

ESTTA Tracking number: **ESTTA76558**

Filing date: **04/17/2006**

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

Proceeding	91170274
Party	Defendant Target Brands, Inc. Target Brands, Inc. TPS-3165 1000 Nicollet Mall Minneapolis, MN 55403
Correspondence Address	James R. Steffen Faegre & Benson LLP 2200 Wells Fargo Center 90 South Seventh Street Minneapolis, MN 55402
Submission	Answer
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Date	04/17/2006
Attachments	327501 Answer to Notice of Oppos.pdf (5 pages)(125031 bytes)

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

In the Matter of Application Serial No. 78/508,108
For the Mark: Bullseye Design
Filed: October 29, 2004
Published: November 22, 2005

CENTRAL MFG. INC.,)
a Delaware corporation,)
)
Opposer,)
)
v.)
)
TARGET BRANDS, INC., a Minnesota)
corporation,)
)
Applicant.)

Opposition No. 91170274

**ANSWER TO
NOTICE OF OPPOSITION**

For its Answer to the Notice of Opposition of Central Mfg. Inc. (“Opposer”), Target Brands, Inc. (“Target Brands”), a Minnesota corporation having its principal place of business at 1000 Nicollet Mall, Minneapolis, Minnesota 55403, answers and alleges as follows:

1. Except as hereinafter expressly admitted, qualified or otherwise answered, Target Brands denies each and every allegation, matter, statement and thing asserted in Opposer’s Notice of Opposition (the “Notice”).
2. Target Brands denies the allegations of paragraphs 1 and 2 of the Notice.
3. Target Brands is without knowledge or information sufficient to form a belief as to the truth of the allegations of the first sentence of paragraph 3 of the Notice. Target Brands denies the allegations of the second sentence of paragraph 3 of the Notice.
4. Target Brands denies the allegations of the first sentence of paragraph 4 of the Notice. Answering the allegations of the second sentence of paragraph 4 of the Notice, Target

Brands states that the subject application and Opposer's alleged registration speak for themselves.

5. Target Brands is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 5 of the Notice.

6. Target Brands denies the allegations of paragraphs 6 and 7 of the Notice.

7. Target Brands is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 8 of the Notice.

8. Target Brands denies the allegations of paragraph 9 of the Notice.

9. Target Brands denies the allegations of paragraph 10 of the Notice, except admits that a copy of a December 2, 2005 letter was attached to the Notice.

10. Target Brands denies the allegations of paragraphs 11, 12 and 13 of the Notice.

11. Answering the first sentence of paragraph 14 of the Notice, Target Brands states that the sentence contains no factual allegations requiring a response. Target Brands denies the allegations of the second sentence of paragraph 14 of the Notice.

12. Target Brands denies the allegations of paragraphs 15, 16, 17 and 18 of the Notice.

13. Target Brands is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 19 of the Notice.

14. Answering paragraph 20 of the Notice, Target Brands states that it did file a Petition to Cancel in now-dismissed Cancellation No. 92045336 on or about December 22, 2005 and that a copy of the Petition to Cancel was attached to the Notice.

15. Target Brands denies the allegations of paragraphs 21, 22 and 23 of the Notice.

16. Target Brands is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 24 of the Notice.

17. Target Brands denies the allegations of paragraphs 25, 26 and 27 of the Notice.

18. Target Brands is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 28 of the Notice.

19. Target Brands denies the allegations of paragraphs 29, 30 and 31 of the Notice.

20. Target Brands is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 32 of the Notice.

21. Target Brands denies the allegations of paragraphs 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51 and 52 of the Notice.

Affirmative Defenses

1. The Notice fails, in whole or in part, to state a claim upon which relief can be granted.

2. Opposer's claims are barred, in whole or in part, by unclean hands.

WHEREFORE, Target Brands prays that Opposer's Notice of Opposition be dismissed with prejudice and on the merits.

Consistent with Trademark Rule 2.18, please address all correspondence relating to the above-captioned opposition proceeding to:

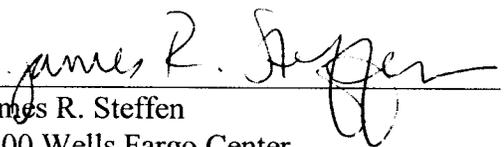
James R. Steffen
Faegre & Benson LLP
2200 Wells Fargo Center
90 South Seventh Street
Minneapolis, MN 55402
Telephone: (612) 766-7000
Facsimile: (612) 766-1600

No fees are seen to be due in connection with the filing of this Answer to Notice of Opposition; however, if it is determined that any such fees are due, the Commissioner may charge them to Deposit Account No. 06-0029.

Dated: April 17, 2006

FAEGRE & BENSON LLP,
as Attorneys for Applicant

By


James R. Steffen
2200 Wells Fargo Center
90 South Seventh Street
Minneapolis, Minnesota 55402
Telephone: (612) 766-7000
Facsimile: (612) 766-1600

CERTIFICATE OF SERVICE

I, Kim A. Dye, do hereby certify that a true and correct copy of the above and foregoing document has been forwarded by United States mail, first class, postage prepaid, to:

Leo Stoller
Central Mfg. Inc.
7115 W. North Avenue #272
Oak Park, IL 60302

as representative of Opposer, this 17th day of April, 2006.

Kim A. Dye

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