

ESTTA Tracking number: **ESTTA466621**

Filing date: **04/11/2012**

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

Proceeding	91204259
Party	Defendant Valhalla Game Studios Co. Ltd., Valhalla Game Studios Co., Ltd.
Correspondence Address	MARVIN GELFAND WEISSMANN WOLFF BERGMAN COLEMAN GRODIN & 9665 WILSHIRE BLVD FL 9 BEVERLY HILLS, CA 90212-2316  mgelfand@wwllp.com
Submission	Answer
Filer's Name	Marvin Gelfand, Esq.
Filer's e-mail	mgelfand@wwllp.com, dmoreno@wwllp.com
Signature	/marvingelfand/
Date	04/11/2012
Attachments	Answer 77948895.pdf ( 4 pages )(147932 bytes )

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

VALHALLA MOTION PICTURES,  
INC.,

Opposer,

Opposition No. 91204259

v.

VALHALLA GAME STUDIOS CO.  
LTD.,,

Applicant.

**ANSWER TO NOTICE OF OPPOSITION**

Applicant, Valhalla Game Studios Co., Ltd., in answer to the Notice of Opposition, states that he does not believe that Opposer will be damaged by the registration of the trademark subject of application serial number 77/948,895 for the mark VALHALLA GAMES STUDIOS and Design for computer game programs; computer game software; computer software, namely, game engine software for video game development and operation; video game software, design and development of computer game software and virtual reality software, positionable toy figures, toy action figures; printed materials, namely, novels and series of fiction books and short stories featuring scenes and characters based on video games; series of computer game hint books. Applicant further answers the Notice of Opposition with respect to each numbered paragraph as follows:

1. Applicant has insufficient knowledge of the allegations in paragraph 1 of the Notice of Opposition to form a belief as to the truth or falsity of whether Opposer has been using the trademark VALHALLA MOTION PICTURES, VALHALLA ENTERTAINMENT or VALHALLA TELEVISION

continuously since 1997, and therefore denies the same.

2. Applicant admits the allegation in paragraph 2 of the Notice of Opposition in that it is a Japanese corporation with its principal place of business at 1-3-2 Tsukishima Chuo-Ku, Tsukugon Building 2F, Tokyo, JAPAN 104-0052 and that it filed trademark application Serial No. 77/948,895. However, Applicant states that the exact description of the goods and services are computer game programs; computer game software; computer software, namely, game engine software for video game development and operation; video game software, design and development of computer game software and virtual reality software, positionable toy figures, toy action figures; printed materials, namely, novels and series of fiction books and short stories featuring scenes and characters based on video games; series of computer game hint books. Applicant denies any allegation that VALHALLA GAME STUDIOS and Design is an "Infringing Mark."

3. Applicant denies the allegations in paragraph 3 of Opposer's Notice of Opposition.

4. Applicant has insufficient knowledge of the allegations in paragraph 4 of the Notice of Opposition to form a belief as to the truth or falsity of the allegations, and therefore denies the same.

5. Applicant denies the allegations in paragraph 5 of Opposer's Notice of Opposition.

6. Applicant admits the allegations in paragraph 6 of the Notice of Opposition in that Opposer has never authorized Applicant to use the mark. Applicant denies that its mark is an infringing mark or that it needed authorization from Opposer to use the mark.

7. Applicant denies the allegations in paragraph 7 of Opposer's Notice of Opposition.

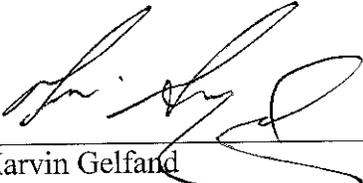
WHEREFORE, Applicant respectfully requests this Honorable Board to dismiss the Opposition and to allow the application here opposed to proceed to registration.

DATED: April 11, 2012

Respectfully submitted,

WEISSMANN WOLFF BERGMAN  
COLEMAN GRODIN & EVALL LLP

By:

  
\_\_\_\_\_  
Marvin Gelfand  
9665 Wilshire Boulevard, Ninth Floor  
Beverly Hills, California 90212  
Tel: (310) 860-3325  
Fax: (310) 550-7191  
[mgelfand@wwllp.com](mailto:mgelfand@wwllp.com)

Attorneys for Applicant  
VALHALLA GAME STUDIOS CO. LTD.

**CERTIFICATE OF SERVICE**

I hereby certify that a true and complete copy of the foregoing **APPLICANT'S ANSWER TO NOTICE OF OPPOSITION** has been served on the attorney for Opposer by mailing said copy on April 11, 2012, via First Class Mail, postage prepaid to::

Ruhi Kumar  
GRACE+GRACE LLP  
444 S. Flower Street, Suite 1650  
Los Angeles, CA 90071  
Tel.: (213) 452-1220  
Fax: (213) 452-1222  
Email: rkumar@gracelaw.com

Dated: April 11, 2012

  
\_\_\_\_\_  
Denise A. Moreno

**CERTIFICATE OF TRANSMISSION**

I hereby certify that an original copy of the foregoing Answer to Notice of Opposition was transmitted online on this 11<sup>th</sup> day of April, 2012 through the ESTTA page on the website of the Trademark Trial and Appeal Board of the United States Patent and Trademark Office.

Dated: April 11, 2012

  
\_\_\_\_\_  
Denise A. Moreno