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Filing date: **05/20/2016**

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

Proceeding	91212540
Party	Plaintiff Glory Yau-Huai Tsai
Correspondence Address	GLORY YAU-HUAI TSAI 1512 MAPLEGROVE ST WEST COVINA, CA 91792 UNITED STATES gloryhouse@glorynews.net, glory_tsai@verizon.net, glorytsai@okglory.com
Submission	Other Motions/Papers
Filer's Name	/GLORY YAU-HUAI TSAI/
Filer's e-mail	glorytsai@okglory.com,gloryhouse@glorynews.net
Signature	/GLORY YAU-HUAI TSAI/
Date	05/20/2016
Attachments	Opposer-s Brief in Opposition to Applicant-s response to Opp.pdf(437095 bytes)

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

GLORY YAU-HUAI TSAI
Sole owner of the trademark **GLORY HOUSE®**
GLORY HOUSE® Registration Number **1879695**
Opposer,

vs

BJK Glory House Catering Co., LLC
Jo Ann Goin, Owner of
BJK Glory House Catering Co., LLC
Applicant.

)
) **OPPOSER’S BRIEF IN OPPOSITION TO**
) **“APPLICANT’S RESPONSE TO**
) **OPPOSER’S MOTION TO REOPEN TIME**
) **FOR OPPOSER TO FILE OPPOSER’S**
) **REPLY BRIEF IN SUPPORT OF**
) **OPPOSER’S NOTICE OF OPPOSITION;**
) **NEW FACTS AND EVIDENCES; AND**
) **DECLARATION OF OPPOSER**
) **GLORY YAU-HUAI TSAI”**
)
) **Opposition No. 91212540**
) **Service Mark Application**
) **Re: Serial No. 85-789420**
) **Mark: GLORY HOUSE**
) **Filing Date: November 28, 2012**

United States Patent and Trademark Office
The COMMISSIONER for TRADEMARKS
Attn: **Trademark Trial and Appeal Board**
P.O. Box 1451
Alexandria, Virginia 22313-1451

OPPOSER’S BRIEF IN OPPOSITION TO
“APPLICANT’S RESPONSE TO OPPOSER’S MOTION TO REOPEN TIME
FOR OPPOSER TO FILE OPPOSER’S REPLY BRIEF IN SUPPORT OF
OPPOSER’S NOTICE OF OPPOSITION; NEW FACTS AND EVIDENCES;
AND DECLARATION OF OPPOSER GLORY YAU-HUAI TSAI”

To the Honorable Trademark Trial and Appeal Board,
The Honorable Cheryl S. Goodman, Administrative Trademark Judge,
And, all Honorable Administrative Trademark Judges.
TO BJK Glory House Catering Co., LLC and THEIR ATTORNEYS OF RECORD:

1. In response to “Applicant’s response to Opposer’s Motion to reopen time for opposer to file Opposer’s Reply Brief in Support of Opposer’s Notice of Opposition; New Facts and Evidences; and Declaration of Glory Yau-Huai Tsai” (“Opposer’s Motion”)

2. Opposer Glory Yau-Huai Tsai, the sole owner of registered trademark **GLORY HOUSE®**, hereby files this response brief in **OPPOSITION TO** applicant’s allegation.

3. In Fact, all the acts which were performed by applicant and applicant's consuls themselves are true evidences that justifiably prove that applicant Jo Ann Goin and her BJK Glory House Catering Co., are willfully and intentionally committing trademark squatting. This is the reason this OBJECTION is being submitted.

4. Applicant Jo Ann Goin's application (No. 85789420) for the mark "GLORY HOUSE" is obviously a bad faith filing (trademark squatting) and fraudulent application.

In general, bad faith filing (trade mark squatting) is an act of registering other people's original trademarks as their own, taking advantages from the real trade mark owners.

5. Applicant (defendant) Jo Ann Goin and her groups BJK Glory House Catering Co., LLC intentionally committed fraud with bad faith to register Opposer Glory Yau-Huai Tsai's original trademark name and title "GLORY HOUSE" as their own, taking advantage from the real "GLORY HOUSE" trademark owner Glory Yau-Huai Tsai.

