

TTAB

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

**In The Matter of Application Serial Nos. 76/103,447 and 76/103448
Published In The Official Gazette of May 22, 2001
and April 24, 2001, Respectively**

Mark: HYPERSONIC

-----X

Central Mfg. Co., :

Opposer, : **Opposition No. 123,765**

-against- :

Paramount Parks Inc., :

**APPLICATION TO PERFECT
COUNTERCLAIM**

Applicant. :

-----X

Applicant Paramount Parks Inc. ("Paramount") hereby responds to the Order of the Board dated July 24, 2002 requiring Paramount to perfect its counterclaim for cancellation of Opposer's mark HYPERSONIC (Registration No. 1,593,157), by submission of the \$300.00 fee required under Trademark Rules 2.106(b), 2.111 and 2.6.

In its Order, the Board granted Paramount's motion for leave to file an amended answer and counterclaim, and noted the amended answer and counterclaim submitted by Paramount on November 13, 2001, but stated that the counterclaim to cancel Opposer's pleaded Registration No. 1,593,157 could not yet be considered because Paramount had not paid the proper fee. The Board granted Paramount thirty (30) days to make such payment and perfect the counterclaim. Paramount timely submits said fee with this application.

Applicant is today simultaneously serving Opposer a copy of the Application To Perfect Applicant's Counterclaim.

Applicant, having perfected its counterclaim by submitting the required fee, requests further consideration of its counterclaim.

Dated: **New York, New York**
 August 8, 2002

KAY & BOOSE LLP

By: Lacy H. Koonce III
Lacy H. Koonce, III (LHK-8784)
One Dag Hammarskjold Plaza
New York, New York 10017
(212) 940-8200/940-8237
Attorneys for Applicant
Paramount Parks Inc.

CERTIFICATE OF MAILING BY "EXPRESS MAIL

Express-Mail No. EV097820831 US

I hereby certify that this correspondence is addressed to the Commissioner of Patent and Trademarks, Washington, D.C. 20231, and is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on August 9, 2002

Candida J. Hinton
Print Name

Candida J. Hinton
Signature

August 9, 2002
Date of Signature

ORIGINAL DOCUMENT PRINTED ON CHEMICAL REACTIVE PAPER WITH MICROPRINTED BORDER. SEE REVERSE SIDE FOR COMPLETE SECURITY FEATURES.

KAY & BOOSE LLP
ONE DAG HAMMARSKJOLD PLAZA
NEW YORK, NEW YORK 10017

citibank

CITIBANK, N.A. BR. #280
399 PARK AVENUE
NEW YORK, NY 10043

60804

1-8/210
BR. 280

CHECK DATE

08/01/02

PAY:

\$300 DOLLARS & 00 CENTS

CHECK AMOUNT

\$300.00

TO THE
ORDER OF

ASSISTANT COMMISSIONER OF TRADEMARKS

KAY & BOOSE LLP

[Handwritten Signature]
AUTHORIZED SIGNATURE

OPPOSITION NO. 123765 APPLICATION TO PERFECT COUNTERCLAIM

SAFEGUARD S.E.C.
SAFEGUARD S.E.C.

THIS DOCUMENT CONTAINS HEAT SENSITIVE INK. TOUCH OR PRESS HERE. RED IMAGE DISAPPEARS WITH HEAT.



08-09-2002

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #77

KAY & BOOSE TRADEMARK TRIAL AND APPEAL BOARD
ONE DAG HAMMARSKJÖLED PLAZA
NEW YORK, N.Y. 10017-2299
(212) 940-8000
www.kbllp.com

02 AUG 21 AM 12:47

August 9, 2002

Writer's Direct Dial
(212) 940-8321

Express Mail

Assistant Commissioner for Trademarks
Trademark Trial and Appeal Board
BOX TTAB -FEE
2900 Crystal Drive
Arlington, VA 22202-3513

Re: Opposition : 123,765
Applicant: Paramount Parks, Inc.
Mark: **HYPERSONIC**

Dear Sir/Madam:

Following an Order of the Board dated July 24, 2002 and on behalf of the Applicant, Paramount Parks, Inc., we enclose:

- 1) Transmittal Letter;
- 2) Application to Perfect Counterclaim with Check No. 60804 in the amount of \$300;
- 3) Certificate of Service;
- 4) Express Mail Label No. EV 097820831US; and
- 5) Postcard receipt

Kindly date-stamp and return the enclosed postcard and please call the undersigned if there are any questions or problems in connection with the enclosed. Thank you.

Yours truly,

KAY & BOOSE LLP
Candida J. Hinton
Candida J. Hinton
Intellectual Property Administrator

Encls.

cc: Mr. Leo Stoller
Mallory Levitt, Esq.
Marcia B. Paul, Esq.
Lacy H. Koonce, Esq.

CERTIFICATE OF MAILING BY EXPRESS MAIL Label No. EV097820831US

I, Candida J. Hinton hereby certify that this correspondence is addressed to Assistant Commissioner for Trademarks BOX TTAB - FEE, 2900 Crystal Drive, Arlington, VA 22202-3513, and is being deposited with the United States Postal Service "Express Mail Delivery" to Addressee on August 9, 2002

Candida J. Hinton
Signature

August 9, 2002
Date of Signature