4 and, on that basis, denies them.

5. The registration particulars referenced in Paragraph 5 speak for themselves and to the extent the allegations in Paragraph 5 vary therewith, Applicant denies them. Applicant denies any and all remaining allegations and/or legal conclusions contained in Paragraph 5.

6. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the matters alleged in Paragraph 6 and, on that basis, denies them.

7. Applicant denies the allegations and/or legal conclusions contained in Paragraph 7.

8. Applicant denies the allegations and/or legal conclusions contained in Paragraph 8.

9. Applicant denies the allegations and/or legal conclusions contained in Paragraph 9.

10. Applicant denies the allegations and/or legal conclusions contained in Paragraph 10.

### **AFFIRMATIVE DEFENSES**

Applicant undertakes the burden of proof only as to those defenses deemed affirmative defenses by law, regardless of how such defenses are denominated below. Applicant expressly reserves the right to plead additional affirmative and other defenses should any such defenses be revealed by discovery in this case. As and for its affirmative and other defenses, Applicant states as follows:

#### **First Affirmative Defense**

The notice of opposition fails to state a claim upon which relief can be granted.

**Second Affirmative Defense**

There is no likelihood of confusion, mistake, or deception between opposer's mark and Applicant's mark.

**Third Affirmative Defense**

Any and all acts alleged to have been committed by Applicant were performed with lack of knowledge and lack of willful intent.

**WHEREFORE**, Applicant requests that the notice of opposition be dismissed with prejudice, together with whatever other relief the Board may deem appropriate.

Date: December 24, 2021

Respectfully submitted,

By: /s/ Jeffrey A. Finn  
Jeffrey A. Finn  
*Attorneys/Agents for Applicant*

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 24th day of December 2021, a copy of the foregoing Answer was filed electronically and a copy of the foregoing Answer was emailed to R. Glenn Schroeder at [docket@schroederlawpc.com](mailto:docket@schroederlawpc.com) and [gschroeder@schroederlawpc.com](mailto:gschroeder@schroederlawpc.com), counsel of record for Kabushiki Kaisha Zoom, Inc.

A handwritten signature in black ink on a light-colored rectangular background. The signature reads "Jeffrey A. Finn" in a cursive script.

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Jeffrey A. Finn