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

Proceeding	91219190
Party	Defendant Pocket Maps Worldwide Ltd.
Correspondence Address	POCKET MAPS WORLDWIDE LTD. POCKET MAPS WORLDWIDE LTD. PO BOX 100321 DENVER, CO 80250-0321 multigrain@toast.net
Submission	Answer
Filer's Name	R.K. Wilson
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Date	12/10/2014
Attachments	Answer to Opp #91219190 by TM app #86201180.pdf(59052 bytes)

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

1724982 Alberta ULC,
Opposer-Plaintiff

Opposition 91/219,190

v.

App Ser No 86/201,180
Mark: BUFFALO ALL-AMERICANS

POCKET MAPS WORLDWIDE, LTD

ANSWER OF APPLICANT-DEFENDANT

In response to the Opposition filed by Plaintiff, the Defendant Pocket Maps Worldwide Ltd, through its managing member, states and alleges as follows:

1. With regard to Paragraph 1, the Applicant lacks specific information to form a belief as to the history of use of the brands cited therein, and Applicant lacks information to form a belief as to the use claimed by Opposer's alleged predecessor-in-interest. For these reasons, Paragraph 1 of the Complaint in Opposition is DENIED.
2. With regard to Paragraph 2, the Applicant lacks specific information to form a belief as to the registrations and applications listed therein. For this reason, the paragraph 2 is DENIED.
3. Paragraph 3 of the Complaint in Opposition is DENIED. Specifically, the word BUFFALO is a geographically descriptive term, and therefore Applicant specifically disputes and denies the allegation that BUFFALO MARKS have become identified with Opposer.
4. Paragraph 4 of the Complaint in Opposition is ADMITTED.
5. Paragraph 5 of the Complaint in Opposition is ADMITTED.
6. Paragraph 6 of the Complaint in Opposition is ADMITTED IN PART. Specifically, the Applicant admits that Serial Number: 86/201,180 was filed on February 22, 2014 and published for opposition on July 8, 2014. However, the Applicant cannot verify dates of use for the respective products associated with the BUFFALO Marks owned by opposer. As such, Paragraph 6 is also DENIED in part.
7. Paragraphs 7 of the Complaint in Opposition is Admitted in part and Denied in part. The Applicant admits that the BUFFALO ALL-AMERICANS mark herein applied for incorporates the term BUFFALO; however, this portion of the mark, standing alone, is geographically descriptive and therefore not a dominant element of the mark, taken as a whole.
8. Paragraph 8 of the Complaint in Opposition is DENIED. The Applicant asserts that the goods and services claimed will be distinct and therefore unlikely to cause consumer confusion with goods bearing the Opposer's registered BUFFALO MARKS.
9. Paragraph 9 of the Complaint in Opposition is DENIED. The Applicant asserts that the goods and services claimed will be distinct and therefore unlikely to cause consumer confusion with goods bearing the Opposer's registered BUFFALO MARKS.
10. Paragraph 10 of the Complaint in Opposition is DENIED. The Applicant asserts that the goods and services claimed will be distinct and therefore unlikely to cause consumer confusion with goods bearing the Opposer's registered BUFFALO MARKS.

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Answer of Applicant

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11. Paragraph 11 of the Complaint in Opposition is ADMITTED IN PART AND DENIED IN PART. The Applicant admits that 15 USC 1057(b) has been correctly recited; however, the Applicant asserts that the goods and services claimed will be distinct and therefore unlikely to cause consumer confusion with goods bearing the Opposer's registered BUFFALO MARKS.

WHEREFORE, the Applicant asks that the Complaint in Opposition be DENIED; Applicant further requests the Board to remand this Application to the Examining Attorney with instructions to issue a Certificate of Registration upon receipt of an acceptable Amendment to Allege Use and specimen.

POCKET MAPS WORLDWIDE LTD.

/R.K. Wilson/

By: R.K. Wilson
PRINCIPAL MEMBER
PO BOX 100321
DENVER, CO 80250
FOR THE APPLICANT

CERTIFICATE OF MAILING

I certify that this paper was deposited in first-class mail postpaid and properly addressed to

Theodore R. Remaklus
Wood, Herron & Evans, L.L.P.
2700 Carew Tower
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Cincinnati, OH 45202
ATTORNEY FOR OPPOSER

On 9 December 2014.

/R.K. Wilson/

R.K. Wilson