ESTTA Tracking number: **ESTTA1453942**
Filing date: **08/04/2025**

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

Proceeding no.	92082310
Party	Defendant Mattos Insurance, Inc.
Correspondence address	ROGER M. MASSON HINSHAW & CULBERTSON LLP 151 NORTH FRANKLIN STREET SUITE 2500 CHICAGO, IL 60606 UNITED STATES Primary email: rmasson@hinshawlaw.com Secondary email(s): trademarks@hinshawlaw.com, mfenlon@hinshawlaw.com 312-704-3516
Submission	Testimony For Defendant
Filer's name	Roger M. Masson
Filer's email	rmasson@hinshawlaw.com, mfenlon@hinshawlaw.com, trademarks@hinshawlaw.com
Signature	/Roger M. Masson/
Date	08/04/2025
Attachments	2025-08-04 Respondent Notice of Filing Testimony of A. Kamila Silva i n Color.pdf(3036103 bytes)

TRADEMARK
Attorney Docket No. 1062516

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

MATOS INSURANCE AGENCY, INC. and ARMANDO J. MATOS, Petitioner, v. MATTOS INSURANCE, INC., Respondent.	Cancellation No: 92082310 Registration No: 6209276 Mark: MATTOS INSURANCE Registered: December 1, 2020 Class: 036

RESPONDENT'S NOTICE OF FILING
TESTIMONY OF A. KAMILA SILVA IN COLOR

Respondent Mattos Insurance, Inc. hereby gives notice to the Trademark Trial and Appeal Board that the Declaration of A. Kamila Silva is attached as **Exhibit 1.** The only difference between the earlier Declaration and the Declaration being filed is that the one being filed is in color.

Dated: August 4, 2025

Respectfully Submitted,

HINSHAW & CULBERTSON LLP

/s/ Roger M. Masson

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Counsel for Respondent Mattos Insurance, Inc.

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing ***Respondent's Notice of Filing Testimony of A. Kamila Silva in Color*** via e-mail on **August 4, 2025** to:

Marc A. Rapaport, Esq.
Edward S. Polk, Esq.
COLE, SCOTT & KISSANE, P.A.
9150 South Dadeland Boulevard, Suite 1400
Miami, Florida 33256
T (786) 268-6793 | F (305) 373-2294
marc.rapaport@csklegal.com
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karen.george@csklegal.com

Counsel for Petitioner

/s/ Roger M. Masson
Counsel for Respondent

EXHIBIT 1

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

MATOS INSURANCE AGENCY, INC. and ARMANDO J. MATOS, Petitioner, v. MATTOS INSURANCE, INC., Respondent.	)	Cancellation No: 92082310 Registration No: 6209276 Mark: MATTOS INSURANCE Registered: December 1, 2020 Class: 036

DECLARATION OF A. KAMILA SILVA IN SUPPORT OF RESPONDENT MATTOS INSURANCE, INC. FOR ITS TRIAL PERIOD SUBMISSION AND FINAL BRIEFING

I, A. Kamila Silva, declare under penalty of perjury that the following is true and correct.

1. I submit this declaration in support of Mattos Insurance, Inc ("Respondent") for its Trial Period Submission and Final Briefing.
2. I am over the age of 18. I have personal knowledge of the facts set forth in this declaration. I am competent to testify about those facts and would do so if called. My full name is Andrea Kamila Soares da Silva.
3. I first heard of Respondent in 2009. It was using the "MATTOS INSURANCE" mark (the "Mark") in 2009 and has used it continuously ever since. In 2009, I worked for an auto dealer called Top Motor Sales, Inc. During my employment at Top Motor Sales, Inc., we recommended Respondent for automobile insurance to buyers of cars. Respondent had a good reputation in the Brazilian community of South Florida early in its existence through word-of-mouth and newspaper advertising. I am aware of Respondent's continuous use of

MATTOS INSURANCE ever since 2009 and of its reputation because I am an active member of the Brazilian community.

