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

Proceeding	91226345
Party	Defendant Williams Grand Prix Engineering Ltd.
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Date	03/28/2016
Attachments	Answer to Opposition.pdf(50643 bytes)

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

In the matter of application Serial No. 79/156,612
For the Trademark W (Stylized)
Published in the Official Gazette on October 27, 2015

Wrangler Apparel Corp.,)	
)	
Opposer,)	
)	Opposition No. 91226345
v.)	
)	
Williams Grand Prix Engineering Ltd.,)	
)	
Applicant.)	
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ANSWER TO NOTICE OF OPPOSITION

Applicant Williams Grand Prix Engineering Ltd. (“Applicant”) hereby answers the Notice of Opposition filed by Wrangler Apparel Corp. (“Opposer”) as follows.

1. Applicant denies that it is seeking registration of the mark “W”, without any stylization. The mark at issue is actually a stylized representation of the letter “W”, with blank spaces between the center and the “wings” of the “W” – stylized elements not present in the marks upon which Opposer bases its opposition. Except for the foregoing, Applicant admits the allegation in Paragraph 1.

2. Denied.

3. Applicant admits that the U.S. Patent and Trademark Office (“PTO”) records indicate that Opposer owns trademark Reg. Nos. 3,777,026, 3,985,886, and 4,656,517 for stylized “W” marks. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegation that Opposer actually owns the referenced registrations, and on that basis denies the same.

4. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 4, and on that basis, denies the same.

5. Denied.

AFFIRMATIVE DEFENSES

In asserting the following affirmative defenses, Applicant does not concede that it has the burden of proof as to each separate defense.

1. Opposer fails to state a claim upon which relief can be granted.

2. Opposer lacks standing to oppose Applicant's trademark application for the stylized W mark (Serial No. 79/156,612) because Opposer is not likely to be damaged by the registration of the mark.

3. Opposer has allowed numerous third parties to use and register identical or nearly identical marks and therefore lacks the ability to enforce trademark rights in the stylized "W" mark.

4. Applicant presently lacks knowledge and information sufficient to form a belief as to whether it can assert additional affirmative defenses. Accordingly, Applicant hereby reserves the right to assert additional affirmative defenses in the event it determines that such defenses are appropriate.

WHEREFORE, Applicant requests that the Opposition be dismissed in its entirety.

Respectfully submitted,

COOLEY LLP

Date: March 28, 2016

By: /Peter J. Willsey/

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CERTIFICATE OF SERVICE

I hereby certify that I caused a true and complete copy of the foregoing ANSWER TO NOTICE OF OPPOSITION to be mailed via U.S. Postal Service first class mail, postage prepaid, and emailed to the following counsel:

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Date: March 28, 2016

/Shane Rumbaugh/ _____

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