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

Proceeding	91218268
Party	Defendant Rose, Cayle, N.
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Date	09/30/2014
Attachments	ANSWER 2.pdf(27339 bytes)

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APPEAL BOARD

Mojang Synergies AB v. Rose, Cayle, N.

Opposition No. 91218268

ANSWER 2

Opposers claim #8 of "MINECRAP" not actually being created and first use in commerce on 4/10/2012 is invalid.

The "MINECRAP" development log found on the home page of www.MineCrap.co displays evidence of MINECRAP's date of creation, development logs, and proof of existence on 4/10/2010.

First records of development logs:

8/21/2012

- Website created.

8/14/2012

- Experimental code added to database.

8/13/2012

- New world has been generated.

3/23/2012

- Server DNS has been created.

1/9/2012

- MineCrap is back in development.

7/4/2011

- MineCrap development is going slow - seeking staff recruitment.

3/11/2011

- MineCrap is back in development.

4/10/2010

- MineCrap server is under development.

/Full development log is found on www.minecrap.co

Opposer's belief that "MINECRAP" was not created, nor conducted commerce on 4/10/2010 is based on the records of domain, www.minecrap.co. "MINECRAP" was created long before the domain was purchased, and was first hosted on the defendant's home computer as a hobby.

Users connected to the defendant's "MINECRAP" server through the defendant's home IP address in the early stages of "MINECRAP", and later on when "MINECRAP" became more well known, the defendant purchased the domain, www.minecrap.co and begun hosting MINECRAP on root servers.

In the Opposer's Exhibit D,E, and F, the Opposer has submitted information and history of the domain, www.minecrap.com, and screenshot printouts of www.minecrap.com's website WHOIS, and history logs from Wayback Machine (web.archive.org, a service that publicly logs images of website's history), which www.minecrap.com is owned by a third party, and has no affiliation with the defendant. Again, www.MineCrap.com and www.MineCrap.co are different websites owned by two different individuals that have no affiliation. The defendant believes the opposer is trying to create confusion in this case.

/Cayle Rose/