

TTAB

GREGORY C. BLISSMAN
1764 NASER ROAD
NORTH VERSAILLES, PA 15137

UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK TRIAL AND APPEAL BOARD
PO BOX 1451
ALEXANDRIA, VA 22313-1451

Dear Sir/Madam:

Please file this Answer to Opposer's First Set of Interrogatory Questions and Answer to Opposer's First Request for the Production of Documents. I thank you for your attention to this matter.

9/12/14

Yours Truly,

Gregory C. Blissman



09-15-2014

U.S. Patent and Trademark Office #72

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

IN THE MATTER OF TRADEMARK APPLICATION SERIAL NO.: 86137851
MARK: SUPREME STYLE
FILED: DECEMBER 8, 2013

CHAPTER 4 CORP. d/b/a SUPREME

Opposer,

OPPOSITION NO.: 91216214

AGAINST

GREGORY C. BLISSMAN

**ANSWER TO OPPOSER'S FIRST
REQUEST OF DOCUMENTS TO
APPLICANT**

Applicant.

ANSWER TO OPPOSER'S FIRST REQUEST OF DOCUMENTS TO APPLICANT

Gregory C. Blissman, Applicant, hereby files this Answer to Opposer's First Request of Documents to Applicant regarding Application Serial No.: 86137851. In support thereof avers the following:

1. All documents and things identified, referred to, or used as a basis to respond in Applicant's responses to Opposer's First Set of Interrogatories.

Answer:

N/A

2. All documents and things concerning Applicant's creation, consideration, selection, trademark clearance, adoption, acquisition and first use, if any, of Applicant's Mark in the United States, including, without limitation any trademark search reports, opinions of counsel regarding proposed marks, any state or federal application to register a trademark or any trademark registration actually obtained, any response thereto from the United States Patent and Trademark Office or other responsible authority or agency, and any written communications related thereto.

Answer:

There are no documents for this but there was a telephone conversation between the Applicant and the United States Patent and Trademark Office. When the Applicant filed the original Application (Application No. 78920472), he received a phone call from an attorney in the Trademark

Office. She told the Applicant that he needed to disclaim any rights to the word "STYLE" or the Application would not be filed. The Applicant had to comply and followed this restriction in the subsequent Applications. (This office action was recorded as an Examiner's Amendment.)

However, the Applicant stipulates that the mark must and can only ever be "SUPREME STYLES" as a unit. Neither "SUPREME" nor "SYTLE" can be used individually. (See attached.)

3. All documents and things concerning designs other than Applicant's Mark considered by Applicant in connection with the goods identified in the Application.

Answer:

Any document related to alternate designed are considered work product and are confidential.

4. All documents and things concerning any change or modification of Applicant's Mark since the conception of Applicant's Mark.

Answer:

No changes or modifications have been made to Applicant's Mark.

5. All documents and things concerning any complaints, petitions, oppositions, objections, cancellations, administrative proceedings, legal opinions, cease and desist letters or civil actions made by or against Applicant involving Applicant's application for and/or use of Applicant's Mark.

Answer:

The only documents received by Applicant concerning actions against the Applicant's Mark are from the Opposer.

6. All documents and things concerning any communications between Applicant (including without limitation, through an attorney) and the Patent and Trademark Office the Trademark Trial and Appeal Board concerning Applicant's Mark.

Answer:

See number 2.

7. All documents and things concerning Applicant's Goods.

Answer:

"All documents and things concerning Applicant's Goods." This request is too vague and unduly burdensome. It would also violate the Applicant's confidentiality of work product.

8. All documents and things concerning the corporate structure, organization and operation of Applicant's companies that are and/or will be offering goods or rendering services under Applicant's Mark, including, without limitation, any certificate and articles of incorporation, charter by-laws and amendments to the organizational instrument, all annual or other periodic reports issued by Applicant, organizational flow charts, and documents indentifying all related or affiliated companies, corporate officers and members of the board of directors, executive committees or government bodies.

