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

Proceeding	91202053
Party	Defendant Stack, Richard Lynn
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Submission	Other Motions/Papers
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Date	11/22/2011
Attachments	Amended Answer to Opposition to Moonsicle 11 22 11.pdf (3 pages)(67917 bytes)

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

In The Matter of Application Serial No. 85260834

Mark: MOONSICLE

Published: September 27, 2011

Unilever Supply Chain, Inc.

Opposer

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v.

Opposition No. 91202053

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Richard Lynn Stack, d/b/a

The Moonsicle Company

Applicant

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Amended Answer To Notice Of Opposition

Applicant, Richard Lynn Stack, d/b/a The Moonsicle Company, files this Amended Answer To Notice Of Opposition by Unilever Supply Chain, Inc., and respectfully represents as follows:

1. That he has no information as to the representations contained in Paragraphs No. 1., 2., 3., 4., 5., 6., 7., 8., 9., 16., 18., but demands strict proof thereof.
2. That he admits the representations contained in Paragraphs No. 10., 11., 12., and 13.
3. That he denies the representations contained in Paragraphs No. 14., 15., and 19.
4. That he admits the representation in Paragraph No. 17. as to the identical nature of the SICLE designation in the respective marks, but denies the existence of opposer's self-styled "SICLE Family of Marks".

5. That he has no information as to the representations of Opposer's beliefs contained in Paragraph No. 20., but denies that Opposer will be damaged by registration of Applicant's MOONSICLE designation.
6. That he has no information as to the representations of Opposer's beliefs contained in Paragraph No. 21., but denies that registration of Applicant's MOONSICLE designation is likely to dilute any distinctive quality of Opposer's self-styled "famous SICLE Family of Marks."
7. That he has no information as to the representations of Opposer's beliefs contained in Paragraph No. 22., but denies that registration of Applicant's MOONSICLE designation is likely damage Opposer, or harm the reputation of Opposer's self-styled "famous SICLE Family of Marks."
8. Further answering, Applicant maintains there there is no confusion of the MOONSICLE designation with Opposer's marks, nor is there a likelihood of confusion.

Wherefore, Applicant prays that the opposition to the registration of his mark, MOONSICLE, be dismissed.

Dated: November 22, 2011

/Richard Lynn Stack/

Richard Lynn Stack
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Linthicum Heights, MD 21090
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Applicant Pro Se

I hereby certify that this correspondence is being filed by electronic transmission in the United States Patent and Trademark Office, Trademark Trial and Appeal Board, on the date below shown.

/Richard Lynn Stack/

Richard Lynn Stack

Dated: November 22, 2011

Certificate of Service

I hereby certify that on November 22, 2011, I mailed by first-class mail, postage prepaid, a copy of the foregoing Amended Notice Of Opposition to Mitchell A. Frank, Esquire, attorney for Opposer, c/o Duane Morris LLP, at 1540 Broadway, New York NY 10036 – 4086.

/Richard Lynn Stack/

Richard Lynn Stack

Certificate of Service

I hereby certify that on November 22, 2011, I mailed by first-class mail, postage prepaid, a copy of the foregoing Amended Notice Of Opposition to Conopco, Inc., 800 Sylvan Avenue, Englewood Cliffs NJ 07632.

/Richard Lynn Stack/

Richard Lynn Stack