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

Proceeding	92060018
Party	Defendant Gary L. Pifer
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Submission	Answer
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Date	11/01/2014
Attachments	Ripper court.pdf(767691 bytes )

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

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Todd Sean White  
Petitioner

V.

Gary L. Pifer  
Respondent PRO-PER

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Cancellation No. 92060018  
Mark: Ripper

**ANSWER TO PETITION TO CANCEL**

**COUNT I: ABANDONMENT**

The Respondent denies all accusations of Abandonment. The Mark is not Abandoned.

1. The Mark 3179987 has been in interstate and international commerce since it's original application with footwear and apparel. And is currently being re-developed and re-sampled for spring-summer 2015 due to the possibility of Converse footwear litigation.
2. The Petitioner has no knowledge or information regarding said Mark 3179987 abandonment and his claim of 3 years is false and made up. The Respondent has never been contacted by the Petitioner, so it appears he is mind reading. Ripper® is a Trade Secret
3. Ripper® is currently represented by the licensing firm Surper Marcas in Brazil  
<http://www.supermarcas.net/novosite/index.html>

**COUNT II : FRAUD**

1. The Respondent denies all accusations of fraud regarding Mark 3179987
2. The original 2006 specimen submitted was rejected and an USPTO Attorney contacted and

92060018

instructed the Respondent on what type of specimen to submit and said specimen was approved. by the Attorney before submission.

3. The 2012 renewal specimen is an image of the Ripper® branded t-shirt sold on Zazzle.com in interstate and international commerce. Zazzle.com hosts and prints to order for 100's of trademark brands to include Disney® and Nike® . Ripper® has been offered for sale on Zazzle.com for many years and the footwear has been sold in Los Angeles, Las Vegas, Japan and on line. They have been displayed at Sneaker and Trade-shows such as MAGIC in Las Vegas.
4. The Respondent had no intention of fraud and always obeyed instructions from USPTO Attorneys. If any mistakes were made it was accidental with no intent of FRAUD.
5. Petitioner's specimen on surf ripper® appears to be a digital print with a digitally placed hang tag. So I think it is odd that they would accuse me of fraud.

### **Prayer for Relief**

Wherefore, No. 3179987 not be cancelled and the USPTO Attorney approved specimen is valid. Petitioners filing of the mark serial number 4310153 is nothing but a dream, thought or idea in category B. Ski wear branding out of Hawaii is truly a visionary concept and Respondents continued use of the mark is not harmful to his dream and concept, as the Petitioner has Surf Ripper® with about one hundred categories, including novelty wear and diapers to work on. It also appears that Petitioner's goal is to license and not manufacture product. Therefore the Petitioner should be content with his Registered Trademark and pending mark. Dreaming up hundreds of concepts for Ripper® does not trump actually design, manufacturing and sale of product.

Respondent's 3179987 mark is tangible and producing income with taxes paid. Respondent would have have spent the money on development on Ripper® footwear if the mark was abandoned.

**Exhibit A**

Screen shot of Ripper branded product on Zazzle.com.

