

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	To correct an error:a false assignment filed that erroneously affects this registration. Note there is no "Date of Execution" because the alleged Assignment on file is false. Date inputted (date of AB Declaration) in order to process.

CONVEYING PARTY DATA

Name	Formerly	Execution Date	Entity Type
A.B. Quintanilla III		08/19/2007	INDIVIDUAL: UNITED STATES

RECEIVING PARTY DATA

Name:	A.B. Quintanilla III
Street Address:	c/o Cara Burns 2800 28th Street, Ste 300
City:	Santa Monica
State/Country:	CALIFORNIA
Postal Code:	90405
Entity Type:	INDIVIDUAL: UNITED STATES

PROPERTY NUMBERS Total: 1

Property Type	Number	Word Mark
Registration Number:	2859703	KUMBIA KINGS

CORRESPONDENCE DATA

Fax Number: (310)314-1725
Correspondence will be sent via US Mail when the fax attempt is unsuccessful.
 Phone: 310-314-1721
 Email: cburns@hmkblawyers.com
 Correspondent Name: Cara R. Burns, Esq.
 Address Line 1: 2800 28th Street, Ste 300
 Address Line 4: Santa Monica, CALIFORNIA 90405

NAME OF SUBMITTER:	Cara R. Burns
Signature:	/s/
Date:	09/05/2007

OP \$40.00 2859703

Total Attachments: 24

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TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL
EFFECTIVE DATE:	06/13/2004

CONVEYING PARTY DATA

Name	Formerly	Execution Date	Entity Type
Abraham Quintanilla		06/13/2004	INDIVIDUAL:

RECEIVING PARTY DATA

Name:	Cruz Martinez
Street Address:	4709 GRAND LAKE DRIVE
City:	CORPUS CHRISTI
State/Country:	TEXAS
Postal Code:	78413
Entity Type:	INDIVIDUAL:

PROPERTY NUMBERS Total: 1

Property Type	Number	Word Mark
Registration Number:	2859703	KUMBIA KINGS

CORRESPONDENCE DATA

Fax Number: (954)234-2506
Correspondence will be sent via US Mail when the fax attempt is unsuccessful.
 Email: dan@danpolley.com
 Correspondent Name: Daniel S. Polley
 Address Line 1: 1215 East Broward Boulevard
 Address Line 4: Fort Lauderdale, FLORIDA 33301

ATTORNEY DOCKET NUMBER:	1186.5001
NAME OF SUBMITTER:	Daniel S. Polley
Signature:	/Daniel S. Polley/
Date:	05/21/2007

OP \$40.00 2859703

I, A. B. QUINTANILLA III, hereby declare as follows:

1. I make this declaration pursuant to the Federal Rules of Civil Procedure and the rules and regulations governing the United States Patent and Trademark Office (“USPTO”), including but not limited to the Trademark Manual of Examination Procedures, Rule 503.06 (c), to advise that there has been a fraudulent assignment of my trademark filed with the USPTO and to oppose other related US trademark applications filed by the person who filed the false assignment which have been recently published for opposition. More specifically, I am the correct owner of my Federally Registered Trademark, “KUMBIA KINGS,” Federal Registration No. 2859703, and a fraudulent assignment of my trademark has been filed in the USPTO by Cruz Martinez Guerrero, also known as Cruz Martinez. The fraudulent assignment filed by Mr. Martinez is located at reel and frame 3546/0240 through 0245 and it is **false** because it contains a signature above the name “Abraham Quintanilla,” however **that is not my signature.** I respectfully request that the fraudulent assignment be removed and that my rights to my KUMBIA KINGS trademark be restored, as well as that Mr. Martinez not be permitted to register marks that will be associated with my KUMBIA KINGS trademark.

2. I have personal knowledge of the facts set forth herein, except for those statements made on information and belief, and if called as a witness, I could and would be able to testify competently to such facts.

A. **Background of My KUMBIA KINGS Group and My Federally Registered Trademark.**

3. My name is A.B. Quintanilla III, also known as Abraham Quintanilla, III and Abraham Quintanilla Zamora. I caused a federal trademark application to be filed, which was subsequently granted on July 6, 2004 by the USPTO, for that my trademark "KUMBIA KINGS" for International Class ("IC") 009, US 021 023 026 036 038, goods and services: downloadable video recordings featuring musical group and music; sound recordings featuring music; video recordings featuring musical group and music; and prerecorded audio and video tapes, phonograph records, compact audio disks, and video disks featuring musical group and music, and in IC 041, US 100 101 107, goods and services: entertainment in the nature of visual and audio performances; namely, a musical band. "Kumbia" is a play on the word "cumbia" which I am informed and believe is a Columbian folk and/or dance music.

