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

Proceeding	91177190 78/831,782
Party	Defendant The North-Eastern Band of Cherokee Indiansns
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06-21-2007

North-Eastern Band
of Cherokee Indians



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-or- (718)993-2062

13 June 2007

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

CHEROKEE NATION

V. Opposition Numbers: 91177190 & 91177191

NORTH-EASTERN BAND OF CHEROKEE INDIANS

HEREBY ANSWERS THE NOTICE OF OPPOSITION AS

FOLLOWS (AMENDED ANSWER)

1. ADMIT
2. ADMIT
3. ADMIT
4. ADMIT
5. DENY We North-Eastern Band of Cherokee Indians cannot

understand how the "Cherokee Nation, a federally recognized

Indian Tribe" could think that anyone will confuse or mistake the North-Eastern Band of Cherokee Indians mark with the unregistered mark of the "Cherokee Nation, a federally recognized Indian Tribe." However, to avoid any alleged confusion we will add the following disclaimer:

"The North-Eastern Band of Cherokee Indians cannot claim any benefits afforded state or federally recognized Indian Tribes.

Furthermore, the North-Eastern Band of Cherokee Indians is not in any way a satellite of, or in any way affiliated with the Cherokee Nation, Cherokee Nation Enterprises, L.L.C., Cherokee Casino Resort, Cherokee Hills Golf Club."

6. Our North-Eastern Band of Cherokee Indians mark does not "closely resemble Opposer's Cherokee Nation mark." Our mark states our location and that we are a Band, *not* a Nation. The only similar word is "Cherokee" and, as Cherokee descendants, we have every right to our Cherokee identity, even if we are *not* on the 1898-1914 Dawes Rolls, or the 1924 Baker Roll.
7. Our North-Eastern Band of Cherokee Indians mark does not "so closely resembles Opposer's Cherokee Nation mark...Applicant

will falsely suggest a connection with Opposer and its citizens...."

This is not true. All Cherokee descendants are not residing in Oklahoma or North Carolina. There are Cherokee descendants here in the northeast who left Cherokee lands to seek better economic opportunities. Many of us northeastern Cherokee descendants were not born on Cherokee lands. Many of us were born in urban areas. But it is still our birthright to identify with our ancestors no matter what our complexion—Red, Black, White, ect—and we do know our culture and we do speak, read, and write our Cherokee language.

8. We are not "misrepresentative of citizenship (membership)...and deceptive...." All of us are Cherokee descendants. Many of our ancestors are on the 13 various rolls that are not *accepted* by the 3 federally recognized Cherokee Tribes. Understanding this, we have banded together in these urban areas to keep the traditions of our Principle People alive.
9. The registration of our mark will not in any way cause the disrepute or cheapening of the mark of the "Cherokee Nation a federally recognized Indian Tribe." We will not cause the Cherokee Nation mark "irreparable damage and injury," and our Opposer has

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can see that our mark stands alone and separate in distinctiveness,
and represents ONLY the northeastern Cherokee descendants.

We North-Eastern Band of Cherokee Indians thank you for allowing
us to respond to this matter.

Respectfully submitted 15 May 2007

HANK OODAGGEE

UAKP OODAGGEE, DHEGEE JHBO
OBE-OAE JHOMAOY JGWY
Grey Wolf Richards, Wolf Clan
North-Eastern Band of Cherokee Indians

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cc: Anthony Jorgenson @ ajorgenson@hallestill.com