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

Proceeding	92043185
Party	Defendant UNITED STATES IDENTIFICATION CARD, INC. UNITED STATES IDENTIFICATION CARD, INC. 5959 W. Century Blvd. Suite 1101 Los Angeles, CA 90045
Correspondence Address	CHERYL FIDANIAN UNITED STATES IDENTIFICATION CARD, INC. 9920 SOUTH LA CIENEGA BLVD SUITE 903 INGLEWOOD, CA 90301
Submission	Answer
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Date	07/28/2004
Attachments	Answer v2.pdf (5 pages)

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

In the Matter of Trademark Registration No. 2,432,347
For the mark "USA ID"
Registered on February 27, 2001

Conair Corporation)
)
 Petitioner,)
)
 vs.) Cancellation No. 92043185
)
 United States Identification)
 Card, Inc.)
)
 Registrant.)
 _____)

**ANSWER AND AFFIRMATIVE DEFENSE TO THE
PETITION FOR CANCELLATION**

COMES NOW the Registrant, United States Identification Card, Inc., ("Registrant"), and files its Answer and Affirmative Defenses to the Petition for Cancellation, filed by Conair Corporation ("Petitioner"), as follows:

With respect to the unnumbered introductory paragraph, Registrant denies that they are the owners of Registration No. 2,434,247, but admits that it owns Registration No. 2,432,247 for the mark "USA ID". Registrant admits that it is a corporation organized under the laws of the state of Nevada, but denies that its business address is 5959 W. Century Boulevard, Suite 1101, Los Angeles, California 90045. With respect to the remaining allegations, Applicant is without knowledge sufficient to form a belief as to the allegations, and therefore denies same.

1. Registrant admits that Petitioner appears to have applied

to register the mark "USA ID" on the Principal Trademark Register for use on or in connection with "[e]ncoded smart cards, encoded intergrated [sic integrated] circuit cards, encoded electronic chip cards containing programming to track individuals, products, and shipping containers. Encoded electronic chip cards for use in identifying particular users of a global security system. Blank electronic chip cards, blank smart cards, blank integrated chip cards. Communication servers. Communication software for connecting via a global computer network. Computer software and programs for use in database management in the field of security that may be downloaded from a global computer network. Computer software for application and database management. Electronic database in the field of security recorded on computer media. Computer communications software to allow customers to access personal security information. Computer network hubs, switches and routers. Computer operating systems. Computer software for accessing information directories that may be downloaded from a global computer network. Computer software to automate data warehousing. Global Positioning System (GPS) consisting of computers, computer software, transmitters, receivers, and network interface devices. Interactive multimedia computer program for security purposes. Facilities management software, namely, software to control the contents of shipment containers and the entry and exit of individuals through security check points" in International Class 9

under 15 U.S.C. 1051(b), Section 1(b) of the Trademark Act, on April 4, 2003 and was assigned Serial No. 78/233,907 by the United States Trademark Office.

2. Registrant is without knowledge sufficient to form a belief as to the allegations contained in paragraph 2 of the Petition for Cancellation, and therefore denies same.

3. Registrant is without knowledge sufficient to form a belief as to the allegations contained in paragraph 3 of the Petition for Cancellation, and therefore denies same.

4. Registrant denies the allegations contained in paragraph 4 of the Petition for Cancellation.

5. Registrant denies the allegations contained in paragraph 5 of the Petition for Cancellation.

6. Registrant is without knowledge sufficient to form a belief as to the allegations contained in paragraph 6 of the Petition for Cancellation, and therefore denies same.

7. Registrant denies that Petitioner is entitled to the relief is seeks in the WHEREFORE clause of the Petition for Cancellation.

8. Applicant denies any and all allegations of the Petition for Cancellation not specifically admitted herein.

AFFIRMATIVE DEFENSES

1. The Petition for Cancellation fails to state a claim upon

which relief may be granted.

2. Registrant has not abandoned the trademark claimed in Registration No. 2,432,347.

WHEREFORE, Registrant prays that the Opposition be dismissed with prejudice.

Dated: July 28, 2004

By: /david a. gast/
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing document was served on, by United States mail, postage pre-paid this 28th of July, 2004.

Richard A. Margulies
Vice President & General Counsel
Conair Corporation
1 Cummings Point Road
Stamford, CT 06904

Respectfully submitted,

By: /david a. gast/
David A. Gast
Florida Bar No. 176,567

CERTIFICATE OF MAILING

I HEREBY CERTIFY that an original filed electronically with ESTTA system of the Trademark Trial and Appeal Board, this 28th of July, 2004.

Respectfully submitted,

By: /david a. gast/
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Florida Bar No. 176,567