4. On or about May 8, 2013, my family bought Respondent. I became an employee of Respondent beginning on or about June 12, 2013 and continue to be one now. I am a licensed insurance agent and president of Mattos Insurance.
5. I know that Respondent was an insurance agency beginning in 2009 because it was providing insurance. It must have also brokered insurance at that time because all agencies also broker insurance to provide good services to customers and to keep customers from seeking insurance from other agencies to get the insurance coverage they want. In sum, Respondent has used the Mark in connection with insurance agency and insurance brokerage services since 2009.
6. Respondent's use of the Mark in connection with its insurance agency and insurance brokerage services includes a large sign above Mattos Insurance's Pompano, Florida office, signs or decals on the office windows and front door for the same office, Respondent's Instagram account, Respondent's Facebook account, Respondent's YouTube account, flyers, advertisement in magazines, advertising in the Achei newspaper, business cards, pencils, and advertising on a Smart car owned by Mattos Insurance. The Smart car is often parked in front of the office. The Smart Car is also used for work errands and at festivals. Additional uses include signs within the office.
7. The Mark is on the shirts of Respondent's employees. Employees are required to wear the shirt when in the office. The shirt is royal blue and has a collar. The shirt can be seen worn by employees in the image below.

I am advised that the image comes from a video that was produced in this litigation at MATTOS00291. On the right hand side of the shirt above the breast pocket, "mattos" is embroidered in white and "insurance" is embroidered in yellow similar to how MATTOS INSURANCE appears on the sign behind the employees. This first image more accurately shows the color of the shirt. The following image more clearly shows "MATTOS INSURANCE" on an employee's shirt.

This second image comes from a photo posted on Respondent's Instagram account on December 18, 2019.

8. The Mark was also used on items given to Respondent's customers including policy holders, bumper stickers, mugs, metal flasks and coolers.

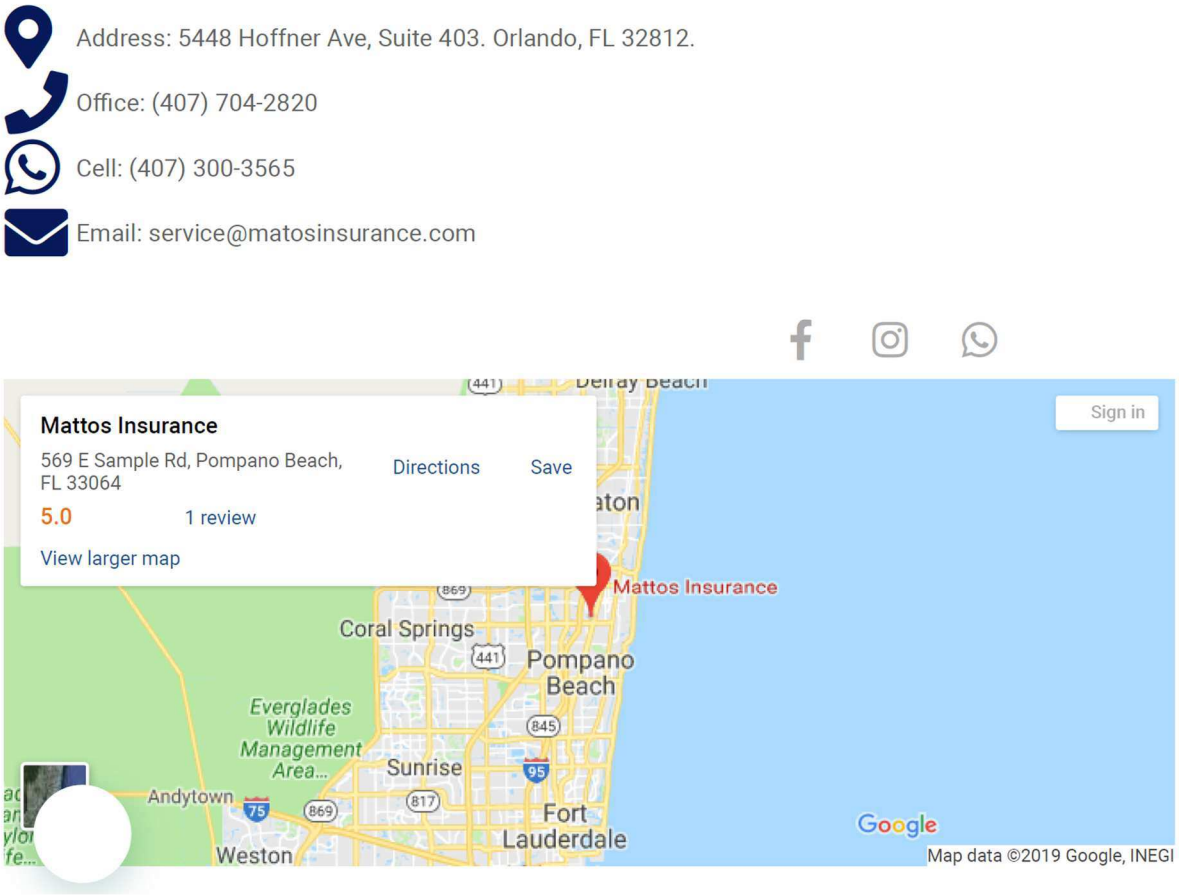
9. I became aware of Petitioner Matos Insurance Agency in 2019 after two or more customers asked if Respondent was located in Orlando. The customers indicated that they had called Petitioner for insurance, but discontinued the call after getting the impression that they were not calling Respondent.

