

ESTTA Tracking number: **ESTTA743065**

Filing date: **04/28/2016**

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

Proceeding	91227048
Party	Defendant SPORTS CORNER COMPANY
Correspondence Address	KEVIN G. SMITH SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVE NW WASHINGTON, DC 20037-3202 tm@sughrue.com
Submission	Answer
Filer's Name	Kevin G. Smith
Filer's e-mail	tm@sughrue.com, vmullineaux@sughrue.com
Signature	/Kevin G. Smith/
Date	04/28/2016
Attachments	H00260ApplicantsAnswertoNoticeofOppositionasfiled.pdf(106339 bytes)

5. Applicant has insufficient knowledge or information upon which to form a belief as to the truth of the allegations set forth in numbered Paragraph 5 of the Notice of Opposition and, therefore, Applicant denies said allegations.

6. Applicant has insufficient knowledge or information upon which to form a belief as to the truth of the allegations set forth in numbered Paragraph 6 of the Notice of Opposition and, therefore, Applicant denies said allegations.

7. Applicant has insufficient knowledge or information upon which to form a belief as to the truth of the allegations set forth in numbered Paragraph 7 of the Notice of Opposition and, therefore, Applicant denies said allegations.

8. Applicant denies the allegations set forth in numbered Paragraph 8 of the Notice of Opposition.

9. Applicant admits that Applicant's Mark includes the design logo referenced in numbered Paragraph 9 of the Notice of Opposition, but denies the further allegations regarding the similarity to Opposer's design logo set forth in numbered Paragraph 9 of the Notice of Opposition.

10. Applicant admits that Applicant's Mark and Opposer's Mark are depicted in numbered Paragraph 10 of the Notice of Opposition. Applicant otherwise denies the salient allegations set forth in numbered Paragraph 10 of the Notice of Opposition.

11. Applicant has insufficient knowledge or information upon which to form a belief as to the truth of the allegations set forth in numbered Paragraph 11 of the Notice of Opposition and, therefore, Applicant denies said allegations.

12. Applicant denies the allegations set forth in numbered Paragraph 12 of the Notice of Opposition.

13. Applicant denies the allegations set forth in numbered Paragraph 13 of the Notice of Opposition.

14. Applicant denies the allegations set forth in numbered Paragraph 14 of the Notice of Opposition.

15. Applicant denies the allegations set forth in numbered Paragraph 15 of the Notice of Opposition.

16. Applicant denies the allegations set forth in numbered Paragraph 16 of the Notice of Opposition.

WHEREFORE, Applicant respectfully requests that the Notice of Opposition be dismissed with prejudice and Applicant's mark proceed to allowance.

Respectfully submitted,

SPORTS CORNER COMPANY



By: _____

Kevin G. Smith
Gary D. Krugman
Attorneys for Applicant
SUGHRUE MION, PLLC
2100 Pennsylvania Avenue, N.W.
Washington, D.C. 20037-3213
Tel: (202) 293.7060

Date: April 28, 2016

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 28th day of April 2016, a true and correct copy of the foregoing **APPLICANT'S ANSWER TO NOTICE OF OPPOSITION** was served via email and first-class mail, postage prepaid, on:

James J. Bitetto
Tutunjian & Bitetto, P.C.
425 Broadhollow Road, Suite 302
Melville, NY 11747

trademarks@tb-iplaw.com


Valerie L. Mullineaux