Answer:

I did file for LLC status in PA on 7/23/2007.

9. All documents and things sufficient to identify goods currently offered for sale, sold, advertised or promoted by Applicant under Applicant's Mark in the United States, if any.

Answer:

N/A (No goods are being offered for sale.)

10. All documents and things sufficient to identify goods that will be offered for sale, sold, or advertised or promoted by Applicant under Applicant's Mark in the United States, if any.

Answer:

N/A

11. Specimens reflecting use in commerce of Applicant's Goods in the United States, if any.

Answer:

N/A

12. All documents and things concerning the advertising or promotion of Applicant's Goods in the United States, including without limitation, advertisements, promotional materials, sales

materials, videotapes, DVDs, catalogues, brochures, and mailing and price lists, whether distributed publicly or not, to the extent they exist.

Answer:

N/A

13. All documents and things concerning the proposed or planned advertising or promotion of Applicant's Goods in the United States, including without limitation, advertisements, promotional materials, videotapes, DVDs, catalogues, brochures, and mailing and price lists, whether distributed publicly or not, to the extent they exist.

Answer:

N/A

14. All documents and things concerning Applicant's annual actual or intended advertising, promotion and publicity expenditures for Applicant's Goods.

Answer:

N/A

15. All documents and things concerning the media in which Applicant advertises or promotes, or intends to advertise or promote, goods under Applicant's Mark in the United States, including without limitation, media schedules and budgets.

Answer:

I registered the domain name www.supremestyles.net on 6/30/2006.

16. All documents concerning any assistance received by Applicant from any advertising, public relations, consulting or sales entity concerning Applicant's Goods.

Answer:

N/A

17. All documents and things concerning Applicant's yearly expenditures to date and planned future expenditures relating to the sale of Applicant's Goods.

Answer:

Application fee (\$300.00 and GoDaddy.com (\$37.48.))

18. All documents and things concerning any business plans or projections, revenue projections, cost projections and/or product plans or proposals as they relate to Applicant's Goods and/or the use of Applicant's Mark.

Answer:

N/A

19. All documents and things concerning the offering for sale of Applicant's Goods including, without limitation, contracts, invoices and agreements.

Answer:

N/A

20. All documents and things concerning the date the goods identified in the Application were first sold in interstate commerce in the United States under Applicant's Mark, if any.

Answer:

N/A

21. All documents and things concerning the channels of distribution through which Applicant offers, has offered, or will offer goods bearing Applicant's Mark in the United States.

Answer:

See question 15.

22. All documents and things concerning the U.S. territories in which Applicant offer's, has offered, or will offer goods bearing Applicant's mark.

Answer:

N/A

23. All documents and things concerning any assignment, license or other transfer to or from Applicant of any right, statutory or otherwise, in Applicant's Mark.

Answer:

None.

24. All documents and things sufficient to identify any customer, whether prospective or actual, to whom Applicant has or will market, advertise, promote, offer and/or sell goods bearing

18. All documents and things concerning any business plans or projections, revenue projections, cost projections and/or product plans or proposals as they relate to Applicant's Goods and/or the use of Applicant's Mark.

Answer:

N/A

19. All documents and things concerning the offering for sale of Applicant's Goods including, without limitation, contracts, invoices and agreements.

Answer:

N/A

20. All documents and things concerning the date the goods identified in the Application were first sold in interstate commerce in the United States under Applicant's Mark, if any.

Answer:

N/A

21. All documents and things concerning the channels of distribution through which Applicant offers, has offered, or will offer goods bearing Applicant's Mark in the United States.

Answer:

See question 15.

22. All documents and things concerning the U.S. territories in which Applicant offer's, has offered, or will offer goods bearing Applicant's mark.

Answer:

N/A

23. All documents and things concerning any assignment, license or other transfer to or from Applicant of any right, statutory or otherwise, in Applicant's Mark.

Answer:

None.

