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ROCKE | LAW

July 8, 2014

**VIA EMAIL ONLY TO COMMENTS@UTC.WA.GOV**

Utilities and Transportation Commission  
P.O. Box 47250  
Olympia, WA 98504-7250

RE: Comment Protesting Permit No. THG065449 (Noam Z. Kalzan), Docket No. TV-140664

Dear Sir or Ma'am:

I protest Docket No. TV-140664, the application for a Household Goods Carrier Permit filed by Noam Z. Kalzan on April 22, 2014. I protest on the grounds that Mr. Kalzan's business practices of unlicensed work and unfair competition and on the grounds of concern for the public interest.

Mr. Kalzan is the sole proprietor of Neighborhood Movers, which he registered with the Washington Department of Revenue on May 6, 2010. However, he neglected to apply for a UTC Household Goods Carrier Permit until April 22, 2014. This suggests that Mr. Kalzan operated his business for four years without the required UTC permit. Operating a moving business without this permit is illegal. To receive a permanent permit, provisional permit-holders must be in compliance with the provisions of RCW 480-15, including the requirement that household goods carriers "**must** receive a permit from the commission **before** transporting household goods [...], or before advertising, soliciting, offering, or entering into an agreement to transport household goods" RCW 480-15-180 (emphasis added).

Furthermore, Mr. Kalzan's use of the name Neighborhood Movers may be in violation of the common law and the Washington Consumer Protection Act (RCW 19.86) for wrongful appropriation of a trade name. Mr. Kalzan apparently began doing business as "Neighborhood Movers" and as "Cascade Moving Systems," names which are deceptively similar to the names of its competitors Neighbors Moving and Storage of Seattle, LLC, which the general public commonly refers to as Neighbors Moving, and Cascade Moving and Storage, Inc. Neighbors Moving is a licensee of the registered trademark owner of "Neighbors Moving and Storage." Also, its company slogan is "Your Official Neighborhood Movers Since 1939." For these reasons, Mr. Kalzan's use of the names Neighborhood Movers and Cascade Moving Systems is harmful to the public interest because it causes unfair confusion for consumers and unfairly appropriates its competitors' goodwill.

These two issues, Mr. Kalzan's operation for four years without a UTC permit and his appropriation of his competitors' trade names, are grounds for the Utilities and Transportation Commission to reject Mr.

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Kalzan's application. Failure to apply for the required permit and doing business in a name other than either the name of the owner or the name of a corporation made detecting the illegal activity difficult.

I protest his application on these grounds of his business practices and his confusing use of competitors' trade names and the public interest.

Sincerely,



Aaron V. Rocke

This 8 of July, 2014 at Seattle, WA

Enclosures: UTC Docket No. TV-140664 (Noam Z. Kalzan, d/b/a Neighborhood Movers)  
Registered Trademark, Neighbors Moving & Storage, Inc.  
Business License for Neighbors Moving & Storage, Inc.  
WA Dept. of Revenue listing for Neighborhood Movers  
Screenshot of Cascade Moving Systems website (linked from Dept. of Revenue)