6. Not only this but defendant Jo Ann Goin falsely represents herself as a trademark owner of Opposer Glory Yau-Huai Tsai's registered trademark "GLORY HOUSE", and also denies Opposer Glory Yau-Huai Tsai's GLORY HOUSE Trademark Ownership.

7. Applicant Jo Ann Goin and her associated group BJK Glory House Catering Co., LLC's application No. 85-789420 should have be denied in its entirety and unregistrable at the time when applicant Jo Ann Goin filed her application.

8. **And the Board should sustain Opposer Glory Yau-Huai Tsai's opposition and refuse applicant to register the name mark "GLORY HOUSE".**

9. Opposer Glory Yau-Huai Tsai and his entire family have continuously sustained serious financial loss and reputation damage for almost ten years due to defendant Jo Ann Goin and her groups' false representations as Opposer's Glory Yau-Huai Tsai's trademark owner. All these unseeable, uncountable damages have ruined Opposer and Opposer's family social life. Those damages have caused Plaintiff Glory Yau-Huai Tsai to be unable to proceed with many things.

10. When the case is brought to the court, Opposer's request for damages from defendants would be no less than eight figures.

11. On **May 18, 2016 afternoon**, when Opposer Glory Yau-Huai Tsai checked his emails, Opposer Glory Yau-Huai Tsai was made aware that defendant's attorney alleged that they did not receive the documents (sent by certified mail #7015 0640 0002 0007 3456 with return receipt requested, tracking no.#9590940213445285739801) which Opposer Glory Yau-Huai Tsai served to defendant on April 13, 2016.

12. It is not unusual for the attorneys who work in the law firm such as defendant's attorney, to sometimes refuse to sign the return receipts, and the postal mail carriers may ignore requesting the law firm to give the signature and just drop the mail and leave.

13. After Opposer Glory Yau-Huai Tsai checked his email, Opposer immediately called USPS to request an investigation to track down the mail package (Tracking No. 7015 0640 0002 0007 3456) which Opposer sent to defendant's attorney.

14. On the phone with USPS, a woman who gave her name as "NIVEA" said that she and USPS have opened an investigation with the case number (CA 128448661) for tracing where the certified mail which opposer sent is.

15. On April 13, 2016, Opposer Glory Yau-Huai Tsai served the following documents which include "**Opposer's Reply Brief in Support of Opposer's Notice of Opposition**" to defendant's attorney:

1. **OPPOSER'S MOTION TO REOPEN TIME for OPPOSER TO FILE A REPLY BRIEF TO OPPOSER'S NOTICE OF OPPOSITION;**
 2. **Exhibit - 24, Exhibit - 25, Exhibit - 26;**
 3. **DECLARATION OF OPPOSER GLORY YAU-HUAI TSAI**
- IN SUPPORT OF MOTION TO REOPEN TIME TO FILE OPPOSER'S REPLY BRIEF TO OPPOSER'S NOTICE OF OPPOSITION And**
4. **OPPOSER'S REPLY BRIEF IN SUPPORT OF OPPOSER'S NOTICE OF OPPOSITION**

EVIDENCE CLEARLY PROVE THAT defendant Jo Ann Goin and her group BJK Glory House Catering Co., LLC (applicant) had an intent to deceive consumers by using opposer's trademark name and planned to commit trademark squatting, trademark infringement against opposer and opposer's registered trademark.

Defendant (applicant) Jo Ann Goin's application Serial Number 85-789420 should be canceled.

16. According to Texas, Irving County record, defendant Jo Ann Goin repeatedly changed her business name, and finally defendant Jo Ann Goin added opposer's "GLORY HOUSE®" trademark name to her business. Defendant Jo Ann Goin then identified herself as the trademark owner of opposer's registered trademark "GLORY HOUSE®"

17. Defendant Jo Ann Goin used the title of the trademark owner of opposer's registered trademark "GLORY HOUSE®" to gain her business and to **gain the benefits from and to knock down** other people who use the name "GLORY HOUSE---" And applicant (defendant) denied Opposer Glory Yau-Huai Tsai's GLORY HOUSE® trademark ownership.

