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

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D. MICHAEL BURK d/b/a Fokus, Inc.

Petitioner

Cancellation. No. 92043029  
Reg. No. 2188714

v.

DERBY CYCLE WERKE GMBH



Registrant.

04-21-2004

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #22

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**REGISTRANT'S ANSWER TO PETITION FOR CANCELLATION**

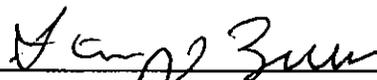
In response to the Petition for Cancellation, Registrant states the following:

1. Registrant is without sufficient knowledge as to the truth of allegations in paragraph 1 of the Petition for Cancellation, and hereby denies same.
2. Registrant is without sufficient knowledge as to the truth of allegations in paragraph 2 of the Petition for Cancellation, and hereby denies same.
3. Registrant admits the allegations contained in paragraph 3 of the Petition for Cancellation.
4. Registrant admits the allegations contained in paragraph 4 of the Petition for Cancellation.
5. Registrant denies the allegation contained in paragraph 5 of the Petition for Cancellation.
6. Registrant denies the allegation contained in paragraph 6 of the Petition for Cancellation.

7. Registrant denies allegations in paragraph 7 in the Petition for Cancellation asserting that its registration is invalid, and that the registration improperly casts a cloud on Petitioner's rights, but admits that its registration will become incontestable.
  
8. Registrant is without sufficient knowledge as to the truth of allegations in paragraph 8 of the Petition for Cancellation, and hereby denies same.

WHEREFORE, Registrant requests that the Petition for Cancellation be dismissed.

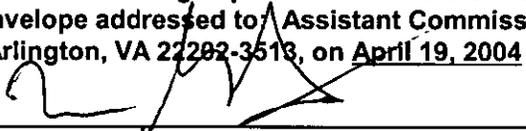
Respectfully submitted,

  
By: Stewart J. Bellus, Esq.  
Mary S. Mathew  
Attorneys for Registrant

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I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Assistant Commissioner of Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513, on April 19, 2004

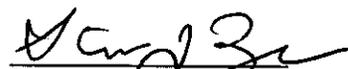
Date: April 19, 2004

  
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Maria Guastella

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the forgoing  
REGISTRANT'S ANSWER TO PETITION FOR CANCELLATION has this 19<sup>th</sup> day of April,  
2004 been sent by prepaid First Class Mail to:

Lewis T. Streadman, Jr.  
Holland & Knight LLP  
131 South Dearborn, 30<sup>th</sup> Floor  
Chicago, ILL 60603

  
Stewart J. Bellus