4. I have used my KUMBIA KINGS trademark in connection with musical recordings and performances since 1999, as well as approximately the same time for clothing (such as T-Shirts). Through its record labels, my KUMBIA KINGS have released nationwide in the United States several albums (which includes compact discs) and DVDs including: "Amor, Familia, Y Respeto," album which was released in 1999; "Shhh!," album which was released in 2001; "All Mixed Up Los Remixes," album which was released in October 2002; "La Historia," both an album and a DVD which were released in 2003; the "4," album which was released in 2003; "Los Remixes Vol. 2.0," album which was released in 2004; "Fuego," both an album and DVD which were released in 2004; "Duets," album which was released in 2005; "Kumbia Kings Live!,"

both and album and DVD which were released in 2006, and the most recently released, in approximately April, 2007, "Greatest Hits, Album Versions." A true and correct copy of the album covers are attached hereto as Exhibit A. The album covers often note that I, A.B. Quintanilla III, am presenting the KUMBIA KINGS, further associating me with the KUMBIA KINGS. Some of these recordings achieved gold (over 500,000 units sold) and/or platinum (over 1,000,000 units sold) status from the Recording Industry Association of America.

5. I am the musical director and control the sound of my KUMBIA KINGS musical group. For example, for each album, I: select the songs on the album; write, produce and/or arrange the songs on the album; play bass and sing second vocal; and designed and/or control the album cover, back and the inside, among other things I do for each album. I personally appear on the album covers for all KUMBIA KINGS albums which contain photographs, namely the most recent release "Greatest Hits, Album Versions," as well as on "4," "Duets," and "La Historia" (which is the only album cover Mr. Martinez appears on, along with other musicians from my group). See Exhibit A

6. My KUMBIA KINGS recordings and DVDs are sold in record stores and major retailers like Wal-Mart, Best Buy and Target, usually in a Latin music or Popular music section, which I have seen are usually behind a card that says "KUMBIA KINGS" or in the general K section. The recordings sell for between approximately \$9.99 to \$16.99 retail, and the DVDs sell for between approximately \$ 11.98 to \$ 17.98 retail.

7. My KUMBIA KINGS recordings have been nominated for and/or won numerous awards, including Latin Grammy Awards (awarded by the Latin Academy of Recording Arts and Sciences) for Best Tropical Regional Mexican Album 2006 (won)

and for Best Tejano Performance 2000, and Billboard (a well known music trade publication) Latin Music Awards for Album of the Year by a New Artist 2000 (won) and for Album of the Year by a Group or Duo (2000).

8. My KUMBIA KINGS group has an extensive fan base through the United States, as well as in Mexico, Central and South America and Japan. My KUMBIA KINGS have toured throughout the United States, including playing large venues in major cities such as New York, Los Angeles, Houston, Dallas, Chicago, Miami, Atlanta, Las Vegas, and Albuquerque and has performed before millions of fans. As musical director, I created and control the live performances of the KUMBIA KINGS, including the image, style and other aspects of the performances, as well as playing bass and providing second vocal, except for a period I did not perform but my group did, under my control and with my authority.

B. **Cruz Martinez's Wrongful Filing of A False Assignment with a Fraudulent Signature of My KUMBIA KINGS Trademark.**

9. It appears that Cruz Martinez, who was a former musician among other things with my KUMBIA KINGS group, filed in the USPTO what he alleges is an alleged assignment of my KUMBIA KINGS federally registered trademark, from me to Mr. Martinez. Besides the fact that I never assigned my KUMBIA KINGS federally registered trademark to Mr. Martinez, I have reviewed the alleged trademark assignment document (attached hereto as Exhibit B) and: a) the signature on that document (Exhibit B) is not my signature; and b) I never signed any such document. Mr. Martinez refuses to withdraw the filed assignment from the USPTO.

