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10-29-2002

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #73

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

DIRECTV, INC.,	)		
	)		
Opposer,	)	Opposition No.:	91152999
vs.	)		
	)	Serial No.:	76/132,517
DIRECTED ELECTRONICS, INC.,	)	Mark:	DIRECTED
	)		
Applicant.	)		

TRADEMARK TRIAL AND APPEAL BOARD  
02 NOV -6 PM 9:30

Attention: BOX TTAB NO FEE  
Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

**APPLICANT'S ANSWER TO THE NOTICE OF OPPOSITION**

DIRECTED ELECTRONICS, INC., hereinafter referred to as Applicant, a California corporation, located at 1 Viper Way, Vista, CA 92083, by and through its undersigned Officer, hereby responds to the Notice of Opposition issued by the Trademark Trial and Appeal Board on September 27, 2002.

1. In response to the allegations of paragraph 1, Applicant has insufficient knowledge or information as to the truth of the allegations set forth in paragraph 1 of the Notice of Opposition and therefore, denies said allegations.

2. In response to the allegations of paragraph 2, Applicant has insufficient knowledge or information as to the truth of the allegations set forth in paragraph 2 of the Notice of Opposition and therefore, denies said allegations.

3. In response to the allegations of paragraph 3, Applicant admits that Application Serial No. 76/132,517 was filed as an Intent-to-Use, but Applicant denies the allegation that Applicant had no use of the mark in connection with the goods listed in the application prior to September 20, 2000 and based thereon denies the allegation.

4. In response to the allegations of paragraph 4, Applicant has insufficient knowledge or information as to the truth of the allegations that Opposer has a date of first use that precedes Applicant's application filing date and based thereon denies each and

all of these allegations, and denies all other allegations set forth in the paragraph that are not specifically referenced herein.

5. Applicant has insufficient knowledge or information as to the truth of the allegations set forth in paragraph 5 of the Notice of Opposition and therefore, denies said allegations.

6. Applicant has insufficient knowledge or information as to the truth of the allegations set forth in paragraph 6 of the Notice of Opposition and therefore, denies said allegations.

7. Applicant disagrees with the allegations set forth in paragraph 7 of the Notice of the Opposition and therefore, denies said allegations.

8. Applicant has insufficient knowledge or information as to the truth of the allegations set forth in paragraph 8 of the Notice of Opposition and therefore, denies said allegations.

9. In response to the allegations of paragraph 9, Applicant admits that Applicant proposes to use the mark DIRECTED on audio equipment, but is without knowledge or information sufficient to form a belief as to the truth of the allegations remaining in paragraph 9 and based thereon denies each and all of these allegations, and denies all other allegations set forth in the paragraph that are not specifically referenced herein.

10. Applicant denies the allegations contained in paragraph 10 of the Notice of Opposition.

11. Applicant denies the allegations contained in paragraph 11 of the Notice of Opposition.

12. Applicant has insufficient knowledge or information as to the truth of the allegation as to how Opposer's trademark is pronounced, but Applicant denies the allegation contained in paragraph 12 that the pronunciation of the mark, which is the subject of the application is "DIRECT" "E" "D", and based thereon denies each and all of these allegations, and denies all other allegations set forth in the paragraph that are not specifically referenced herein.

13. Applicant denies the allegations contained in paragraph 13 of the Notice of Opposition.

14. Applicant denies the allegation contained in paragraph 14 of the Notice of Opposition.

15. Applicant denies the allegations contained in paragraph 15 of the Notice of Opposition.

16. Applicant disagrees with the request set forth in Paragraph 16 of the Notice of Opposition.

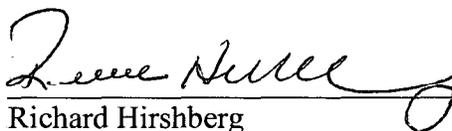
**AFFIRMATIVE DEFENSES**

17. Opposer has failed to state a claim upon which relief can be granted.

18. Opposer will not be damaged by the registration of the trademark DIRECTED for the uses sought in Applicant's application and therefore lacks standing to oppose the registration thereof.

WHEREFORE, Applicant requests that the Notice of Opposition be dismissed with prejudice and on the merits, and that Applicant's application to register its trademark DIRECTED proceed to registration issuance forthwith.

Respectfully Submitted,



Richard Hirshberg  
Vice President, Chief Financial Officer  
1 Viper Way  
Vista, CA-92083  
(760) 598-6200

Dated: October 29, 2002

**CERTIFICATE OF MAILING AND SERVICE**

I certify that on October 29, 2002, the foregoing **APPLICANT'S ANSWER TO THE NOTICE OF OPPOSITION** are being served by mailing a copy thereof by first-class mail addressed to:

Nancy V. Stephens, CSBA No. 144109  
Jennifer L. Scully, WSBA No. 28864  
Attorneys for Opposer  
DIRECTV, Inc.  
1111 Third Avenue, Suite #3400  
Seattle, Washington 98101-3299

Date 10-29-02

By   
Christie Biggs  
Directed Electronics, Inc.  
1 Viper Way  
Vista, CA 92083

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