10. After these questions about Respondent being in Orlando, I investigated. I found that there was a Matos Insurance Agency in Orlando; in other words, I discovered Petitioner. I discovered that Petitioner's website, matosinsurance.com, had a map showing the location of Respondent's office in Pompano Beach even though Petitioner is located in Orlando

approximately 200 miles away by car. I also saw on the website that Petitioner's employees wore blue shirts much like Respondent's employees. Below is an image from Petitioner's website showing employees in blue shirts. This image is the same as the one I saw in 2019.

11. Shortly after discovering Petitioner, I called Petitioner on the phone using the telephone number on Petitioner's website and reached petitioner Armando Matos. I complained to him that Petitioner's name is too close to Respondent's name and is causing confusion. He responded that he didn't care, told me "go fuck yourself" and hung up.
12. Shortly after talking to petitioner Matos, on September 11, 2019. I complained by email to the Florida Department of Financial Services, which regulates insurance agents, about Respondent's customers being confused by Petitioner Matos Insurance as Matos and Mattos differ only by the letter "t" and are phonetically the same. Attached as **Exhibit A** is a true and correct copy of the email including two images, the first image is a pdf of a webpage from Petitioner's website (www.matosinsurance.com) and the second image is a screenshot of the same webpage. I am advised that the email was produced in the lawsuit as MATTOS00868-71. The webpage lists Petitioner's address, 5448 Hoffner Ave, Suite

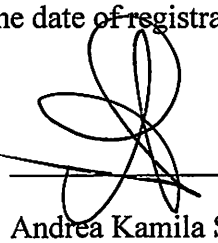
403, Orlando, FL 32812 (and the phone number that I used to call Petitioner as discussed in the earlier paragraph). However, the webpage also shows a map of Respondent's location in Pompano Beach as shown below.



13. Based on the above including the similarity of Matos to Mattos, Mr. Matos's rudeness, Petitioner's copying of the Mattos uniform, and Petitioner's use of a map showing the location of Mattos Insurance on Petitioner's website, I believe that Petitioner selected the name of his company in order to cause confusion with Respondent and gain customers.

14. Up until I first discovered Matos Insurance, I had never heard of an insurance agency or brokerage using the Mark or a confusingly similar one. Other than Matos Insurance, which is infringing Respondent's trademark rights, I am not aware of anyone else using the Mark or a confusingly similar one before the date of registration of the Mark, which is December

1, 2020. Consequently, Respondent's use of the Mark has been continuous and substantially exclusive since 2009 through the date of registration.



Andrea Kamila Soares da Silva

Executed this 07 day of July 2025, in Broward, Florida.

EXHIBIT A

Fenlon, Michele A.

