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

Proceeding	92065939
Party	Plaintiff Sportspower Limited
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Submission	Motion to Suspend for Civil Action
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Date	04/15/2020
Attachments	92065939 Status Report.pdf(193314 bytes ) Exhibit A Answer To 2nd Amended Complaint.pdf(612716 bytes )

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

In the matter of Trademark Registration No. 5,152,625

International Class: 28

Registrant: Li-Ju Hsiang

Trademark: JP JUMP POWER

Registered: February 28, 2017

<p><b>SPORTSPOWER LIMITED</b></p> <p style="text-align:center">Petitioner,</p> <p style="text-align:center">v.</p> <p><b>LI-JU HSIANG</b></p> <p style="text-align:center">Registrant.</p>	<p>Cancellation No. 92065939</p> <p>Registration No. 5,152,625</p>
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**STATUS REPORT ON CIVIL ACTION**

The civil action in the United States District Court for the Eastern District of Texas Civil Action No. 4:19-CV-00066 is ongoing with no trial date set yet.

The registrant just filed an answer to the second amended complaint (attached as Exhibit A herein). Petitioner added additional allegations of trademark infringement and unfair competition now conglomerated with the issues in this proceeding, so Petitioner respectfully requests that this proceeding continue to be suspended.

DATED: April 15, 2020

**NEWHOPE LAW, PC**

/Clement Cheng/

Clement Cheng, Esq.

4522 Katella Ave 200

Los Alamitos, CA 90720

## CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the forgoing document has been emailed to: mailroom@mg-ip.com

/Clement Cheng/\_\_\_\_\_

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

SPORTSPOWER LTD.,  
Plaintiff/Counterclaim Defendant,  
v.  
CROWNTEC FITNESS MFG. LTD., *et al.*  
Defendants/Counterclaimants.

Case No. 4:19-cv-66-ALM

**Jury Trial Demanded**

**ANSWER TO SECOND AMENDED COMPLAINT,  
SEPARATE DEFENSES & COUNTERCLAIMS**

Defendants, Crowntec Fitness Mfg. Ltd. (“Crowntec”) and Li-Ju “Julie” Hsiang, answer the averments in Plaintiff’s Second Amended Complaint as follows:

**I. PARTIES**

1. Sportspower is a company formed under the laws of Hong Kong with a principal place of business in Hong Kong at: 20/F, Parkview Centre, 7 Lau Li Street Causeway Bay, Hong Kong. Samuel Chen is the CEO of Sportspower.

**ANSWER:** Defendants lack sufficient knowledge or information to form a belief as to the truth of the allegations in this paragraph and, on that basis, deny them.

2. Defendant Crowntec is a Taiwanese company with a principal place of business in Taiwan at: Crowntec Fitness Mfg. Ltd.; 8th Floor, No. 592, Tong An Street; Taoyuan City, Taiwan; Tel: +886 3261980/ 3261981. Hua-Lu Hsiang is the Managing Director of Crowntec, and Li-Ju Hsiang is the General Manager of Crowntec.

**ANSWER:** Defendants admit the allegations in the first sentence of this paragraph and deny the allegations in the second sentence of this paragraph.

3. Defendant Li-Ju Hsiang, is the General Manager of Crowntec and is the actual owner of record for the trademark JP JUMP POWER (U.S. Reg. Number

5,152,625), Li-Ju Hsiang is a citizen of Taiwan, residing at: 9F., NO. 592, Tong'an St., Taoyuan Dist., Taoyuan City, 330 Taiwan.

**ANSWER:** Defendants deny that Li-Ju Hsiang is the General Manager of Crowntec. Defendants admit the remaining allegations in this paragraph.

## II. JURISDICTION AND VENUE

4. This is an action for patent infringement arising under the Patent Act, 35 U.S.C. § 1 et seq., and for trademark infringement and unfair competition under the Lanham Act, 15 U.S.C. §§ 1114, 1125, as well as trademark infringement, unfair competition, and unjust enrichment under Texas law.

**ANSWER:** Defendants admit that this paragraph accurately summarizes the subject matter of Sportspower's Complaint but deny that they have infringed any valid patent or trademark, engaged in unfair competition, or been unjustly enriched.

5. This Court has original jurisdiction over the subject matter of the Patent Act and Lanham Act claims pursuant to 28 U.S.C. §§ 1331 and 1338(a). This Court has subject-matter jurisdiction over the Texas state-law claims in this action under 28 U.S.C. § 1367 because these claims arise out of the same transactions and occurrences giving rise to the federal Lanham Act claims.

**ANSWER:** To the extent this paragraph states legal conclusions, no response is required. To the extent a response is required, Defendants admit that this Court has subject-matter jurisdiction over the causes of action Sportspower purports to state in its Complaint but deny that Sportspower is entitled to any relief on any of its causes of action.

6. The Court has personal jurisdiction over Crowntec because the acts that are the subject of Sportspower's claims, including trademark infringement and patent infringement, were committed by Crowntec, in part, in the State of Texas in this Judicial District. Crowntec conducts business through retailers, such as Dick's Sporting Goods, Walmart, and Wayfair, who offer or offered for sale the Accused Products through their

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