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

Proceeding	91227399
Party	Defendant Nelson, Dommonic
Correspondence Address	NELSON, DOMMONIC WAFL, LLC 2402 Blackridge Rd. Houston, TX 77067 inventingtomorrowtoday@gmail.com
Submission	Answer
Filer's Name	Dommonic Anthony Nelson
Filer's e-mail	dnelson365@yahoo.com
Signature	/D.nelson/
Date	07/26/2016
Attachments	WAFLPlus Notice of Opposition as filed.pdf(150922 bytes) Certificate Of Service.pdf(86120 bytes)

Attorney Docket:
007834.00130

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

In the Matter of Trademark Applicant)	
Nelson, Dommonic)	
)	
)	
Mark: WAFI+)	
)	
Serial No.: 86/647,963)	
)	
Filed: June 1, 2015)	
)	
Published in the Official Gazette dated October 20, 2015)	
_____)	
NIKE, INC.,)	
Opposer,)	Opposition No. <u>91227399</u>
vs.)	
)	
NELSON, DOMMONIC,)	
Applicant.)	
_____)	

APPLICANT'S ANSWER TO NOTICE OF OPPOSITION

Applicant, Nelson, Dommonic, for its/his answer to the Notice of Opposition filed by Nike, INC., against application for registration of Nelson, Dommonic trademark WAFI+, Serial No. 86/647,963, filed June 1, 2015, and published in the Official Gazette dated October 20, 2015, pleads and avers as follows:

1. Answering paragraph 1-5 of the Notice of Opposition, Applicant does not have sufficient knowledge or information to form a belief as to the allegations contained therein and accordingly denies the allegations.
2. Answering paragraph 6 of the Notice of Opposition, Applicant admits the allegations thereof.

3. Answering paragraph 7 of the Notice of Opposition, Applicant does not have sufficient knowledge or information to form a belief as to the allegations contained therein and accordingly denies the allegations.

4. Answering paragraph 8 of the Notice of Opposition, Applicant does not have sufficient knowledge or information to form a belief as to the allegations contained therein and accordingly denies the allegations.

5. Answering paragraph 9 of the Notice of Opposition, Applicant does not have sufficient knowledge or information to form a belief as to the allegations contained therein and accordingly denies the allegations.

6. Answering paragraph 10 of the Notice of Opposition, Applicant denies each and every allegation contained therein.

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

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

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

10. Answering paragraph 14 of the Notice of Opposition, Applicant does not have sufficient knowledge or information to form a belief as to the allegations contained therein and accordingly denies the allegations.

11. Applicant further affirmatively alleges that there is no likelihood of confusion, mistake or deception because, inter alia, Applicant's mark and the pleaded marks of Opposer are not confusingly similar. Nike, INC., "WAFFLE Marks" and "WAFL+" have different connotations, and consumers are not likely to be confused by their simultaneous registration. "WAFL+" is an acronym

(meaning "What A Freakin' (or stronger language) Life" the plus symbol represents a continuation of enjoyment whereas "WAFFLE," "WAFLLE RACER," and "WAFFLE TRAINER" (collectively the "WAFFLE Marks") carriers no such meaning. As a result, Opposer cannot base any similarity between its pleaded marks and the mark of Applicant of the "WAFL+." Any trademark or service mark right that Opposer may have are narrowly circumscribed to the goods or service indicated and any other use would not lead to a likelihood of confusion.

12. Applicant further affirmatively alleges that as a result of its continuous substantial usage of its mark WAFL+ since adoption, this mark is valuable asset of Applicant and creates considerable goodwill and consumer acceptance of its products sold under the mark. Such goodwill and widespread usage has make the mark distinctive to the Applicant.

WHEREFORE, Applicant respectfully wishes that the present opposition be unsustainable and that the registration sought by the Applicant be approved.

Respectfully submitted,
WAFL+, LLC
Organization of Applicant

Date: May 5, 2016

/dommonic nelson/
2402 Blackridge Rd.
Houston, TX 77067

A handwritten signature in black ink, appearing to read 'Dommonic Nelson', with a long horizontal flourish extending to the right.

WAFL+

2402 Blackridge Rd.
Houston, TX, 77073

TEL: 832.229.0604
wafplus@gmail.com

Helen hill Minsker
TEL: 312.463.5485
hminsker@bannerwitcoff.com

July 26, 2016

VIA FIRST CLASS MAIL
COURTESY COPY VIA E-MAIL TO Helen Minsker HMinsker@bannerwitcoff.com

Helen Hill Minsker
Ten South Wacker Drive
Chicago, IL 60606-7407

Re: WAFL+ (SN 86/647,963)
Opposition No.: 91227399

Dear Helen Hill Minsker:

Enclosed please find the service copy of the Applicant's Answer to Notice of Opposition with Consent that was filed with the USPTO today for the above referenced proceeding.

Sincerely,

D. Nelson

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of July, 2016, Applicant's Answers to Notice of Opposition, was sent via United States Postal Service first class mail, with adequate postage prepaid to Helen Hill Minsker, Ten South Wacker Drive, Chicago, IL 60606-7407 attorney for the Plaintiff/Defendant: Nike, Inc..

7-26-16

Date

Dommonic Nelson

Your Name

Defendant/Plaintiff Pro Se