24. All documents and things sufficient to identify any customer, whether prospective or actual, to whom Applicant has or will market, advertise, promote, offer and/or sell goods bearing

Applicant's Mark in the United States, including without limitation, mailing lists, customer profiles and demographics.

Answer:

N/A

25. All documents and things sufficient to identify the target consumer groups to whom Applicant has or will market, advertise, promote, offer and/or sell goods bearing Applicant's Mark.

Answer:

None.

26. All documents and things concerning complaints Applicant has received from, including without limitation, consumer and retailers, concerning any goods or services bearing Applicant's Mark in the United States.

Answer:

None.

27. All documents and things concerning Opposer, Opposer's Marks, and Applicant's awareness of Opposer and Opposer's Marks, including, without limitation, trademark search reports.

Answer:

The only knowledge of Opposer that the Applicant has is letters by Opposer's legal counsel and Opposer's website.

28. All documents and things concerning communications between Applicant and any other person in which a person inquired about, commented upon or referred to Opposer or Opposer's goods and services bearing one of Opposer's Marks in any way.

Answer:

None.

29. All documents and things concerning any instances of actual confusion by a third party as to the source, sponsorship, authorization or approval of any goods and/or services bearing one of Opposer's Marks.

Answer:

None

30. All documents and things concerning any instances of actual confusion by a third party as to the source, sponsorship, authorization or approval of any goods and/or services bearing one of Applicant's Marks.

Answer:

None

31. All documents and things concerning informal or formal market research conducted by Applicant or on Applicant's behalf concerning Applicant's Marks, including without limitation, studies, search reports, surveys, and market research tests.

Answer:

No studies, search reports, surveys, and market research tests.

32. All documents and things concerning informal or formal market research conducted by Applicant or on Applicant's behalf concerning Opposer's Marks or any other trademarks held by Opposer, including, without limitation, studies, search reports, surveys and mark research tests.

Answer:

None.

33. All documents and things concerning Applicant's communications with Opposer and any actions taken by Applicant pursuant thereto, including, without limitation, telephone logs, correspondence, email communications, memoranda and business proposals.

Answer:

34. Provide all documents referring or relating to plans for steps toward expansion by Applicant of the type of goods or services under which Applicant's Mark is used or relating to plans to alter the present channels of trade, or to offer such goods or services to Persons other than Applicant's present purchasers, if any.

Answer:

None.

35. Provide all documents referring to or relating to Applicant's first knowledge of Opposer's Marks.

Answer:

Cease and desist letter from Opposer's legal counsel dated March 21, 2014.

36. Provide all documents referring to or relating to Applicant's contention that "[t]he Applicant believes the two marks in question are dissimilar," as stated in paragraph 26 of Applicant's "Counterclaim" in his Answer to Notice of Opposition and Counterclaim.

Answer:

None

37. Provide all documents referring to or relating to Applicant's contention that "[t]he Applicant claims priority in Class 018 since his application predates the Opposer's application for this Class of goods," as stated in paragraph 26 of Applicant's "Counterclaim" in his Answer to Notice of Opposition and Counterclaim.

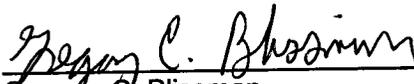
Answer:

None.

Dated: North Versailles, PA

September 11, 2014

Respectfully submitted:



Gregory C. Blissman
Applicant

To: Blissman, Gregory C. (grbl01@peoplepc.com)
Subject: TRADEMARK APPLICATION NO. 78920472 - SUPREME STYLE - N/A
Sent: 12/1/2006 3:32:54 PM
Sent As: ECOM108@USPTO.GOV
Attachments:

UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NO: 78/920472

APPLICANT: Blissman, Gregory C.

78920472

CORRESPONDENT ADDRESS:

BLISSMAN, GREGORY C.
1764 NASER RD
NORTH VERSAILLES, PA 15137-2548

RETURN ADDRESS:

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

If no fees are enclosed, the address should include the words "Box Responses - No Fee."

