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Filing date: **04/23/2012**

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

| | |
|------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Proceeding | 91201238 |
| Party | Defendant Topspin-IDS Acquisition, LLC |
| Correspondence Address | PETER M BRODY ROPES & GRAY LLP ONE METRO CENTER, 700 12TH ST NW STE 900 WASHINGTON, DC 20005 UNITED STATES trademarks@ropesgray.com, peter.brody@ropesgray.com |
| Submission | Answer |
| Filer's Name | Peter M. Brody |
| Filer's e-mail | trademarks@ropesgray.com |
| Signature | /Peter M Brody/ |
| Date | 04/23/2012 |
| Attachments | 001 New Whey Answer.pdf (4 pages)(39354 bytes) |

identified in paragraph 4 of the Opposition and avers that the registrations speak for themselves.

5. New Whey Nutrition lacks knowledge or information sufficient to form a belief as to the truth of the facts alleged in paragraph 5 of the Opposition.

6. New Whey Nutrition admits that the registrations listed in paragraph 6 of the Opposition have been registered for at least five years but lacks knowledge or information sufficient to form a belief as to the remaining allegations of paragraph 6.

7. New Whey Nutrition lacks knowledge or information sufficient to form a belief as to the truth of the facts alleged in paragraph 7 of the Opposition.

8. New Whey Nutrition lacks knowledge or information sufficient to form a belief as to the truth of the facts alleged in paragraph 8 of the Opposition.

9. New Way Nutrition lacks knowledge or information sufficient to form a belief as to the truth of the facts alleged in paragraph 9 of the Opposition.

10. New Whey Nutrition denies the allegations of paragraph 10 of the Opposition.

11. New Whey Nutrition denies the allegations of paragraph 11 of the Opposition.

12. New Whey Nutrition denies the allegations of paragraph 12 of the Opposition.

13. New Whey Nutrition denies the allegations of paragraph 13 of the Opposition.

14. New Whey Nutrition denies the allegations of paragraph 14 of the Opposition.

15. New Whey Nutrition denies the allegations of paragraph 15 of the Opposition.

Dated: April 23, 2012

Respectfully submitted,

/s/ Peter M. Brody
Peter M. Brody
ROPES & GRAY LLP
One Metro Center
700 12th Street NW, Suite 900
Washington, DC 20005
(202) 508-4600
(202) 508-4650 (Facsimile)
peter.brody@ropesgray.com

Medha D. Makhlouf
ROPES & GRAY LLP
800 Boylston St.
Boston, MA 02199
(617) 951-7000
(617) 951-7050 (Facsimile)
medha.makhlouf@ropesgray.com

Attorneys for Applicant

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

Neways, Inc.,
Opposer,

v.

Topspin-IDS Acquisition, LLC,
Applicant

Opposition # 91201238

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing Answer has been served on John C. Stringham, counsel for Opposer, by mailing said copy on April 23, 2012, via E-mail to:

John C. Stringham
WORKMAN NYDEGGER
1000 Eagle Gate Tower
60 East South Temple
Salt Lake City, UT 84111
JStringham@WNLaw.com


John Swan
ROPES & GRAY LLP