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

Proceeding	91185158
Party	Defendant VP Racing Fuels, Inc.
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Submission	Answer
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Date	08/11/2008
Attachments	Answ Notice Opposition.pdf (4 pages)(108683 bytes)

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

In the matter of trademark application Serial No. 77/264,145
Filed August 24, 2007
For the mark Q8
Class: 04

KUWAIT PETROLEUM CORPORATION,	§	
	§	
Opposer	§	
	§	
v.	§	Opposition No.
	§	
VP RACING FUELS, INC.,	§	
	§	
Applicant.	§	

ANSWER TO NOTICE OF OPPOSITION

VP Racing Fuels, Inc. (hereinafter “Applicant”) hereby answers the Notice of Opposition of Kuwait Petroleum Corporation (hereinafter “Opposer”) against the above-identified application.

1. Applicant admits the allegations of Paragraph 1 of the Notice of Opposition.
2. Applicant denies that Opposer has any “prior rights” in the mark Q8 (the “Mark”).

With respect to the remainder of the allegations in Paragraph 2 of the Notice of Opposition, such statements outside Applicant’s personal knowledge and/or ability to discover. Applicant therefore denies the same and demands strict proof thereof.

3. With respect to the allegations in Paragraph 3 of the Notice of Opposition, such statements are outside Applicant’s personal knowledge and/or ability to discover. Applicant therefore denies the same and demands strict proof thereof.

4. With respect to the allegations in Paragraph 3 of the Notice of Opposition, such statements are outside Applicant's personal knowledge and/or ability to discover. Applicant denies the allegations in Paragraph 4 in their entirety and demand strict proof thereof.

5. Applicant denies the allegations in Paragraph 5 in their entirety and demand strict proof thereof.

6. Applicant denies the allegations in Paragraph 6 in their entirety and demand strict proof thereof.

7. Applicant denies the allegations in Paragraph 7 in their entirety and demand strict proof thereof.

8. Applicant denies the allegations in Paragraph 8 in their entirety and demand strict proof thereof.

9. Applicant admits the allegations in Paragraph 9, but they are not relevant since Applicant does not need Opposer's consent or permission.

10. Applicant denies the allegations in Paragraph 10 in their entirety and demand strict proof thereof.

AFFIRMATIVE DEFENSES

1. Applicant affirmatively asserts that Opposer has failed to state a claim upon which relief can be granted.

PRAYER.

Accordingly, Applicant contends that this opposition is groundless and baseless in fact; that Opposer has not shown wherein it will be, or is likely to be, damaged by the registration of Applicant's trademark.

CERTIFICATE OF SERVICE

This is to certify that on this 11th day of August, 2008, a true and correct copy of the foregoing was served upon counsel for Opposer, Kuwait Petroleum Corporation, Frederick W. Meyers, LADAS & PARRY, 224 South Michigan Avenue, Suite 1600, Chicago, Illinois 60604, by certified mail, and to the United States Patent and Trademark Office before the Trial and Appeal Board, via electronic transmission.

/s/ William B. Nash

William B. Nash

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