18. Not only are Jo Ann Goin and her groups willfully committing **trademark squatting**, trademark infringement against opposer's business trademark and business service trade name GLORY HOUSE, they are also stealing opposer's personal and business reputation, which opposer and opposer's family have honestly built for almost forty (40) years.

CONCLUSION

Applicant’s application No.85-789420 itself is the best evidence of “bad faith filing” (trademark squatting) and “fraudulent application” intentionally committed by applicant Jo Ann Goin and her BJK Glory House Catering, LLC.

Right now, the applicant’s mark and the Opposer Glory Yau-Huai Tsai’s registered **incontestable** mark **are almost identical**. GLORY HOUSE and GLORY HOUSE **both look exactly the same, sound the same, have the same meaning and have the exact same spelling. The literal portion of the marks are exactly the same, the predominant portion of the trademark name is exactly the same, namely the exact same words “GLORY HOUSE.”**

In general, bad faith filing (trade mark squatting) is an act of registering other people’s original trade marks as their own, taking advantages from the real trademark owners.

Applicant (defendant) Jo Ann Goin and her groups BJK Glory House Catering Co., LLC intentionally committed fraud with bad faith to register Opposer Glory Yau-Huai Tsai’s original trademark name and title “GLORY HOUSE” as their own, taking advantage from the real “GLORY HOUSE” trademark owner Glory Yau-Huai Tsai.

Not only this but defendant Jo Ann Goin fraudulently identified herself as a trademark owner of Opposer Glory Yau-Huai Tsai’s registered trademark “GLORY HOUSE” and also denied Opposer Glory Yau-Huai Tsai’s trademark ownership.

Defendant Jo Ann Goin, BJK Glory House Catering Co., LLC and their attorneys will never be able to provide any evidence to prove that Opposer Glory Yau-Huai Tsai is not a registered trademark owner.

Applicant Jo Ann Goin and her associated group BJK Glory House Catering Co., LLC’s **application No. 85-789420 should have be denied in its entirety and unregistrable at the time when applicant Jo Ann Goin filed her application.**

And the Board should sustain Opposer Glory Yau-Huai Tsai's opposition and refuse applicant to register the name mark "GLORY HOUSE".

For the reasons provided above and all exhibits already filed in the records and also according to T.M.E.P. Section §1207 "Refusal on Basis of Likelihood of Confusion, Mistake or Deception" "Bad Faith filing" and "fraud", the trademark office should refuse and cancel applicant's application No.85-789420 under Trademark Act Section 2(d), 15 U.S.C. §1052(d).

Opposer Glory Yau-Huai Tsai pray the honorable court to cancel defendant (applicant) Jo Ann Goin's application Serial Number 85-789420.

Respectfully submitted,

Dated: May 20, 2016

/GLORY YAU-HUAI TSAI/

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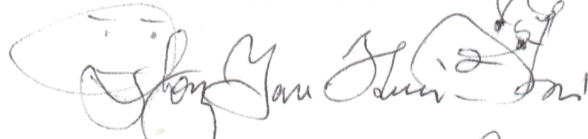
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Opposer Glory Yau-Huai Tsai pray the honorable court to cancel defendant (applicant) Jo Ann Goin's application Serial Number 85-789420.

Respectfully submitted,

Dated: May 20, 2016

/GLORY YAU-HUAI TSAI/



GLORY YAU-HUAI TSAI *May 20 2016*
/GLORY YAU-HUAI TSAI/

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CERTIFICATE OF SERVICE

I, Glory Yau-Huai Tsai hereby certify that a true and correct copy of the foregoing

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SIGNED ON May 20, 2016, were served via first class mail, postage fully prepaid, upon applicant's attorney **Lisa R. Hemphill** Gardere Wynne Sewel, L.L.P. 3000 Thanksgiving Tower, 1601 Elm Street Dallas, Texas 75201-4761 on May 20, 2016.

/GLORY YAU-HUAI TSAI/

GLORY YAU-HUAI TSAI

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Page 7

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