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

Proceeding	91190164
Party	Defendant Shugart, John
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Submission	Answer
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Date	06/17/2009
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
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STUSSY, INC.,

v.

JOHN SHUGART,

Opposition No. 91190164

Serial No. 77626926

ANSWER TO OPPOSITION

1. False. Description of the Serial No. 77626926 mark is the letter "S" and a reverse letter "S".
2. False. Opposer's "SS Link Mark" (registration # 2343524) consists of 3 letters "SSO", not 2 letter "SS" as Applicants. Opposer's mark consists, in part, of a stylized drawing of the letters "S" and "S" within an "O" circle. Opposer's additional mark (registration #2225736) also consists of a 3-letter design within a circle. Design (registration # 2450864) describes circles as carriers or as single line borders. Design (registration # 2883904) also uses circles that are totally or partially shaded in it's design. Opposer's mark consisting of the letters "SS" without a circle (registration #3618692) has overlapped letters, not the second letter reverse "S", which stylizes John Shugart's heart-shaped artistic mark.
3. True.
4. False. Opposer's SS Link is not Applicants mark; therefore priority is not defined by

Opposer's mark.

5. No sufficient information.
6. False. Marks of Applicant and Opposer are not identical.
7. False. Opposers mark(s) are not confusingly nor substantially similar to John Shugart's mark.
8. False. Use by Applicant of Applicants Mark will not be likely to cause confusion, mistake, or deception with Opposer's Link Mark(s), nor will the John Shugart's Mark injure the reputation that Opposer has established for its products merchandised under Opposer's Link Mark(s).
9. False.
10. False.
11. False.
12. False.
13. False.

14. (Mistake, there are 2 #13 listed on Opposer's grounds for opposition). Applicant has good faith intention to make trademark use of his Mark on each and every one of the goods listed in the notice of publication.



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John Shugart

Applicant of Serial No. 77626926

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**Certificate of Service**

The undersigned hereby certifies that a copy of this U.S. Patent and Trademark Office's Answer to Opposition No. 91190164 has been served to John R. Sommer, Attorney for Petitioner Stussy, Inc., at the address 17426 Dailier Street, Irvine, California 92614, by First Class Mail on this date: 6/17/2009.



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 John Shugart

Defendant of Serial No. 77626926

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