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

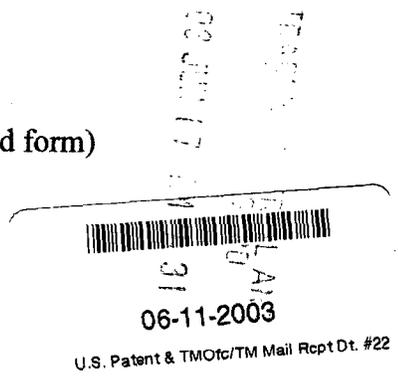
In the matter of Trademark Registration Number: 2105217

For the Mark: "420" (words, letters and/or numbers in stylized form)

Date registered: October 14, 1997

420 Gear, Inc. PETITIONER vs.

John Marvin Rowland RESPONDENT



ANSWER TO PETITION TO CANCEL REGISTRATION

Respondent John Marvin Rowland, for his answer to the petition to cancel registration of Petitioner, 420 Gear, Inc, allege as follows:

1. Admit
2. Admit
3. Deny knowledge or information sufficient to form a belief as to the allegations set forth in paragraph 3 of the Petition.
4. Deny knowledge or information sufficient to form a belief as to the allegations set forth in paragraph 4 of the Petition.
5. Deny each and every allegation set forth in paragraph 5 of the Petition.
6. Deny each and every allegation set forth in paragraph 6 of the Petition.

AS AND FOR A FIRST AFFIRMATIVE DEFENSE

7. The Petition fails to state a claim upon which relief may be granted.

AS AND FOR A SECOND AFFIRMATIVE DEFENSE

8. The claims for relief alleged against respondent Rowland are barred by the applicable statutes of limitations.

AS AND FOR A THIRD AFFIRMATIVE DEFENSE

9. Petitioner's claims are barred by the doctrine of estoppel.

AS AND FOR A FOURTH AFFIRMATIVE DEFENSE

10. Petitioner's claims for relief are barred by the doctrine of laches.

AS AND FOR A FIFTH AFFIRMATIVE DEFENSE

11. As a result of the Petitioner's actions, conduct and/or admissions, the Petitioner knowingly, intentionally, and/or constructively waived the rights which are alleged against respondent; as a result, the Petitioner and each and every purported cause of action set forth therein, is barred by the doctrine of waiver.

AS AND FOR A SIXTH AFFIRMATIVE DEFENSE

12. Petitioner is barred from recovery by the doctrine of unclean hands.

AS AND FOR A SEVENTH AFFIRMATIVE DEFENSE

13. Respondent has not been able to engage in sufficient discovery to learn all the facts and circumstances relating to the matters described in the petition, and therefore request, leave of the court to amend his answer and assert further affirmative defenses upon completion of discovery.

AS AND FOR AN EIGHTH AFFIRMATIVE DEFENSE

14. Respondent is informed and believes, and upon such information and belief alleges, that his conduct in regard to the matters alleged in the petition was justified and, by reason of the foregoing, the Petitioner is barred from any recovery against the respondent.

AS AND FOR A NINTH AFFIRMATIVE DEFENSE

15. The Petitioner has failed to take any and all proper and/or reasonable measures to avoid or otherwise mitigate the damages or injuries alleged in the Petition and, by reason thereof, any recovery by the Petitioner under the Petition or any purported cause of action set forth therein is barred and should be precluded or reduced accordingly.

ATTORNEY FEES

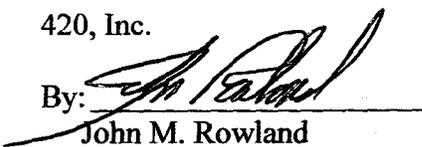
16. Respondent has been required to retain the Law Offices of Marc A. Goldbach, to defend him in this proceeding, and as a result, has incurred and will incur costs and reasonable attorney fees related thereto, for which he is entitled to reimbursement pursuant to statute: and other applicable law.

Wherefore, respondent John Marvin Rowland, demands judgment against petitioner 420 Gear, Inc. as follows:

- (a) Dismissing the petition to cancel registration in it's entirety with prejudice;
- (b) Awarding respondent his costs incurred in this action, including reasonable attorney's fees; and
- (c) Awarding respondent such other and further relief as this court deems just and proper.

Date: Orange, California
June, 4 2003

420, Inc.

By: 

John M. Rowland
President and CEO

To: Mary Beth Ciocco, L.L.C.
Mary Beth Cicco
Attorney for the Petitioner 420 Gear, Inc.
22255 Center Ridge Road, Suite 106
Rocky River, Ohio 44116

Certificate of Mailing

I hereby certify that on the 4th day of June, 2003, I served a true and correct copy of the foregoing " An answer to the Petition to cancel registration," by means of the United Parcel Service -Ground- Tracking # 1ZE68W980340146757 on the following:

420 Gear, Inc.
P.O. Box 420
Barnesville, Maryland 20838

Trademarks Trial and Appeal Board
2900 Crystal Drive
Arlington Virginia 22202-3514

Mary Beth Ciocco, L.L.C.
Mary Beth Ciocco
Attorney for the Petitioner 420 Gear, Inc.
22255 Center Rodge Road, Suite 106
Rocky River, Ohio 44116

420, Inc.

By: 
Michelle Renee Rowland
Vice President