MARK: SUPREME STYLE

CORRESPONDENT'S REFERENCE/DOCKET NO : N/A

CORRESPONDENT EMAIL ADDRESS:

grbl01@peoplepc.com

Please provide in all correspondence:

1. Filing date, serial number, mark and applicant's name.
2. Date of this Office Action.
3. Examining Attorney's name and Law Office number.
4. Your telephone number and email address.

Serial Number 78/920472

EXAMINER'S AMENDMENT

OFFICE RECORDS SEARCH: The Office records have been searched and no similar registered or pending mark has been found that would bar registration under Trademark Act Section 2(d), 15 U.S.C. §1052(d). TMEP §704.02.

ADVISORY – AMENDMENTS TO GOODS/SERVICES: If the identification of goods and/or services has been amended below, any future amendments must be in accordance with 37 C.F.R. §2.71(a) and TMEP §1402.07(e).

AMENDMENT(S) AUTHORIZED: As authorized by Gregory C. Blissman on December 1, 2006, the application is amended as noted below. *If applicant disagrees with or objects to any of the amendments below, please notify the undersigned trademark examining attorney immediately.* Otherwise, no response is necessary. TMEP §707.

Disclaimer

The following disclaimer statement is added to the record:

No claim is made to the exclusive right to use “STYLE” apart from the mark as shown.

15 U.S.C. §1056; TMEP §§1213, 1213.03(a) and 1213.08(a)(i).

/cglasser/
Caryn Glasser
Trademark Examining Attorney
Law Office 108
Phone: (571) 270-1517
Fax: (571) 270-2517

Trademark/Service Mark Application, Principal Register

TEAS Plus Application

Serial Number: 78920472

Filing Date: 06/29/2006

*NOTE: Data fields with the * are mandatory under TEAS Plus. The wording "(if applicable)" appears where the field is only mandatory under the facts of the particular application.*

The table below presents the data as entered.

| Input Field | Entered |
|---|--|
| TEAS Plus | YES |
| MARK INFORMATION | |
| *MARK | <u>SUPREME STYLE</u> |
| *STANDARD CHARACTERS | YES |
| USPTO-GENERATED IMAGE | YES |
| LITERAL ELEMENT | SUPREME STYLE |
| *MARK STATEMENT | The mark consists of standard characters, without claim to any particular font, style, size, or color. |
| APPLICANT INFORMATION | |
| *OWNER OF MARK | Blissman, Gregory C. |
| *STREET | 1764 Naser Road |
| *CITY | North Versailles |
| *STATE (Required for U.S. applicants) | Pennsylvania |
| *COUNTRY | United States |
| *ZIP/POSTAL CODE (Required for U.S. applicants only) | 15137 |
| PHONE | (412) 824-5161 |
| EMAIL ADDRESS | grbl01@peoplepc.com |
| AUTHORIZED TO COMMUNICATE VIA EMAIL | Yes |

| LEGAL ENTITY INFORMATION | |
|--|----------------------|
| *TYPE | INDIVIDUAL |
| * COUNTRY OF CITIZENSHIP | United States |
| GOODS AND/OR SERVICES AND BASIS INFORMATION | |
| *INTERNATIONAL CLASS | 018 |
| *DESCRIPTION | Handbags |
| *FILING BASIS | SECTION 1(b) |
| ADDITIONAL STATEMENTS INFORMATION | |
| *TRANSLATION (if applicable) | |
| *TRANSLITERATION (if applicable) | |
| *CLAIMED PRIOR REGISTRATION (if applicable) | |
| *CONSENT (NAME/LIKENESS) (if applicable) | |
| *CONCURRENT USE CLAIM (if applicable) | |
| CORRESPONDENCE INFORMATION | |
| *NAME | Blissman, Gregory C. |
| *STREET | 1764 Naser Road |
| * CITY | North Versailles |
| * STATE (Required for U.S. applicants) | Pennsylvania |
| * COUNTRY | United States |
| * ZIP/POSTAL CODE (Required for U.S. applicants only) | 15137 |
| PHONE | (412) 824-5161 |
| * EMAIL ADDRESS | grbl01@peoplepc.com |
| *AUTHORIZED TO COMMUNICATE VIA EMAIL | Yes |
| FEE INFORMATION | |
| NUMBER OF CLASSES | 1 |
| FEE PER CLASS | 275 |
| TOTAL FEE DUE | 275 |

