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Filing date: **05/13/2013**

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

Proceeding	91205331
Party	Defendant Kerry Earnhardt, Inc.
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Submission	Answer
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Signature	/Suzanne Warfield/
Date	05/13/2013
Attachments	Appl's Response to Opp's Re-Filed Motion for Leave to Amend Notices of Opposition.pdf(57356 bytes)

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

TERESA H. EARNHARDT,

Opposer,

v.

KERRY EARNHARDT, INC.,

Applicant.

Opposition No.: 91205331 (parent)

Application Serial No. 85/383,910

Trademark: EARNHARDT COLLECTION
(Intl. Class 20)

TERESA H. EARNHARDT,

Opposer,

v.

KERRY EARNHARDT, INC.,

Applicant.

Opposition No.: 91205338

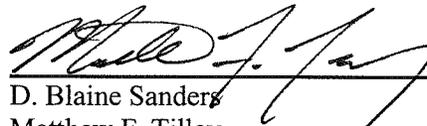
Application Serial No. 85/391,456

Service Mark: EARNHARDT COLLECTION
(Intl. Class 37)

**APPLICANT'S RESPONSE TO OPPOSER'S RE-FILED MOTION
FOR LEAVE TO AMEND NOTICES OF OPPOSITION**

Applicant Kerry Earnhardt, Inc. ("KEI") hereby responds to the Motion for Leave to Amend Notices of Opposition (the "Motion to Amend"), which Opposer Teresa H. Earnhardt on served on March 11, 2013, and "re-filed" on April 23, 2013, pursuant to the Board's order, and states that KEI does not oppose the Motion to Amend.

This 13th day of May, 2013.



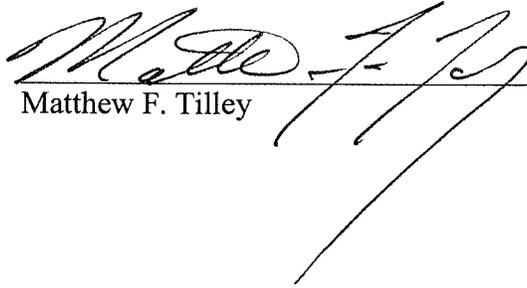
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Attorneys for Kerry Earnhardt, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing **APPLICANT'S RESPONSE TO OPPOSER'S RE-FILED MOTION FOR LEAVE TO AMEND NOTICES OF OPPOSITION** has been served upon the party listed below by depositing same in the United States mail, postage prepaid, in an envelope(s) addressed as follows:

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Carla H. Clements
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This 13th day of May, 2013


Matthew F. Tilley