10. In addition, it should also be noted that Mr. Martinez was formerly a musician with my musical group KUMBIA KINGS. He entered into a confidential recording contract which EMI LATIN dated April 15, 2002 which states in paragraph 25.07 "If any member of the Group [KUMBIA KINGS] shall become a Leaving Member, that member shall not have the right thereafter during the Term to use any name utilized by the Group or any name similar thereto. Without limiting the generality of the foregoing, that member shall not, in connection with any of his professional activities, use the phrase 'formerly a member of Los Kumbia Kings' or any similar expression." A copy of the recording contract can be provided to the USPTO, subject to confidentiality or in redacted form. In or about August, 2006, Mr. Martinez left my Group, i.e. he became a "Leaving Member."

11. Thereafter, in or about September, 2006, Mr. Martinez tried to use my KUMBIA KINGS trademark in the US connection with his new musical group, including attempting to appear on the Spanish language program "Christina," which is broadcasted in the US. Without waiver of any privilege, my attorney (on my behalf) sent a letter to Mr. Martinez (as well as to the "Christina" show) reminding him that he could not use the KUMBIA KINGS trademark because I owned the mark. We never heard from Mr. Martinez or any representative. Recently, Mr. Martinez tried to use the trademark or a similar sounding name and visual references to "King" (a crown) for his new musical group. Without waiver of any privilege, I caused my attorney (on my behalf) to send a letter regarding this to Mr. Martinez and it appears Mr. Martinez was unable to use the name because the album was released under the name "Cruz Martinez Presenta Los Super Reyes."

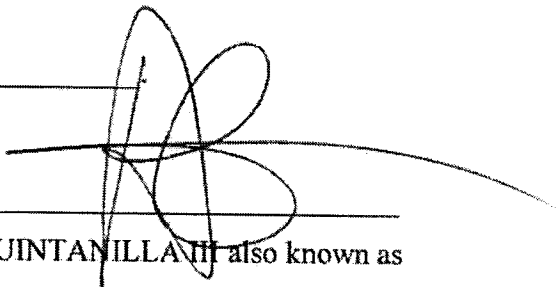
C. Conclusion.

12. Therefore the true "chain of title" is that I own the KUMBIA KINGS federal trademark registration and that it should not be considered altered by the false assignment filed by Cruz Martinez, and that I, the original registrant, have been and continue to be the owner of the trademark registration at issue, namely for KUMBIA KINGS.

13. In addition my counsel is Cara Burns, Hicks, Mims, Kaplan & Burns, 2800 28th Street, Suite 300, Santa Monica, California 90405, telephone: 310-314-1721, facsimile: 310-314-1725 not Daniel Polley, who is Mr. Martinez's attorney.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed: August 19, 2007 at COSTA RICA

A handwritten signature in black ink, consisting of a large, stylized 'A' followed by a cursive 'B' and a long horizontal flourish extending to the right.

A.B. QUINTANILLA III also known as
ABRAHAM QUINTANILLA III and
ABRAHAM QUINTANILLA ZAMORA

EXHIBIT A QUINTANILLA DECLARATION

A.B. Quintanilla III

presents



Greatest Hits

Album Versions

Exhibit A

TRADEMARK

REEL: 003615 FRAME: 0308

A.B. QUINTANILLA III

PRESENTS

KUMBIA

KINGS

LIVE!