| SIGNATURE INFORMATION | |
|-----------------------------------|---|
| * SIGNATURE | /Gregory C. Blissman/ |
| * SIGNATORY NAME | Gregory C. Blissman |
| * SIGNATURE DATE | 06/29/2006 |
| FILING INFORMATION SECTION | |
| SUBMIT DATE | Thu Jun 29 23:41:11 EDT 2006 |
| TEAS STAMP | USPTO/FTK-4.155.99.35-200 60629234111591471-7892047 2-332ce3329162df08d1d9c13 37dee6f611c-CC-1028-20060 629230834137088 |

Trademark/Service Mark Application, Principal Register

TEAS Plus Application

Serial Number: 78920472

Filing Date: 06/29/2006

To the Commissioner for Trademarks:

SUPREME STYLE

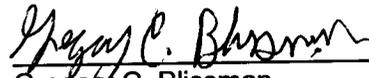
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Answer to Opposer's First Request for the Production of Documents was severed on Opposer by First Class, U.S. Mail on September 12, 2014 as follows:

Ryan S. Klarberg
7 Times Square
New York, NY 10036

DATE: _____

9/12/14



Gregory C. Blissman
Applicant
1764 Naser Road
North Versailles, PA 15137

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

IN THE MATTER OF TRADEMARK APPLICATION SERIAL NO.: 86137851
MARK: SUPREME STYLE
FILED: DECEMBER 8, 2013

CHAPTER 4 CORP. d/b/a SUPREME

Opposer,

OPPOSITION NO.: 91216214

AGAINST

GREGORY C. BLISSMAN

**ANSWER TO OPPOSER'S FIRST
SET OF INTERROGATORIES**

Applicant.

ANSWER TO OPPOSER'S FIRST SET OF INTERROGATORIES

Gregory C. Blissman, Applicant, hereby files this Answer to Opposer's First Set of Interrogatories regarding Application Serial No.: 86137851. In support thereof avers the following:

1. Identify all persons who provided information or documents for responses to these Interrogatories and Opposer's First Request for the Production Documents.

Answer:

The Applicant, Gregory C. Blissman, is responsible for providing information or documents for responses to these Interrogatories and Opposer's First Request for the Production of Documents.

2. Describe with particularity the nature of Applicant's business which intends to manufacture, market and produce leather goods bearing the SUPREME STYLES Mark.

Answer:

The Applicant intends to produce leather handbags for women that will compete against similar products from Chanel, Louis Vuitton and Gucci. The competitive advantage will be the Applicant's unique fashion designs and a lower price point. His goal is to offer high-end quality at mid-level prices.

3. Identify any complaints. Petitions, oppositions, objections, cancellations, administrative proceedings, legal opinions, cease and desist letters of civil actions made by or against Applicant involving Applicant's application for and/or intended use of Applicant's Mark.

Answer:

The Oppose is the only person and/or organization that have ever taken any action against the Applicant.

4. Describe the circumstances surrounding Applicant's selection, adoption, clearance, intent to use, and use of Applicant's Mark in the United States.

Answer:

The Applicant chose this name because it showed the positive image that the Applicant wants to project about his products.

5. Identify the Person or Persons who were responsible for Applicant's creation, consideration, selection, or adoption of Applicant's Mark.

Answer:

The Applicant is solely responsible for the creation of the SUPREME STYLE Mark.

6. Identify each good that is currently being marketed or sold or intended to be marketed and sold under Applicant's Mark in the United States, whether by Applicant or by a third party.

