

ESTTA Tracking number: **ESTTA685876**

Filing date: **07/27/2015**

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

Proceeding	91221843
Party	Defendant Merve Optik Sanayi Ve Ticaret Anonim Sirketi
Correspondence Address	JOHN S EGBERT EGBERT LAW OFFICES PLLC 1314 TEXAS, 21ST FLOOR HOUSTON, TX 77002 UNITED STATES mail@egbertlawoffices.com
Submission	Answer
Filer's Name	John S. Egbert
Filer's e-mail	mail@egbertlawoffices.com
Signature	/1285-843/
Date	07/27/2015
Attachments	1285-843 Answer.MUSTANG.pdf(14018 bytes )

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

In the Matter of Application Serial No. 79/104,357  
Published in the Official Gazette on January 6, 2015

Ford Motor Company,	§	
	§	
Opposer,	§	
	§	
v.	§	Opposition No. 91221843
	§	
Merve Optik Sanayi Ve Ticaret	§	
Anonim Sirketi,	§	
	§	
Applicant.	§	

**ANSWER TO NOTICE OF OPPOSITION**

Merve Optik Sanayi Ve Ticaret Anonim Sirketi (hereinafter referred to as "Applicant"), for the Answer to the Notice of Opposition filed by Ford Motor Company (hereinafter referred to as "Opposer"), against the application for registration of the trademark "MUSTANG (Stylized)", U.S. Application Serial No. 79/104,357, filed on August 8, 2011, and published in the Official Gazette on January 6, 2015, pleads and avers as follows:

1. Answering the introductory paragraphs of the Notice of Opposition, as to allegations regarding Opposer, Applicant does not have sufficient knowledge or information as to form a belief as to the truth or accuracy of such allegations contained therein and accordingly denies the allegations. Applicant specifically denies that Opposer would be damaged by the registration of Applicant's "MUSTANG (Stylized)" mark.

2. Answering Paragraph 1 of the Notice of Opposition, Applicant admits the allegations contained therein.

3. Answering Paragraph 2 of the Notice of Opposition, Applicant does not have sufficient knowledge or information as to form a belief as to the truth or accuracy of the allegations contained therein and accordingly denies the allegations, including any allegations that Opposer is the owner of the cited trademarks and any allegations as to the use of those trademarks.

4. Answering Paragraph 3 of the Notice of Opposition, Applicant does not have sufficient knowledge or information as to form a belief as to the truth or accuracy of the allegations contained therein and accordingly denies the allegations, including any allegations that Opposer is the owner of the cited registrations and any allegations as to the current status of the cited registrations.

5. Answering Paragraph 4 of the Notice of Opposition, Applicant does not have sufficient knowledge or information as to form a belief as to the truth or accuracy of the allegations contained therein and accordingly denies the allegations, including any allegations that Opposer is the owner of the cited registration and any allegations as to the current status of the cited registration.

6. Answering Paragraph 5 of the Notice of Opposition, Applicant does not have sufficient knowledge or information as to form a belief as to the truth or accuracy of the allegations contained therein and accordingly denies the allegations, including any allegations that Opposer is the owner of the cited registration and any allegations as to the current status of the cited registration.

7. Answering Paragraph 6 of the Notice of Opposition, Applicant does not have sufficient knowledge or information as to form a belief as to the truth or accuracy of the allegations contained therein and accordingly denies the allegations, including any allegations that Opposer is the owner of the cited registration and any allegations as to the current status of the cited registration.

8. Answering Paragraph 7 of the Notice of Opposition, Applicant does not have sufficient knowledge or information as to form a belief as to the truth or accuracy of the allegations contained therein and accordingly denies the allegations, including any allegations that Opposer is the owner of the cited registration and any allegations as to the current status of the cited registration.

9. Answering Paragraph 8 of the Notice of Opposition, Applicant does not have sufficient knowledge or information as to form a belief as to the truth or accuracy of the allegations contained therein and accordingly denies the allegations, including any allegations that Opposer is the owner of the cited registration and any allegations as to the current status of the cited registration.

10. Answering Paragraph 9 of the Notice of Opposition, Applicant does not have sufficient knowledge or information as to form a belief as to the truth or accuracy of the allegations contained therein and accordingly denies the allegations, including any allegations that Opposer is the owner of the cited registration and any allegations as to the current status of the cited registration.

11. Answering Paragraph 10 of the Notice of Opposition, Applicant does not have sufficient knowledge or information as to form a belief as to the truth or accuracy of the allegations contained therein and accordingly denies the allegations, including any allegations that Opposer is the owner of the cited trademark and any allegations as to the use of the trademark.

12. Answering Paragraph 11 of the Notice of Opposition, Applicant does not have sufficient knowledge or information as to form a belief as to the truth or accuracy of the allegations contained therein and accordingly denies the allegations.

13. Answering Paragraph 12 of the Notice of Opposition, Applicant does not have sufficient knowledge or information as to form a belief as to the truth or accuracy of the allegations contained therein and accordingly denies the allegations.

14. Answering Paragraph 13 of the Notice of Opposition, Applicant does not have sufficient knowledge or information as to form a belief as to the truth or accuracy of the allegations contained therein and accordingly denies the allegations, including any allegations that Opposer is the owner of the cited trademarks and any allegations as to the use of those trademarks.

15. Answering Paragraph 14 of the Notice of Opposition, Applicant does not have sufficient knowledge or information as to form a belief as to the truth or accuracy of the allegations contained therein and accordingly denies the allegations, including any allegations that Opposer is the owner of the cited trademarks and any allegations as to the use of those trademarks.

16. Answering Paragraph 15 of the Notice of Opposition, Applicant does not have sufficient knowledge or information as to form a belief as to the truth or accuracy of the allegations contained therein and accordingly denies the allegations, including any allegations that Opposer is the owner of the cited trademarks and any allegations as to the use of those trademarks.

17. Answering Paragraph 16 of the Notice of Opposition, Applicant specifically denies each and every allegation contained therein.

18. Answering Paragraph 17 of the Notice of Opposition, Applicant specifically denies each and every allegation contained therein.

19. Answering Paragraph 18 of the Notice of Opposition, Applicant specifically denies each and every allegation contained therein.

20. Answering Paragraph 19 of the Notice of Opposition, Applicant specifically denies each and every allegation contained therein.

21. Answering Paragraph 20 of the Notice of Opposition, Applicant specifically denies each and every allegation contained therein.

**AFFIRMATIVE DEFENSES**

1. Applicant affirmatively alleges that Opposer's Notice of Opposition fails to state a claim upon which relief can be granted.
  
2. Applicant affirmatively alleges that Applicant's mark and the alleged trademark registrations listed in Opposer's Notice of Opposition are different in appearance, meaning, and commercial impression, and that the goods of the parties are unrelated and marketed through different channels of trade.
  
3. Applicant affirmatively alleges that the term "MUSTANG" has been used by various third parties for various goods and services and, as such, is a "weak" mark that is entitled to limited protection.

Respectfully submitted,

July 27, 2015  
Date

/1285-843/  
John S. Egbert  
Reg. No. 30,627  
Kevin S. Wilson  
Michael F. Swartz

Egbert Law Offices, PLLC  
1314 Texas, 21<sup>st</sup> Floor  
Houston, Texas 77002  
(713)224-8080  
(713)223-4873 (Fax)

ATTORNEYS FOR APPLICANT  
Merve Optik Sanayi Ve Ticaret Anonim Sirketi

