

ESTTA Tracking number: **ESTTA322788**

Filing date: **12/17/2009**

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

Proceeding	91187847
Party	Defendant Christine Machleit, and Matilda Beeler
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Date	12/17/2009
Attachments	TTAB14.pdf ( 1 page )(129081 bytes ) TTAB15.pdf ( 1 page )(126173 bytes ) TTAB16.pdf ( 1 page )(88910 bytes )

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

CHRISTINE MACHLEIT and  
MATILDA BEELER

Applicants,

Opposition No. 91187847

v.

THE SUSAN G. KOMEN BREAST  
CANCER FOUNDATION, INC.

OPPOSER.

**APPLICANT'S ANSWERS TO FIRST REQUESTS FOR ADMISSIONS**

Christine Machleit and Matilda Beeler, Applicants in the above referenced matter hereby provide responses to the opposers counsel, Dace A. Caldwell, Gibson, Dunn & Crutcher LLP, 1050 Connecticut Avenue, N.W., Washington, D.C. 20036-5306.

**REQUEST FOR ADMISSION NO. 1, ANSWER:**

Applicants deny any knowledge of the ownership or use of the mark, RACE FOR THE CURE in connection with our Time For A Cure logo application for trademark.

**REQUEST FOR ADMISSION NO. 2, ANSWER:**

We deny that there is a likelihood of confusion that the general public and others familiar with the opposers as the applicants application for trademark is used only in conjunction with a graphic design which is not only unique in the design but is in no way resembles any of the opposers designs. The actual wording Time For A Cure is not owned by the opposers. The wording is or has only been used in connection with other words such as: Play For A Cure, trademark owned by opposer. Opposers has never

used only the wording "Time For A Cure" to our knowledge.

**REQUEST FOR ADMISSION NO. 3, ANSWER:**

Deny once again the likelihood of confusion and opposer to our knowledge has not used the wording alone in any instance.

**REQUEST FOR ADMISSION NO. 4, ANSWER:**

Applicants are not experts in determining whether or not the mark alone is famous and if it was or was not famous prior to our application.

**REQUEST FOR ADMISSION NO. 5, ANSWER:**

Applicants are not experts in determining what would be famous and if it was or was not famous prior to our application.

**REQUEST FOR ADMISSION NO. 6, ANSWER:**

Applicants admit after opposers opposition that it appears that opposers use of RACE FOR THE CURE is used in connection with the name Susan G. Komen Race For The Cure, deny any knowledge of use of the wording FOR A CURE.

**REQUEST FOR ADMISSION NO. 7, ANSWER:**

Applicants admit after opposers opposition that it appears that opposers use of RACE FOR THE CURE is used in connection with the name Susan G. Komen Race For the Cure, deny any knowledge of use of the wording FOR A CURE.

**REQUEST FOR ADMISSION NO. 8, ANSWER:**

Applicants are not experts in determining famous trademarks therefore we deny.

**REQUEST FOR ADMISSION NO. 9, ANSWER:**

Applicants are not experts in determining famous trademarks therefore we deny.

Opposition No. 91187847

Respectfully submitted,

Christine Machleit  
19931 Heartwood Drive  
Perris, California 92570  
Telephone: 626/825-9303  
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**CERTIFICATE OF SERVICE**

The undersigned certifies that a true and correct copy of the foregoing Request For Admissions answers was sent to opposers counsel:

Dace A. Caldwell, Esq.  
Gibson, Dunn & Crutcher LLP  
1050 Connecticut Avenue, N.W.  
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