Answer:

The products in question are still in development and not available for discovery. Any sketches of future products are considered confidential and proprietary.

7. Identify all Persons allegedly authorized or allowed by Applicant to use Applicant's Mark or any variation thereof in U.S. Commerce.

Answer:

None at this time.

8. Identify the date that each Applicant's Goods were offered for sale in the U.S. commerce, if any.

Answer:

The Applicant's goods are still in development and not available for sale in U.S. commerce at this time.

9. Identify the name and provide the contact information for the first U.S. customer that Applicant had offered for sale and sold goods bearing the Applicant's Mark, if any.

Answer:

N/A

10. Identify all persons who were responsible for, participated in, or have information concerning informal or formal U.S. market research conducted by Applicant or on Applicant's behalf concerning Applicant's Mark.

Answer:

The Applicant has done his own informal market research.

11. Identify all persons who were responsible for, participated in, or have information concerning informal or formal U.S. market research conducted by Applicant or on Applicant's behalf concerning Opposer's Mark or any other trademarks held by Opposer.

Answer:

Upon learning of Opposer's existence, the Applicant has done his own informal market research about Opposer.

12. Identify all designations other than Applicant's Mark considered by Applicant for use in connection with the goods identified in the Application.

Answer:

Alternate designs considered by Applicant are considered proprietary and confidential by the Applicant and are not available for discovery.

13. Identify the Person or Persons who have been responsible for the marketing and/or promotion of goods under Applicant's Mark and indicate the time period(s) during which each person was so responsible.

Answer:

N/A

14. Identify all advertising agencies, public relations agencies, and market research agencies, other than Applicant, who participated with, or cooperated with, in advertising, marketing,

or promoting the goods associated with Applicant's Mark, and indicate the time period(s) during which such activities were conducted.

Answer:

None.

15. Identify Applicant's yearly U.S. expenditures to date and planned future expenditures for the advertising and promotion for goods offered under Applicant's Mark.

Answer:

Since the Applicant's goods are still under development, no expenditures of advertising and marketing have been made at this time.

16. Identify all U.S. territories in which Applicant offers, has offered, or will offer goods under Applicant's Mark.

Answer:

The Applicant is intending to offer goods for sale in the U.S.

17. Identify all channels of distribution in the United States through which the Applicant offers, has offered, or will offer for sale goods under Applicant Mark.

Answer:

The Applicant will attempt to get major retailers like Macy's or Nordstrom's to carry the products. The Applicant would also consider the sale of products through home shopping channels as well as a direct website. The final marketing strategy has yet to be determined and will be based on the demand for the products.

18. Identify the media in which Applicant has advertised or promoted, advertises or promotes, or intends to advertise or promote goods under Applicant's Mark in the United States, including without limitation, media schedules and budgets.

Answer:

The exact media in which SUPREME SYTLE will be supported and advertised depends on which vendors ultimately carry the products. The various ways include internet advertising, in-store promotions or through home shopping channels.

19. Describe with particularity any business plans or projections, revenue projections, cost projections and/or product plans or proposals as they relate to Applicant's Goods and/or the intended use of Applicant's Mark.

Answer:

The Applicant is still currently developing products and it would be too early to give cost and revenue projections. (Once samples are made, the Applicant will attempt to see how much interest there is from vendors and directly from the marketplace. If there is sufficient interest, the Applicant will look into expanding production accordingly.)

20. Identify all Persons that assisted, or consulted with, Applicant in advertising, promoting and/or offering goods under Applicant's Mark in the United States.

Answer:

None.

21. Identify all customers, whether prospective or actual, to whom Applicant has or will market, advertise, promote and/or provide goods under Applicant's Mark in the United States, including without limitation, mailing lists, customer profiles, and demographics.

Answer:

The SUPREME STYLE products are for an intelligent, highly educated female customer base with a large discretionary income. These are the customers who are already buying products from Chanel, Louis Vuitton and Gucci.

