

TRADEMARK ASSIGNMENT COVER SHEET

Electronic Version v1.1
Stylesheet Version v1.2

ETAS ID: TM531572

SUBMISSION TYPE:	RESUBMISSION		
NATURE OF CONVEYANCE:	ASSIGNMENT OF THE ENTIRE INTEREST AND THE GOODWILL		
RESUBMIT DOCUMENT ID:	900501063		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
ABRAHAM QUINTANILLA		06/03/2004	INDIVIDUAL:
RECEIVING PARTY DATA			
Name:	CRUZ MARTINEZ		
Street Address:	4126 NICKLAUS LANE		
City:	CORPUS CHRISTI		
State/Country:	TEXAS		
Postal Code:	78413		
Entity Type:	INDIVIDUAL: UNITED STATES		
PROPERTY NUMBERS Total: 1			
Property Type	Number	Word Mark	
Registration Number:	2859703	KUMBIA KINGS	
CORRESPONDENCE DATA			
Fax Number:	5618075987		
<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent using a fax number, if provided; if that is unsuccessful, it will be sent via US Mail.</i>			
Phone:	5613475955		
Email:	dan@danpolley.com		
Correspondent Name:	DANIEL S. POLLEY, P.A.		
Address Line 1:	7251 WEST PALMETTO PARK ROAD		
Address Line 2:	suite 202		
Address Line 4:	BOCA RATON, FLORIDA 33433		
ATTORNEY DOCKET NUMBER:	1186		
NAME OF SUBMITTER:	Daniel S. Polley		
SIGNATURE:	/Daniel S. Polley/		
DATE SIGNED:	07/12/2019		
Total Attachments: 7			
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
ASSIGNMENT RECORDATION BRANCH
PUBLIC RECORDS DIVISION**

Assignee : Cruz Martinez
Nature of Conveyance : Assignment of the Entire Interest and the Goodwill
Registration No. : 2859703
Document ID : 900501063
Access Code : QFZHHEHH98OFCZR
Our File No. : 1186

CERTIFICATION OF E-MAILING

I hereby certify that this correspondence, and any attachments thereto, is being filed via electronic mail with the U.S. Patent and Trademark Office, Assignment Division.

<u>BETTY BERNAL</u>	<u>/betty bernal/</u>	<u>July 12, 2019</u>
Name of Person Mailing Paper	Signature	Date

**RESPONSE TO NOTICE OF NON-RECORDATION
OF AN ASSIGNMENT DOCUMENT**

U.S. Patent and Trademark Office
Assignment Recordation Branch
Alexandria, VA 22313-1450

Attention: Nicole Lawrence:

This is in response to the Notice dated July 11, 2019.

Assignee respectfully submits that the Assignment submitted for recordation does cover “the Goodwill of the business”. The original signed Assignment is in Spanish and Assignee Cruz Martinez also included in the recordation documents a certified translation of the Spanish assignment.

As seen in the translated document, such as, but not limited to, Paragraph IV, the assignment includes and assigned “... THE NOTORIETY PRESUMED BY LAW enjoyed by the ASSIGNOR with respect to the name...”. This language is the equivalent of “Goodwill” and

evidences that the goodwill was in fact assigned along with the KUMBIA KINGS registration in the Assignment submitted for recordation.

Assignee also notes that the TTAB by Order/decision dated October 26, 2018 has also acknowledged the assignment and ruled that the "...Register will be rectified with respect to U.S. Registration No. 2859703 to properly reflect that Cruz Martinez is the sole and correct owner of such registration for the mark KUMBIA KINGS..." A copy of the Board's October 28, 2018 Order is also included with this response along with the Spanish Assignment, translation of such and translator certification.

Accordingly, in view of the above, Assignee respectfully requests that the Assignment previously filed, and resubmitted herein, be recorded by the PTO and that the Register reflect Cruz Martinez as the sole and correct owner of the KUMBIA KINGS registration (U.S. Registration No. 2,859,703).

Respectfully submitted,

/Daniel S. Polley/
Daniel S. Polley
Registration No. 34902

CUSTOMER NO. 44538

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

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.

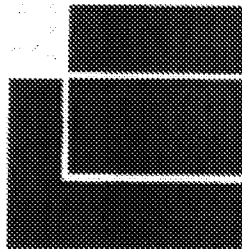
Third.- The Assignor and Assignee agree to carry out the present assignment in view of renovation of the group so that, on the latter commencing performances with new members, the request for the Reservation of Rights to the exclusive use of the name KUMBIA KINGS will not prejudice third parties, since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

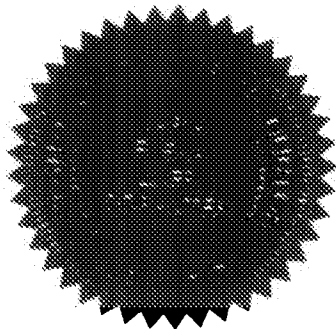


ASOCIADOS, S.C.

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

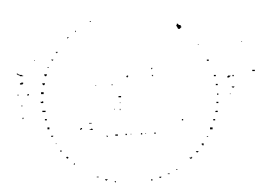


The ATTORNEY JOSE GILBERTO GARDUÑO FERNÁNDEZ, as Director of Reservation Rights at the National Copyrights Institute, a dependency of the Secretariat of Public Education, taking as grounds the provisions of article 8, section XVIII of the Internal Regulations of the National Copyrights Institute, published 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-----



UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451
General Contact Number: 571-272-8500
General Email: TTABInfo@uspto.gov

al

October 26, 2018

Opposition No. 91179013

A. B. Quintanilla, III

v.

Cruz Martinez

By the Trademark Trial and Appeal Board:

The Board's order of October 22, 2018 is modified such that judgment on the counterclaim(s) is entered in favor of Cruz Martinez and the counterclaim(s) is sustained. In that regard, the Register will be rectified with respect to U.S. Registration No. 2859703 to properly reflect that Cruz Martinez is the sole and correct owner of such registration for the mark KUMBA KINGS for the goods and services in International Classes 9 and 41. The Board acknowledges the assignment Martinez recorded with the Office on May 21, 2007 involving such registration.