Exhibit A

TRADEMARK
Page 2 of 10

REEL: 003615 FRAME: 0309



Exhibit A

Page 3 of 10

A.B. Quintanilla III
presents

FUEGO

KUMBIA KINGS

Exhibit A

TRADEMARK

REEL: 003615 FRAME: 0311

A. B. Quintanilla III

Presents

Columbia Kings

*Loz 2.0
REMIXE2*

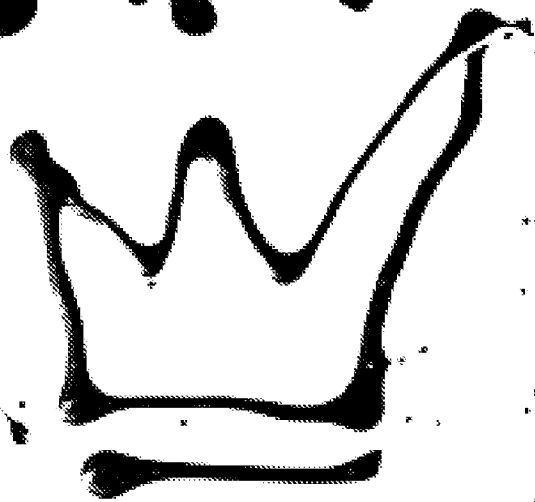


Exhibit A

TRADEMARK

REEL: 003615 FRAME: 0312



Exhibit A

Page 6 of 10

A.B. Quintanilla III &
Kumbia Kings

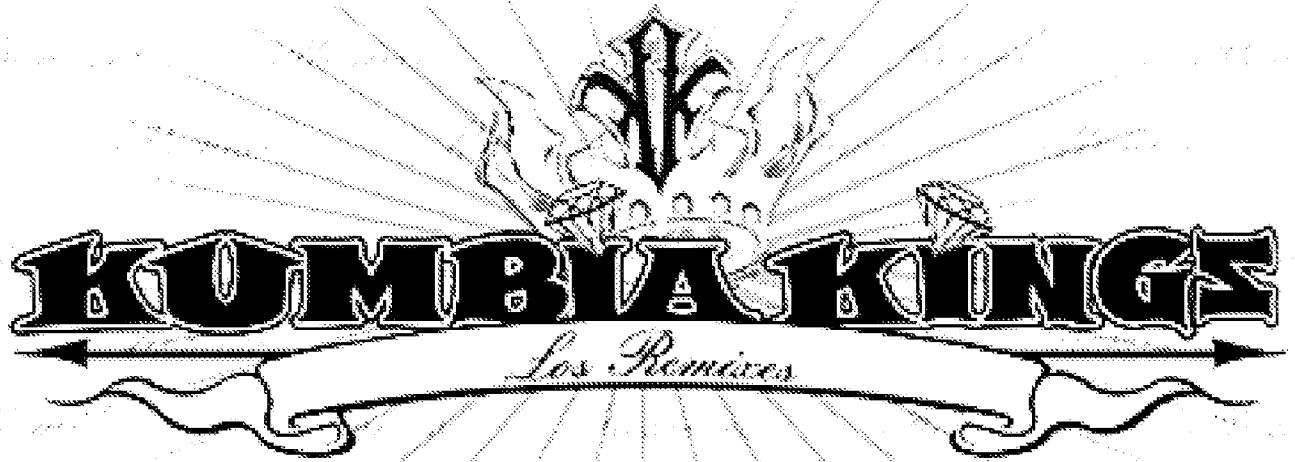


LA HISTORIA

Exhibit A

Page 7 of 10

TRADEMARK
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All Mixed Up





EXHIBIT B QUINTANILLA DECLARATION

CESION DE DERECHOS QUE CELEBRAN POR UNA PARTE COMO CEDENTE EL SEÑOR ABRAHAM QUINTANILLA Y POR LA OTRA COMO CESIONARIO CRUZ MARTINEZ, AL TENOR DE LAS SIGUIENTES:

DECLARACIONES

- I.- El Cedente ABRAHAM QUINTANILLA, declara que es miembro fundador conjuntamente con CRUZ MARTÍNEZ desde el año de 1999 del grupo musical denominado KUMBIA KINGS y por lo mismo ostenta el derecho de notoriedad.
- II.- El Cesionario CRUZ MARTÍNEZ, declara que es miembro fundador del grupo musical KUMBIA KINGS conjuntamente con ABRAHAM QUINTANILLA.
- III.- Ambas partes declaran que a la fecha el grupo musical KUMBIA KINGS, se encuentra en proceso de renovación y en busca de nuevos elementos desde el mes de marzo del año en curso.
- IV.- Ambas partes se reconocen mutuamente la personalidad con que se ostentan y declaran que el objeto de este contrato es la CESION DEL DERECHO DE NOTORIEDAD del que goza el CEDENTE, respecto del nombre del grupo musical KUMBIA KINGS sometiéndose a las siguientes:

CLAUSULAS

Primera.- El Cedente Abraham Quintanilla, cede a favor del Cesionario Cruz Martínez, el derecho de Notoriedad que tiene dentro de Grupo Musical KUMBIA KINGS.

Segunda.- El Cesionario acepta la Cesión y se compromete a salvaguardar los derechos cedidos mediante este contrato y proceder de inmediato a registrar la presente cesión de derechos ante el Instituto Nacional de Derecho de Autor, Dirección de Reserva así como de realizar lo necesario para mantener la vigencia de los derechos transferidos y preservar el nombre del grupo musical denominado KUMBIA KINGS.

Tercera.- El Cedente y Cesionario acuerdan llevar a cabo la presente cesión en virtud de la renovación del grupo ya que iniciara actuaciones con nuevos integrantes, la solicitud de la Reserva de Derechos al uso exclusivo de la denominación KUMBIA KINGS, en el genero de Grupo artístico musical a favor del Cesionario, no causa perjuicio a terceros en virtud de que los creadores exclusivos son el Cedente y el Cesionario.

