

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

IN THE MATTER OF APPLICATION

Mark :PEP51
 Applicant :Bryce Kaneta-Ogata d/b/a BKO Enterprises
 Serial No. :77/511,291
 Filed :June 30, 2008
 Published :November 25, 2008

Opposition No. :91188399
 Filed :January 14, 2009

_____	x
	:
PEPSICO, INC.,	:
	:
Opposer,	:
	:
v.	:
	:
BRYCE KANETA-OGATA	:
	:
Applicant.	:
_____	x

NOTICE OF ANSWER

Applicant, Bryce Kaneta-Ogata d/b/a BKO Enterprises ("Applicant"), has received a Notice of Opposition, Opposition No. 91188399 with tracking ESTTA260563, filed on January 14, 2009 by PepsiCo, Inc. (hereinafter "Opposer") for the registration of Serial No. 77/511,291 filed on June 30, 2008, a service mark defined by Class 039 as "on-line computer services for storing content items selected by users from Internet web pages" published in the Official Gazette on November 25, 2008.

The specific grounds for this Notice of Answer to the Opposer are in the same numbered sequence as found in the Notice of Opposition, and are as follows:

1. The Applicant is without sufficient knowledge or information on which to form a belief as to the truth of the allegations, therefore the applicant must deny the allegations set forth by the first paragraph.
2. The Applicant is without sufficient knowledge or information on which to form a belief as to



03-13-2009

the truth of the allegations, therefore the applicant must deny the allegations set forth by the second paragraph.

3. The Applicant is without sufficient knowledge or information on which to form a belief as to the truth of the allegations, therefore the applicant must deny the allegations set forth by the third paragraph.

4. The Applicant is without sufficient knowledge or information on which to form a belief as to the truth of the allegations, therefore the applicant must deny the allegations set forth by the fourth paragraph.

5. The Applicant is without sufficient knowledge or information on which to form a belief as to the truth of the allegations, therefore the applicant must deny the allegations set forth by the fifth paragraph.

6. The Applicant is without sufficient knowledge or information on which to form a belief as to the truth of the allegations, therefore the applicant must deny the allegations set forth by the sixth paragraph.

7. The Applicant is without sufficient knowledge or information on which to form a belief as to the truth of the allegations, therefore the applicant must deny the allegations set forth by the seventh paragraph.

8. The Applicant is without sufficient knowledge or information on which to form a belief as to the truth of the allegations, therefore the applicant must deny the allegations set forth by the eighth paragraph.

9. The Applicant admits the allegations set forth by the ninth paragraph.

10. The Applicant admits the allegations set forth by the tenth paragraph.

11. The Applicant is without sufficient knowledge or information on which to form a belief as to the truth of the allegations, therefore the applicant must deny the allegations set forth by the eleventh paragraph.

12. The Applicant is without sufficient knowledge or information on which to form a belief as to the truth of the allegations, therefore the applicant must deny the allegations set forth by the twelfth paragraph.

13. The Applicant admits the allegations set forth by the thirteenth paragraph.

14. The Applicant denies the allegations set forth by the fourteenth paragraph.

15. The Applicant denies the allegations set forth by the fifteenth paragraph.

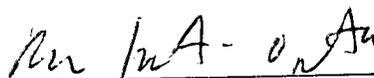
16. The Applicant denies the allegations set forth by the sixteenth paragraph.
17. The Applicant denies the allegations set forth by the seventeenth paragraph.
18. The Applicant denies the allegations set forth by the eighteenth paragraph.
19. The Applicant denies the allegations set forth by the nineteenth paragraph.
20. The Applicant denies the allegations set forth by the twentieth paragraph.

WHEREFORE, the Applicant would like the Board to proceed with the registration of Serial No. 77/511,291.

Respectfully submitted,

Dated: March 09, 2009

By:



Bryce Kaneta-Ogata
336 Uilama Place
Hilo, HI 96720
(808) 936-0627

Attorney for Applicant,
d/b/a BKO Enterprises

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing, NOTICE OF ANSWER, was served on the Opposer via United States Postal Service, in an envelope with sufficient postage addressed to:

Paul J. Reilly
Baker Botts LLP
30 Rockefeller Plaza, 44th Fl.
New York, NY 10112

On March 09, 2009

By: *Bryce Kaneta-Ogata*
Bryce Kaneta-Ogata