From: Kamila Silva <akamila@mattosinsurance.com>
Sent: Thursday, July 11, 2024 3:52 PM
To: tiago@mattosinsurance.com
Subject: Fw: Agency Licensing # L063249
Attachments: Matos Insurance Agency – Property and Casualty Insurance.pdf; MATOS INSURANCE .jpeg

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From: Akamila
Sent: Wednesday, September 11, 2019 10:26 AM
To: AgentLicensing@MyFloridaCFO.com <AgentLicensing@MyFloridaCFO.com>
Subject: Agency Licensing # L063249

Agency Licensing # L063249
My Agent License # W207388

Good morning,
To Whom It may Concern;
I am the Agent and Owner of Mattos Insurance Inc, Agency founded in 2009, that has been on the business since there in Florida, building a trustful relationship with clients and we currently have clientele in different locations in Florida.
We just found out, trough clients, that there is another agency that its going by the name MATOS INSURANCE AGENCY INC (Reference appointing entity # 239162), located in 5448 Hoffner Ave, Suite 403. Orlando, FL 32812.
After research we found out that they are even using our location on their website (www.matosinsurance.com) as per you can see in the attachments.
Based on the 2019 Florida Statutes (title XXXVII, Chapter 626.602) *" Insurance agency names; disapproval.—The department may disapprove the use of any true or fictitious name, other than the bona fide natural name of an individual, by any insurance agency on any of the following grounds:*
(1) The name interferes with or is too similar to a name already filed and in use by another agency or insurer.
Is more than clear that this entity could not be authorized to use this name by statute.
We are starting to have a lot of problems due to this similar name with a difference of double T, but with the same phonetic, our customers are starting to associate our name with them.
Based on the modern marketing strategies, the digital marketing is the most efficient tool of marketing, and can be done through digital platform, as google, buying “keywords” that can direct the prospect client to the company. Based on that this “agency”, in fact, can use these tools to confuse or mislead our potential customers that uses the, aforementioned digital platforms to research our agency.
Another potential problem is the fact that some insurance carriers represented by our agency just ask the agency name to verify access to client’s policy, so if they have the same phonetic name as ours, they can access our clientele policies by phone in this companies.
Afterall I want to request to the Department of Financial Services to review the authority of this agency use this Name (MATOS INSURANCE AGENCY INC) to transact business on the insurance market in Florida.

Thank You!

Andrea Kamila Silva | Licensed Agent
akamila@mattosinsurance.com | 954-621-6050

Mattos Insurance and Traffic School
Office: 954-510-4900 | Fax: 954-366-6367
569 East Sample Rd Pompano Beach- FL 33064
100 South Military Trail Ste24, Deerfield Beach-Fl 33442
www.mattosinsurance.com

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Save up to 25%

Name

Name

Email

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Select a type of insurance

Homeowners Insurance

Message

Message

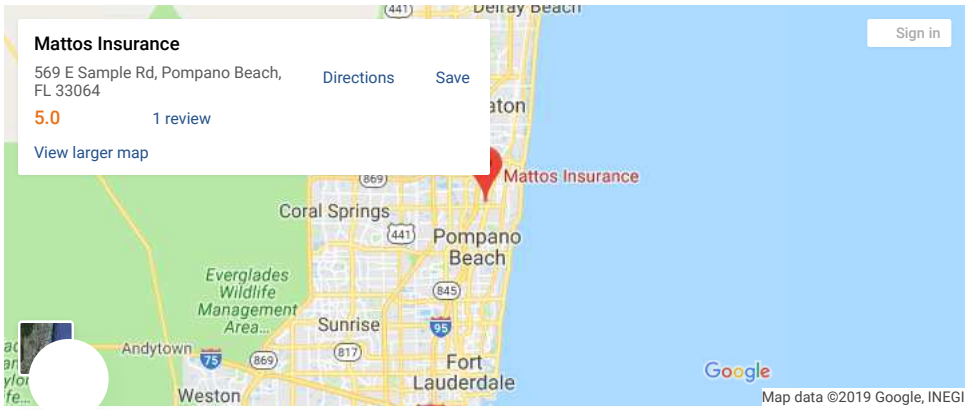
CONTACT DETAILS

Address: 5448 Hoffner Ave, Suite 403. Orlando, FL 32812.

