

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

Serial No. 78/253,725
For the Mark VEGAS

THE UNITED STATES)
PLAYING CARD COMPANY)
)
Opposer,)
)
v.)
)
HARBRO, LLC,)
)
Applicant.)

Opposition No. 91162078

78/253,725

CERTIFICATE OF SERVICE AND MAILING

I hereby certify that the attached ANSWER TO NOTICE OF OPPOSITION in the above-identified trademark application is being deposited with the United States Postal Service as first-class mail in an envelope addressed to:

Assistant Commissioner for Trademarks
Attention: TTAB
2900 Crystal Drive
Arlington, Virginia 22202-3513

on October 19, 2004; and also certify that a true and complete copy of the ANSWER TO NOTICE OF OPPOSITION has been sent by first-class mail, postage prepaid, to:

Ms. Lynda E. Roesch
Dinsmore & Shohl LLP
1900 Chemed Center
255 East Fifth Street
Cincinnati, Ohio 45202



10-29-2004

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

on October 19, 2004.

Timothy A. Flory
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ANSWER TO NOTICE OF OPPOSITION

APPLICANT, HARBRO, LLC (“Applicant”), by its attorneys, for its Answer to the Notice of Opposition hereby alleges as follows, with each numbered paragraph responding to the correspondingly numbered paragraph of the Notice of Opposition.

1. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 1 of the Notice of Opposition.
2. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 1 of the Notice of Opposition.
3. Admitted as to the filing of an intent-to-use application to register the trademark, VEGAS, for playing cards, denied as to the filing date.

4. Denied.
5. Denied.
6. Denied.
7. Denied.

AFFIRMATIVE DEFENSES

First Affirmative Defense:

Opposer's Notice of Opposition fails to state a claim upon which relief may be granted.

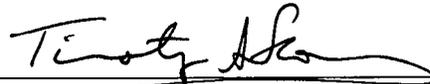
THEREFORE, the Opposition should be denied and a Notice of Allowance and Registration issued to Applicant. A duplicate copy of the Answer is enclosed. A further copy of this Answer has been served on counsel for Opposer.

Respectfully submitted,

HARBRO, LLC

By: VAN DYKE, GARDNER,
LINN & BURKHART, LLP

Dated: October 19, 2004



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ITS

Assistant Commissioner for Trademarks
Attention: TTAR

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