

ESTTA Tracking number: **ESTTA609442**

Filing date: **06/11/2014**

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

Proceeding	91216184
Party	Defendant Peter Lik IP Holdings, LLC
Correspondence Address	JOHN L. KRIEGER LEWIS ROCA ROTHGERBER LLP 3993 HOWARD HUGHES PKWY STE 600 LAS VEGAS, NV 89169-5996  TRADEMARKS-LASVEGAS@LRRLAW.COM
Submission	Answer
Filer's Name	John L. Krieger
Filer's e-mail	TRADEMARKS@GORDONSILVER.COM, jkrieger@gordonsilver.com
Signature	/John L. Krieger/
Date	06/11/2014
Attachments	anser to oppo.pdf(18933 bytes )

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

In the matter of Trademark Application Ser. No. 86/141,259  
Published in the Official Gazette (Trademarks) on April 22, 2014  
Trademark: REBEL FORGED

Forged Threadworks, Inc.

Opposer,

v.

Peter Lik Holdings, LLC

Applicant.

**OPPOSITION NO. 91216184**

United States Patent and Trademark Office  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451

**ANSWER TO NOTICE OF OPPOSITION**

Peter Lik Holdings, LLC (“Applicant”), owner of the Federal Trademark Application Serial No. 86/141,259 (“Application”) for the mark REBEL FORGED (“Applicant’s Mark”), by and through counsel, Gordon Silver, answers the allegations set forth in the Notice of Opposition filed on May 2, 2014 by Forged Threadworks, Inc. (“Opposer”) as follows:

1. Answering paragraph 1 of Opposer’s Notice of Opposition, Applicant lacks sufficient information or knowledge to support a belief as to the actual truth or falsity of the allegations contained therein, and therefore, Applicant can neither admit nor deny the paragraph as written. As to any response required, Applicant specifically and generally denies the allegations contained therein.

2. Answering paragraph 2 of Opposer’s Notice of Opposition, Applicant admits that Unites States Registration Nos., 3,709,273 and 3,732,401 indicate that Opposer is the record owner, but Applicant lacks sufficient information or knowledge to support a belief as to the

actual truth or falsity of the allegations contained therein, and therefore, Applicant can neither admit nor deny the paragraph as written. As to any response required, Applicant specifically and generally denies the allegations contained therein.

3. Answering paragraph 3 of Opposer's Notice of Opposition, Applicant lacks sufficient information or knowledge to support a belief as to the actual truth or falsity of the allegations contained therein, and therefore, Applicant can neither admit nor deny the paragraph as written. As to any response required, Applicant specifically and generally denies the allegations contained therein.

4. Answering paragraph 4 of Opposer's Notice of Opposition, Applicant admits each and every allegation contained therein.

5. Answering paragraph 5 of Opposer's Notice of Opposition, Applicant admits that it has not yet claimed a date of first use of Applicant's Mark. As to Opposer's allegation that it has priority rights in the FORGED trademark superior to those of Applicant, Applicant denies that allegation. As to the remaining allegations contained therein, Applicant lacks sufficient information or knowledge to support a belief as to the actual truth or falsity of the allegations contained therein, and therefore, Applicant can neither admit nor deny the paragraph as written. As to any response required, Applicant specifically and generally denies the allegations contained therein.

6. Answering paragraph 6 of Opposer's Notice of Opposition, Applicant denies each and every allegation contained therein.

7. Answering paragraph 7 of Opposer's Notice of Opposition, Applicant denies each and every allegation contained therein.

8. Answering paragraph 8 of Opposer's Notice of Opposition, Applicant admits that it is not affiliated with or connected in any way to Opposer. As to the remaining allegations contained therein, Applicant lacks sufficient information or knowledge to support a belief as to the actual truth or falsity of the allegations contained therein, and therefore, Applicant can

neither admit nor deny the paragraph as written. As to any response required, Applicant specifically and generally denies the allegations contained therein.

9. Answering paragraph 9 of Opposer's Notice of Opposition, Applicant denies each and every allegation contained therein.

10. Answering paragraph 10 of Opposer's Notice of Opposition, Applicant admits that it has not yet sold any goods, as detailed in its Application, in connection with Applicant's Mark. As to the remaining allegations, Applicant denies each and every allegation contained therein.

11. Answering paragraph 11 of Opposer's Notice of Opposition, Applicant denies each and every allegation contained therein.

### **Affirmative Defenses**

#### **FIRST AFFIRMATIVE DEFENSE (Failure to State a Claim)**

Opposer has failed to state a claim upon which relief can be granted.

#### **SECOND AFFIRMATIVE DEFENSE (No Likelihood of Confusion)**

Opposer's opposition or claims are barred or limited in whole or in part because there is no likelihood of confusion between the marks by consumers.

#### **THIRD AFFIRMATIVE DEFENSE (Lack of Standing)**

Opposer lacks standing because it is not currently damaged and will not be damaged in the future by Applicant's registration of Applicant's Mark. Opposer's allegations in support of its belief of damage do not have a reasonable basis in fact and are not anything more than a mere subjective belief.

Applicant hereby reserves its right to move the Board for leave to file an amended responsive pleading should Applicant uncover the factual basis for additional affirmative defenses or counterclaims during discovery.

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WHEREFORE, Applicant prays that the Trademark Trial and Appeal Board deny the Opposition and permit Applicant's proposed mark, REBEL FORGED (Ser. No. 86/141,259), to proceed to registration.

Date: June 11, 2014

Respectfully submitted,

GORDON SILVER

/John L. Krieger/

John L. Krieger, Esq.

Joanna M. Myers, Esq.

Elias P. George, Esq.

3960 Howard Hughes Pkwy, Ninth Floor

Las Vegas, NV 89169

trademarks@gordonsilver.com

(702) 796-5555 (phone)

(702) 947-9684 (fax)

*Attorneys for Applicant*

**CERTIFICATE OF SERVICE**

I hereby certify that, on this 11th day of June, 2014, a true and complete copy of the foregoing Answer to Notice of Opposition has been served by United States mail, first class postage prepaid, and by electronic mail, upon counsel for Opposer:

Ben T. Lila  
MANDOUR & ASSOCIATES, APC  
16870 W. Bernardo Drive, Suite 400  
San Diego, CA 92127  
(858) 487-9300  
[blila@mandourlaw.com](mailto:blila@mandourlaw.com)  
*Attorneys for Opposer*

Dated: June 11, 2014

/Michelle Ledesma/  
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An employee of Gordon Silver