

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

77 219055

In the Matter of Opposition No. 91186154

Top Gun Intellectual Properties, LLC
Opposer

v.

United IP, LLC
Applicant

Trademark Trial and Appeal Board
PO Box 1451
Alexandria, VA 22313-1451

ANSWER

United IP, LLC, applicant for the TOP GUN mark in IC 028 (Application Serial No. 77219055), asserts that the Notice of Opposition filed by Top Gun Intellectual Properties, LLC is without merit, and requests immediate registration of the mark.

In regards to the specific grounds of opposition raised by Top Gun Intellectual Properties, LLC, United IP, LLC answers as follows:

1. Opposer is the applicant of Application Serial No. 77/229,573, filed July 13, 2007...

United IP, LLC admits Claim 1.

2. Opposer and/or its predecessor in interest has used the TOP GUN trademark in...

United IP, LLC is without knowledge or information sufficient to form a belief as to the validity of Claim 2.

3. The subject application, for the identical mark, was cited against Opposer's ...

United IP, LLC is without knowledge or information sufficient to form a belief as to the validity of Claim 3.



10-17-2008

4. *Further, Opposer is the exclusive licensee of U.S. Registration No. 3,292,277...*

United IP, LLC is without knowledge or information sufficient to form a belief as to the validity of all of Claim 4.

Further, United IP, LLC is the owner of the TOP GUN mark in IC 012, for "Vehicle truck parts" with a filing date of July 26, 2005, and a registration date of May 8, 2007.

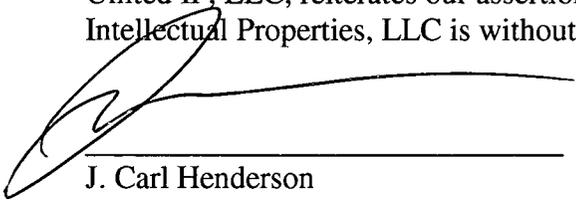
5. *Opposer will therefore be damaged by allowance of the subject application for...*

United IP, LLC denies Claim 5.

6. *Further, registration of the TOP GUN mark by Applicant will likely cause confusion...*

United IP, LLC denies Claim 6.

United IP, LLC, reiterates our assertion that the Notice of Opposition filed by Top Gun Intellectual Properties, LLC is without merit.



J. Carl Henderson
Director of Legal Affairs
United IP, LLC

10-13-08
Date

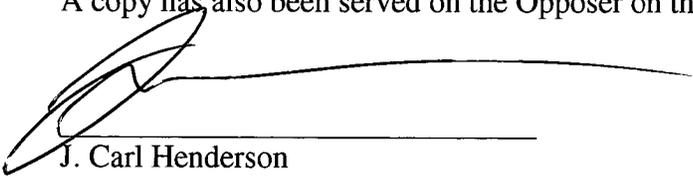
CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Certified Mail in an envelope addressed to:

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on October 14th, 2008.

A copy has also been served on the Opposer on the same date via Certified Mail.



J. Carl Henderson
Director of Legal Affairs
United IP, LLC

*Please note that the deadline of October 13th, 2008 fell on Columbus Day, a federal holiday.