

TTAB

TRADEMARK

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

In the Matter of Trademark Application No: 75/640,815
Mark: PACKER PANTIES
Application Date: February 16, 1999

GREEN BAY PACKERS, INC. and NFL PROPERTIES LLC)	
)	
Opposers,)	
)	
v.)	Opposition No. 91157704
)	
STACY J. LOME and LEONARD D. LOME)	
)	
Applicants.)	
)	



10-24-2003
U.S. Patent & TMOtc/TM Mail Rcpt Dt. #11

ANSWER TO NOTICE OF OPPOSITION

Applicants' Answer to Opposers' Notice of Opposition is as follows:

Applicants deny all allegations of the Notice of Opposition except allegations admitted as follows:

1. Applicants admit the allegations of paragraph 1.
2. Applicants admit the allegations of paragraph 2.
3. Applicants do not have sufficient knowledge or information concerning the allegations alleged in paragraph 3 which are vague and indefinite and therefore deny the same.
4. Applicants do not have sufficient knowledge or information concerning the allegations of paragraph 4 and therefore deny the same.

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5. Applicants do not have sufficient knowledge or information concerning the allegations of paragraph 5 and therefore deny the same.

6. Applicants do not have sufficient knowledge or information concerning the allegations of paragraph 6 and therefore deny the same.

7. Applicants do not have sufficient knowledge or information concerning the allegations of paragraph 7 and therefore deny the same.

8. Applicants do not have sufficient knowledge or information concerning the allegations of paragraph 8 and therefore deny the same.

9. Applicants do not have sufficient knowledge or information concerning the allegations of paragraph 9 and therefore deny the same.

10. Applicants do not have sufficient knowledge or information concerning the allegations of paragraph 10 and therefore deny the same.

11. Applicants do not have sufficient knowledge or information concerning the allegations of paragraph 11 and therefore deny the same.

12. Applicants do not have sufficient knowledge or information concerning the allegations of paragraph 12 and therefore deny the same.

13. Applicants admit that they filed an intent-to-use trademark application for registration of the mark, PACKER PANTIES, for clothing, namely, underwear. The application has been amended to identify the goods as "clothing, namely, underwear."

14. Applicants admit that they filed U.S. Trademark Application Serial No. 75/640,815 on February 16, 1999 and deny the remaining allegations of paragraph 14.

15. Applicants deny the allegations of paragraph 15.

16. Applicants deny the allegations of paragraph 16.

17. Applicants deny the allegations of paragraph 17.

18. Applicants deny the allegations of paragraph 18.

Affirmative Defenses

1. The U.S. Patent and Trademark Office did not cite Opposers' U.S. Trademark Registration Nos. 1,100,375; 1,109,722 and 1,810,704 as bars to registration of the mark, PACKER PANTIES, under Trademark Act Section 2(d), 15 USC 1052(d).

2. Applicants have no intent to use and have not used the mark, GREEN BAY PACKERS, for any goods or services.

3. Applicants have no intent to use and have not used the mark, PACKERS, for entertainment services in the form of professional football games.

4. Opposers have not adopted the mark, PACKER PANTIES, for any item of clothing.

5. Opposer do not have an intent to use the mark, PACKER PANTIES, in commerce for any item of clothing.

6. The mark, PACKER, is used as a trademark by third parties for clothing, drinking mugs, food products, fishing lures, and publications.

7. Applicants have the right to personal use of underwear and personal garments, such as tights, pantyhose, briefs, thongs, boxer shorts, bikini underwear, and boy cut undershorts, identified by the trademarks, PACKER and PACKER PANTIES.

8. The mark, PACKERS PREVIEW, is a trademark of the Minneapolis Star Tribune newspaper.

Applicants request that the opposition to registration of the mark, PACKER PANTIES, be denied.

Respectfully submitted,

STACY J. LOME and LEONARD D. LOME

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CERTIFICATE OF MAILING AND SERVICE

The undersigned hereby certifies that the foregoing ANSWER TO NOTICE OF
OPPOSITION was mailed First Class Mail postage prepaid on October 21, 2003, as follows:

Commissioner for Trademarks
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