Office: (407) 704-2820

Cell: (407) 300-3565

Email: service@matosinsurance.com



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CONTACT US

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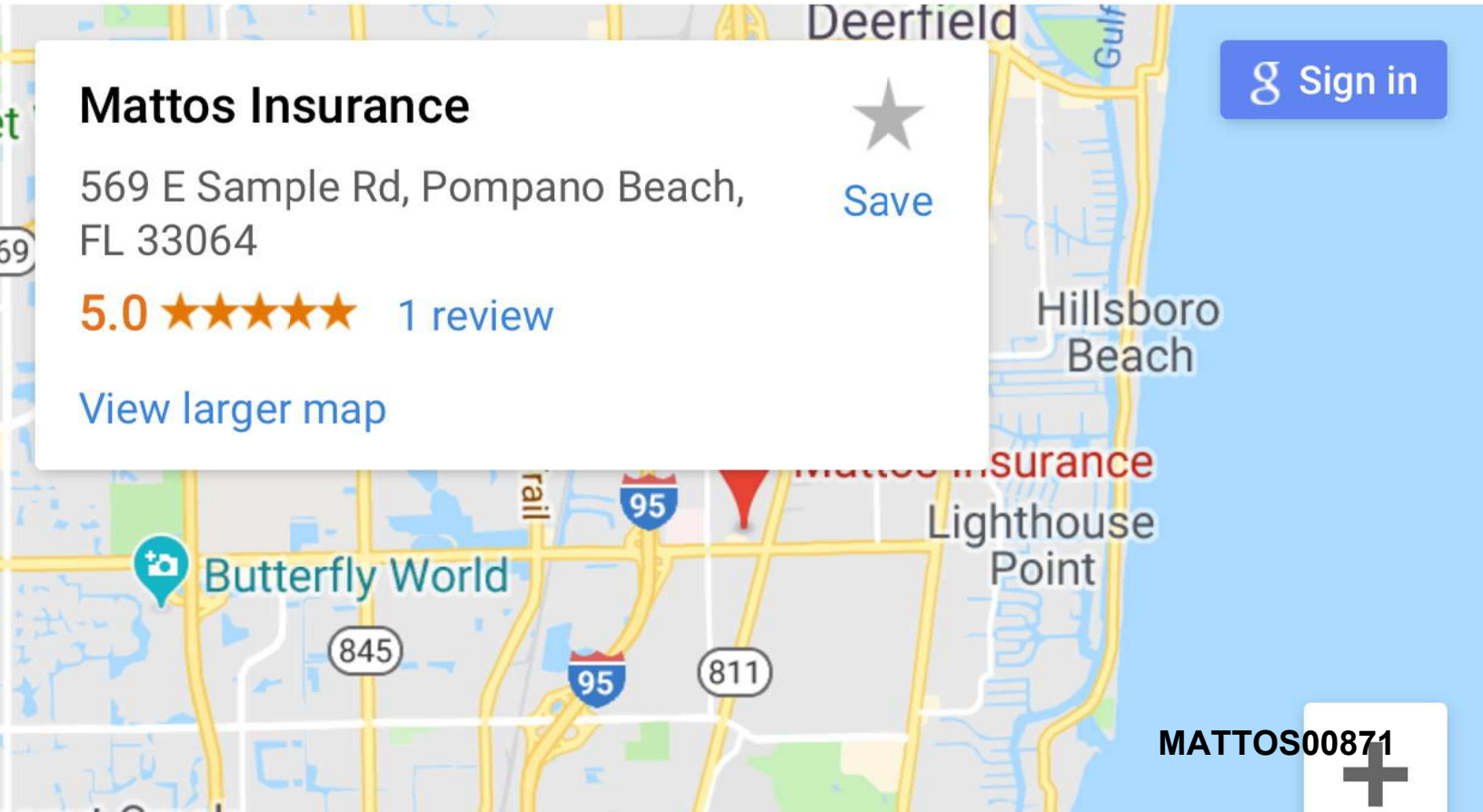
service@matosinsurance.com