



UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION
OFFICE OF THE ADMINISTRATIVE LAW JUDGES DOCKET NO: 9347

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In the Matter of
Universal Computers and Electronics, Inc. d/b/a
Appliancebestbuys.com d/b/a universallcdtv.com

VERIFIED ANSWER
WITH AFFIRMATIVE
DEFENSES

Respondents
-----X

The Respondents respectfully submit the within Verified Answer on a Pro Se basis to the complaint dated April 1, 2011 (hereafter "Complaint"), based upon the information and records maintained by the Respondents.

1. Respondent denies the allegations as set forth within paragraph "1" of the Complaint.
 - a. Respondent never operated nor maintained a principal office or place of business at 170-08 Jamaica NY 11432. Instead the same was located in Long Island City, New York.
 - b. Respondent does not currently maintain an interactive functioning website bearing the address www.appliancebestbuys.com as alleged in paragraph "1" of the Complaint and has not done so for some time. Further insofar as the website did exist during certain times as alleged in the Complaint, technical difficulties existed as to its content and functioning as set forth in detail in a letter dated December 3, 2010 to this agency.
2. Respondent denies the allegations as set forth within paragraph "2" of the Complaint. The Respondent does not currently operate a website bearing address www.universallcdtv.com nor did the same offer each of the alleged items for sale as there was no method of making a purchase.
3. Respondent denies upon information and belief the allegations as set forth within paragraph "3" of the Complaint.
4. Respondent admits the allegations as set forth within paragraph "4" of the Complaint to the extent that the same seems to reflect the alleged statute.
5. Respondent denies upon information and belief the allegations as set forth within paragraph "5" of the Complaint.
6. Respondent denies upon information and belief the allegations as set forth within paragraph "6" of the Complaint.
7. Respondent denies upon information and belief the allegations as set forth within paragraph "7" of the Complaint.

8. Respondent admits the allegations as set forth within paragraph "8" of the Complaint to the extent that www.appliancebestbuys.com did in fact advertise the items as alleged in the complaint; however respondent is not entirely sure if these items are covered by the statute.
9. Respondent denies the allegations as set forth within paragraph "9" of the Complaint.
10. Respondent denies the allegations as set forth within paragraph "10" of the Complaint.
11. Respondent admits the allegations as set forth within paragraph "11" of the Complaint to the extent that the same seems to reflect the alleged statute.
12. Respondent denies the allegations as set forth within paragraph "12" of the Complaint to the extent that it is believed that not all of the named entities and websites should be held liable for said penalties.

AFFIRMATIVE DEFENSES

First Affirmative Defense

13. www.UniversalLCDTV.com is not a proper party to this action, as the same has been incorrectly named.

Second Affirmative Defense

14. Respondent herein was never properly served.

Third Affirmative Defense

15. Respondent at no time attempted to deceive anyone or purposefully obscure information.

Fourth Affirmative Defense

16. At such times as alleged within the Complaint, the Respondent was not aware said site was even potentially in violation of any FTC statute or otherwise, and upon said notice in 2008, terminated any perceived violative acts by adding hyperlinks to energy guide information, (as per the "Appliance Labeling Rule") for all items, via direct database coding.

Fifth Affirmative Defense


17. The Respondent does not know if all the products are "covered products" under the applicable rules and regulations and thus does not admit to the violations as alleged.

RESERVATION AND NON-WAIVER

Respondents reserve the right to assert any additional and further defenses as may be revealed by additional information received or as may be warranted by discovery.

WHEREFORE, Based upon the above it is respectfully requested that this Agency dismiss all of the allegations and that the Respondents be awarded costs expended in defense of these proceedings.

Universal Computers and Electronics, Inc., Pro se

By: 
Manuel Santos, as principal agent of
Universal Computers and Electronics, Inc.
210 Stanton Street, Apt 616
New York, New York 10002

CERTIFICATE OF SERVICE

This is to certify that the undersigned has this date served this **ANSWER TO COMPLAINT** in the above entitled actions upon all other parties to this cause by depositing a copy hereof in a postpaid wrapper in a Federal Express depository under the exclusive care and custody of Federal Express for the parties below or via email.

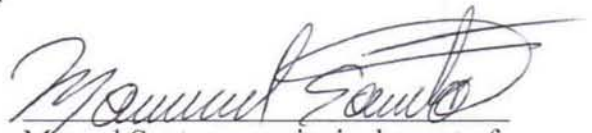
Chief Administrative Law Judge D. Michael Chappell (via email to oadj@ftc.gov and printed paper copy)

Laura Schneider - Senior Attorney (via Federal Express)
Federal Trade Commission/ Bureau of Consumer Protection/ Division of Enforcement
600 Pennsylvania Avenue, NW
M-8102B Washington, DC 20580

Donald S. Clark (via Federal Express)
Office of the Secretary
Federal Trade Commission
Washington, D.C. 20580

Assistant Director (via Federal Express)
Federal Trade Commission
601 New Jersey Avenue, N.W.
Washington, D.C. 20580

This 29th day of April, 2011.


Manuel Santos, as principal agent of
Universal Computers and Electronics, Inc.

VERIFICATION


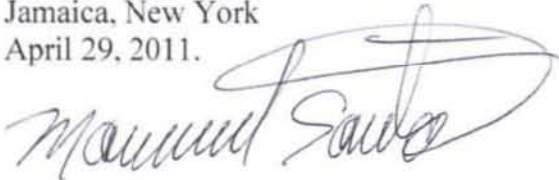
STATE OF NEW YORK) SS:
COUNTY OF QUEENS)

Manuel Santos, being duly sworn deposes and states:

I am the agent/officer of the corporation Universal Computers and Electronics, Inc. and have read the attached Verified Answer and Affirmative Defenses and know the contents thereof. The contents of which is true to the best of my knowledge based upon information and documentation maintained by this office.

Dated:

Jamaica, New York
April 29, 2011.



GENEIVIE PANTON
NOTARY PUBLIC, State of New York
No. 01PAS055367
Qualified in Queens County
Commission Expires Feb 5, 2014

4/29/2011