

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

SPARCO S.P.A., )  
)  
Opposer, )  
)  
v. )  
)  
~~Nike, Inc.~~, )  
)  
Respondent. )

# 75141983

Cancellation No.: 92050748

Registration No.: 2276975

Mark: SPARCO

**ANSWER TO FIRST AMENDED PETITION FOR CANCELLATION  
OF A REGISTRATION ON THE PRINCIPAL REGISTER**

Respondent, Sparco S.P.A., by its attorneys, files its Answer to the First Amended Petition for Cancellation as follows:

1. Respondent is without information sufficient to form a belief as to the truth of the allegations of Paragraphs 1 - 3 and therefore they are denied.
2. Respondent admits the allegations of Paragraph 4 - 7.
3. Respondent admits the first portion of the allegations of Paragraph 8 but denies that the Declaration included a statement that Respondent was currently using all of the goods in the identification of goods.
4. Respondent is without information sufficient to form a belief as to the truth of the allegations of Paragraph 9 and therefore they are denied.
5. Respondent denies the allegations of Paragraph 10 - 13.
6. Respondent admits the allegations of Paragraph 14.
7. Respondent is without information sufficient to form a belief as to the truth of the



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allegations of Paragraph 15 and therefore they are denied.

8. Respondent denies the allegations of Paragraph 16 - 20.

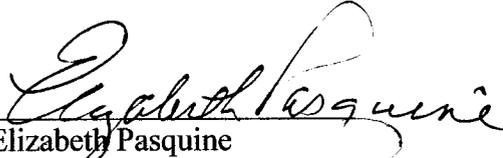
Defenses

1. Petitioner has failed to state a claim upon which relief may be granted under F.R.C.P. 12(b)(6).

2. Petitioner has failed to allege with particularity the circumstances of the purported fraud as required by F.R.C.P. 9(b).

WHEREFORE, Respondent respectfully requests that Cancellation No. 92050748be dismissed with prejudice, and that the U.S. Patent and Trademark Office allow Registration No. 2276975 to remain on the Federal Register.

Dated: 5<sup>th</sup> day of November, 2009

  
Elizabeth Pasquine  
Novak Druce + Quigg LLP  
1300 I Street, NW  
1000 West Tower  
Washington, DC 20005

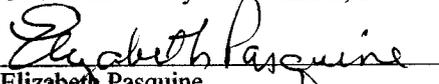
Attorneys for Respondent

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First-class mail in an envelope addressed to:

Commissioner for Trademarks  
PO Box 1451  
Alexandria, Virginia 22313

On this the 5<sup>th</sup> day of November, 2009

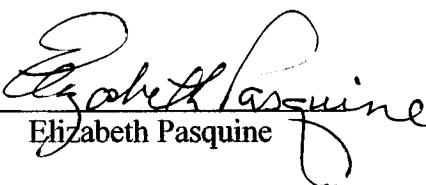
  
Elizabeth Pasquine

**CERTIFICATE OF SERVICE**

I hereby certify that on this date I served a true and complete copy of the foregoing **ANSWER TO THE FIRST AMENDED PETITION FOR CANCELLATION OF A REGISTRATION ON THE FEDERAL REGISTER** upon counsel of record by causing a copy thereof to be deposited in the United States First Class Mail, postage prepaid and addressed as follows:

Kevin C. Parks  
Leydig, Voit & Mayer, Ltd.  
Two Prudential Plaza  
180 N. Stetson Ave.  
Suite 4900  
Chicago, IL 60601

This 5<sup>th</sup> day of November, 2009

By:   
Elizabeth Pasquine