22. Identify all agreements between Applicant and any other person concerning Applicant's Mark.

Answer:

None.

23. Identify all assignments, licenses or other transfers to or from Applicant of any right in Applicant's Mark.

Answer:

None.

24. Identify when Applicant first became aware of Opposer's Mark and describe the circumstances.

Answer:

The Applicant first became aware of the Opposer's mark when he received a cease and desist letter from Opposer's legal counsel that was dated March 21, 2014.

25. Identify all persons who have inquired about, comment upon or referred to Opposer or Opposer's goods or services to Applicant in any way.

Answer:

None.

26. Identify all instances of actual confusion as to the source, sponsorship, authorization or approval of any goods bearing Applicant's Mar,

Answer:

None.

27. Describe with particularity the legal and factual basis for Applicant's contention that "[t]he Applicant believes the two marks in question are dissimilar," as stated in paragraph 26 of Applicant's "Counterclaim" in his Answer to Notice of Opposition and Counterclaim.

Answer:

(A) Different name ("SUPREME" by itself is descriptive and could be used to describe hypothetically any kind of product. "SUPREME STYLE" is more specific because it shows a connection to the fashion industry.

(B) Different customer base; intelligent, highly educated female customer base versus immature and vulgar teenage male customer base, the so-called New York Youth Street Skateboard community that the Opposer advertises that its products are made for.

(C) Different type of products; luxury handbags for women versus products like a middle finger pin; a t-shirt with a picture of a topless/semi-nude women sitting in front of an idol of a nude woman; a jacket with the words "HOW TO GET ARRESTED" written on the front of it and another

jacket with the Playboy logo on it. Being associated with a recognized pornographic magazine would be deeply offensive to the intended customer base of SUPREME STYLE.

28. Describe with particularity the legal and factual basis for the contention that "the Applicant claims priority in Class 018 since his application predates the Opposer's application for this Class of goods," as stated in paragraph 26 of Applicant's "Counterclaim" in his Answer to Notice of Opposition and Counterclaim.

Answer:

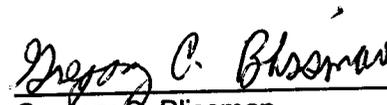
The Applicant does not believe that the Opposer's Mark is famous. The Opposer bears the burden of proof to show that SUPREME is a "household name." The claims and assertions made by Opposer are too broad and lack specific evidence to show that its Mark is famous. All the Opposer did was merely give a series of self-serving conclusory statements to support its claim.

The word "supreme" is a common laudatory word frequently used by merchants to describe their products. It has no inherent distinctiveness by itself and deserves limited protection. Furthermore, the word "supreme" or composite of "supreme" is used in literally thousands of past and present trademarks and trademark applications. Therefore, any trademark rights that the Opposer may have earned should be limited to the pre-existing categories that it was in prior to Applicant's filing. (In this case, that would be IC 25 and IC 28.) "Where a party chooses a trademark which is inherently weak, he will not enjoy the wide latitude of protection afforded the owners of strong trademarks." (Sure-fit Products Co. v. Saltzon Drapery Co., 45 C.C.P.A. 856, 254 F.2d 158, 160, 117, U.S.P.Q. 295 (1958))

Since Applicant filed before Opposer did for IC 18, Applicant is the senior user in that category. (December 8, 2013 for SUPREME STYLE versus March 19, 2014 for SUPREME.)

Dated: North Versailles, PA
September 11, 2014

Respectfully submitted:



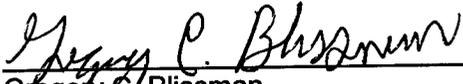
Gregory C. Blissman
Applicant

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the Answer to Opposer's First set of Interrogatory Questions was served on Opposer by First Class, U.S. Mail on September 12, 2014 as follows:

Ryan S. Klarberg
7 Times Square
New York, NY 10036

DATE: 9/12/14



Gregory C. Blissman
Applicant
1764 Naser Road
North Versailles, PA 15137