Las partes firman el presente contrato de Cesión de Derechos de Notoriedad en la Ciudad de México distrito federal a los tres días del mes de junio del año dos mil cuatro.

EL CEDENTE


ABRAHAM QUINTANILLA

EL CESIONARIO


CRUZ MARTINEZ

TRADEMARK

REEL: 003646 FRAME: 0249

ASSIGNMENT OF RIGHTS CONTRACT FORMALIZED BY AND BETWEEN, ON THE ONE HAND, ABRAHAM QUINTILLA AS ASSIGNOR, AND, ON THE OTHER HAND, CRUZ MARTÍNEZ AS ASSIGNEE, IN ACCORDANCE WITH THE FOLLOWING:

RECITALS:

I.- The Assignor, ABRAHAM QUINTANILLA (sic) hereby declares that, in conjunction with CRUZ MARTINEZ, he is a founding member since the year declara 1999 of the musical group named KUMBIA KINGS and, for this reason, possesses the notoriety presumed by the law.

II.- The Assignee CRUZ MARTÍNEZ, hereby declares that he is a founding member of the musical group KUMBIA KINGS, in conjunction with ABRAHAM QUINTANILLA.

III.- Both parties declare that the musical group KUMBIA KINGS, is, at the present time, in the process of renovation and has been in search of new elements since the month of March this year.

IV. Both parties mutually recognize the status they hold and declare that the purpose of this contract is to ASSIGN THE NOTORIETY PRESUMED BY LAW enjoyed by the ASSIGNOR with respect to the name of the musical group KUMBIA KINGS, subjecting themselves to the following:

CLAUSES:

First.- The Assignor Abraham Quintanilla hereby assigns the Notoriety he holds within the Musical Group KUMBIA KINGS, in favor of the Assignee Cruz Martinez.

Second.- The Assignee accepts the Assignment and undertakes to safeguard the rights assigned under the present contract, proceeding immediately to register the present assignment of rights before the Instituto Nacional de Derecho de Autor (National Copyrights Institute), Reservation Department, and to take all action necessary to maintain the rights transferred in force and to preserve the name of the musical group entitled KUMBIA KINGS.

Third.- The Assignor and Assignee agree to carry out the present assignment in view of renovation of the group so that, on the latter commencing performances with new members, the request for the Reservation of Rights to the exclusive use of the name KUMBIA KINGS will not prejudice third parties, since the exclusive creators are the Assignor and the Assignee.

The parties sign the present contract assigning the Notoriety presumed by Law in the City of Mexico, Federal District, on the thirteenth day of the month of June in the year two thousand and four.

THE ASSIGNOR
(Signature)

THE ASSIGNEE
(Signature)

LUER TRADUCTORES

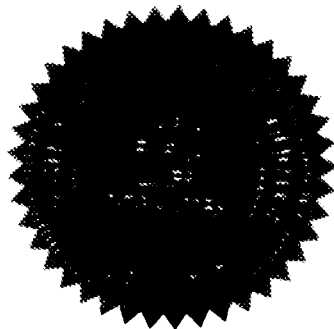


ASOCIADOS, S.C.

CENTRO ESPECIALIZADO DE TRADUCTORES E INTERPRETES

I, MARIA ELENA LUER DORANTES, Official Translator authorized by the Superior Court of Justice in and for Mexico-City, DO HEREBY CERTIFY: That the foregoing translation is true and faithful to the best of my knowledge.

MARIA ELENA LUER DORANTES
Mexico-City, December 7th, 2006



The ATTORNEY JOSE GILBERTO GARDUÑO FERNÁNDEZ, as Director of Reservation Rights at the National Copyrights Institute, a dependency of the Secretariat of Public Education, taking as grounds the provisions of article 8, section XVIII of the Internal Regulations of the National Copyrights Institute, published in the Official Gazette of the Federation on November 22, 1999, hereby-----

-----CERTIFIES-----

That the present copy consisting of one page, facing, agrees faithfully in all its parts with the original which I had before me, and which forms part of the file on Reservation of Rights on the Exclusive Use number 04-2004-070617355000-402, under the name KUMBIA KINGS, Artistic Group. Issued in the City of Mexico, Federal District, on the eighteenth day of the month of August two thousand and six -----

-----I attest-----

