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

Proceeding	91190878
Party	Defendant Undisputed International LLC
Correspondence Address	Andrew N. Spivak Mosaic Legal Group, PLLC 2001 Twelfth Street, N.W., Suite 117 Washington, DC 20009 UNITED STATES aspivak@mosaiclegalgroup.com
Submission	Answer
Filer's Name	Andrew N. Spivak
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Signature	/Andrew N. Spivak/
Date	12/21/2009
Attachments	JOHN L. SULLIVAN - Amended Answer to Notice of Opposition.pdf (4 pages) (38145 bytes)

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

Center Cut Hospitality, Inc.)	Opposition No. 91/190,878
)	
Opposer,)	Mark: JOHN L. SULLIVAN
)	App. No.: 77/570,821
v.)	
)	
Undisputed International LLC)	
)	
Applicant.)	
)	

ANSWER TO AMENDED NOTICE OF OPPOSITION

Applicant, Undisputed International LLC (“Applicant”), by and through its undersigned counsel, hereby submits its Answer to the Notice of Opposition filed by Opposer Center Cut Hospitality, Inc. (“Opposer”) by reference to the numbered paragraphs of the Notice of Opposition.

1. Admitted.
2. Applicant is without sufficient knowledge or information to form a belief as to the truth of the allegations of paragraph 2 and therefore denies them.
3. Applicant denies that there are multiple Opposers. Applicant admits that the registration numbers reflect the corresponding marks and goods/services. Applicant is without sufficient knowledge or information to form a belief as to the truth of the remainder of the allegations of paragraph 3 and therefore denies them.
4. Applicant denies that there are multiple Opposers. Applicant is without sufficient knowledge or information to form a belief as to the truth of the remainder of the allegations of paragraph 4 and therefore denies them.
5. Denied.
6. Denied. In addition, Applicant’s mark consists of two words and an initial and is therefore not primarily merely a surname.
7. Applicant is without sufficient knowledge or information to form a belief as to the truth of the allegations of paragraph 7, sentence 1 and therefore denies them. Applicant admits

the allegations of paragraph 7, sentence 2 that it intends to use its mark on hats and t-shirts. Applicant denies the remainder of the allegations of paragraph 7.

8. Applicant denies that it provides services. Applicant also denies the remainder of the allegations of paragraph 8.

9. Applicant admits that registration of its mark would give Applicant a *prima facie* exclusive right to use that mark. Applicant denies the remainder of the allegations of paragraph 9.

10. Denied.

11. Applicant is without sufficient knowledge or information to form a belief as to the truth of the allegations of paragraph 11 and therefore denies them.

AFFIRMATIVE DEFENSES

1. Applicant's Mark is not primarily merely a surname as claimed in Notice of Opposition paragraph 6.

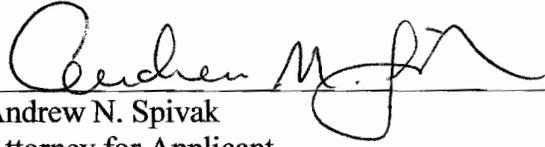
WHEREFORE, Applicant prays:

1. That Opposer's Notice of Opposition is dismissed with prejudice;
2. That a Notice of Allowance issue on Applicant's application; and
3. That the Board grant Applicant any and all such further relief as may be appropriate.

[Signature line on next page]

Respectfully submitted,

Dated: December 21, 2009

By: 
Andrew N. Spivak
Attorney for Applicant

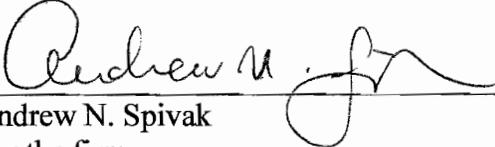
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CERTIFICATE OF SERVICE

I, Andrew N. Spivak, one of the Attorneys for Applicant, hereby certify that on this 21st day of December, 2009, a true a correct copy of the foregoing ANSWER TO NOTICE OF OPPOSITION was served via first class mail, postage prepaid upon:

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