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

Proceeding	91212024
Party	Defendant Brooks Entertainment Inc.
Correspondence Address	BROOKS ENTERTAINMENT INC. BROOKS ENTERTAINMENT INC. PO BOX 181205 CORONADO, CA 92178-1205 taxshelterpro@aol.com
Submission	Answer
Filer's Name	Richard B. Jefferson, Esq.
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Date	09/20/2013
Attachments	TTABAnswer (91212024).pdf(75371 bytes)

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

Opposition No.: 91212024

In the matter of trademark application Serial No. 85551808

For the mark: "S.O.B."

Filed on: February 24, 2012

Published in the Official Gazette on: July 23, 2013

REPUBLIC TECHNOLOGIES (NA), LLC

Opposer,

v.

BROOKS ENTERTAINMENT, INC.

Applicant.

ANSWER TO NOTICE OF OPPOSITION

Answering Party

Brooks Entertainment, Inc.
c/o M.E.T.A.L. LAW GROUP, LLP
5757 Wilshire Boulevard, Penthouse 3
Los Angeles, CA 90036
Attn: Richard B. Jefferson, Esq.

COMES NOW applicant Brooks Entertainment, Inc. ("Brooks"), and herewith answers the above-indicated opposition ("Opposition") brought by Republic Technologies (NA), LLC ("Opposer") as follows:

1. Brooks does not have the information to admit or deny Opposer's statement.

2. Brooks does not have the information to admit or deny Opposer's statement.

3. Brooks does not have the information to admit or deny Opposer's statement.

4. Brooks does not have the information to admit or deny Opposer's statement.

5. Admit.

6. Admit.

7. Deny.

AFFIRMATIVE DEFENSES, AVOIDANCES, AND ARGUMENTS

1. FOR A FURTHER, SEPARATE AND DISTINCT DEFENSE, Brooks alleges the Opposition and each allegation contained therein, fails to state facts sufficient to constitute a claim upon which relief can be granted.

2. FOR A FURTHER, SEPARATE AND DISTINCT DEFENSE, Brooks is informed and believes, and thereupon alleges, that the Opposition was filed without merit and for improper reasons, namely to hinder Brooks' business.

3. FOR A FURTHER, SEPARATE AND DISTINCT DEFENSE, Brooks is informed and believes, and thereupon alleges, that the Opposition is a frivolous matter.

4. FOR A FURTHER, SEPARATE AND DISTINCT DEFENSE, Brooks is informed and believes, and thereupon alleges, that Opposer is barred from any recovery sought in the Opposition because Brooks' mark is not confusingly similar to Opposer's registered trademarks.

5. FOR A FURTHER, SEPARATE AND DISTINCT DEFENSE, Brooks is informed and believes, and thereupon alleges, that Opposer is barred from any recovery

sought in the Opposition because there is no likelihood of confusion between Brooks' mark and Opposer's registered trademarks.

6. Brooks is informed and believes, and thereupon alleges, that it may have additional defenses not currently available and that may be available after completion of discovery and therefore reserve the right to set forth additional defenses as information becomes available.

WHEREFORE, Brooks prays that this Board deny Opposer's Notice of Opposition and dismiss the same with prejudice.

Dated: September 20, 2013

Respectfully submitted,

M.E.T.A.L. LAW GROUP, LLP
Attorneys for Brooks Entertainment, Inc.,
"Brooks"

By: /Richard B. Jefferson/
Richard B. Jefferson, Esq.

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CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing ANSWER TO NOTICE OF OPPOSITION was served via U.S. Mail, postage prepaid, on this 20th day of September 2013, upon the attorney of record for Opposer:

Antony J. McShane
Neal, Gerber & Eisenberg, LLP
2 North LaSalle Street, Suite 1700
Chicago, Illinois 60602

By: /Richard B. Jefferson/
Richard B. Jefferson