**Exhibit B**

Photo of Ripper Branded footwear retail shoe. \$49.95

**Exhibit C**

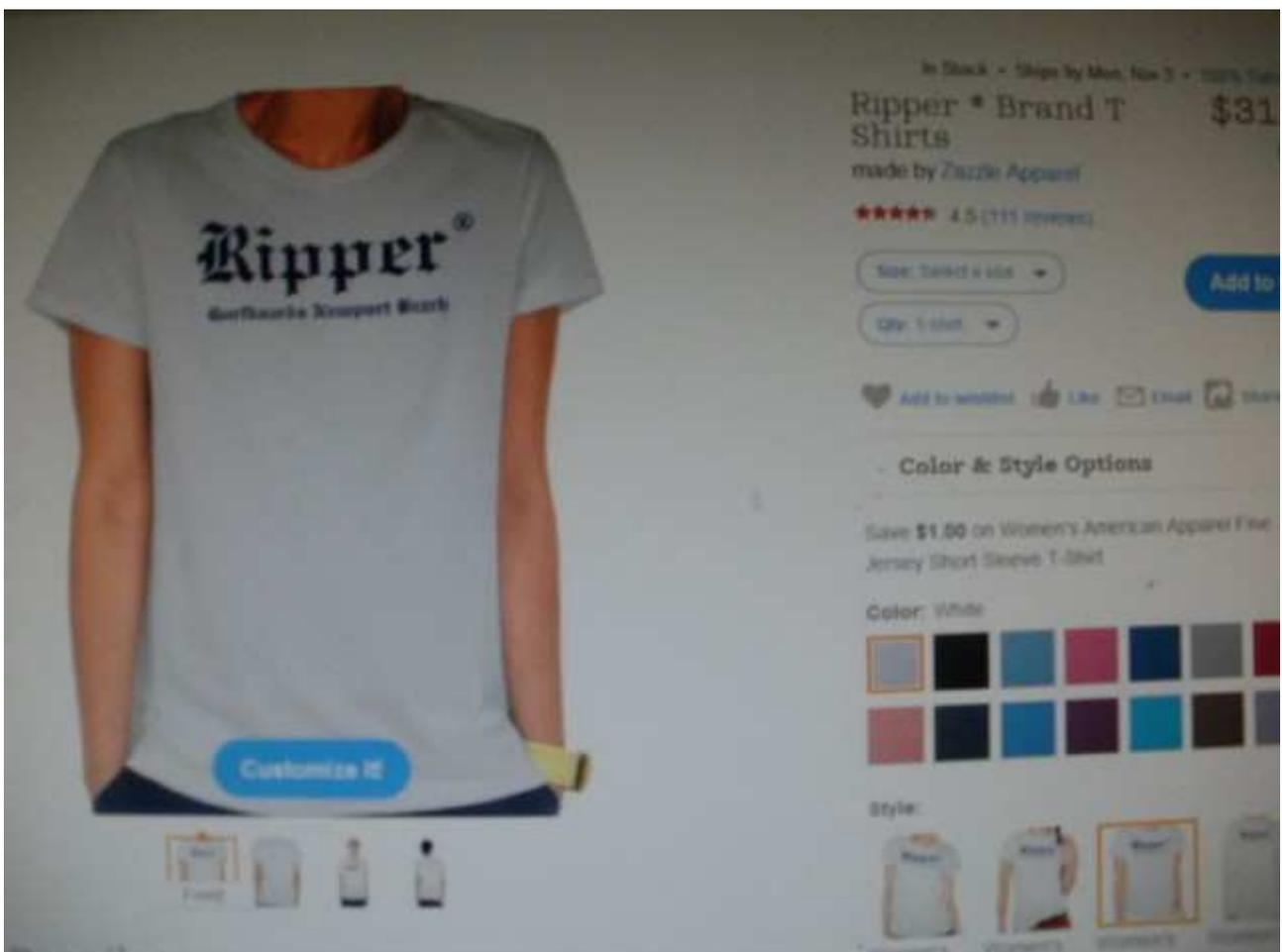
Photo of U.S. Branded Sneakers to include Exhibit B.

**Exhibit D**

New Ripper-Black Panther-US Composite spring-summer 2015. Converse litigation compliant.

**Exhibit E**

Photo of Ripper branded apparel



**Exhibit A.**

92060018



**Exhibit B.**

92060018



**Exhibit C. United States Rubber® US sneakers**

# Black Panther- Ripper Composite s/s 2015



Historix Branding Group

Exhibit D.



**Exhibit E.**

Dated: October 31, 2014

Respectfully Submitted

/GARYPIFER/ (signed electronically)

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92060018

## Certificate of Service

This is to Certify that a copy of this Petition to Cancel is being deposited with the USPS on October 31, 2014 by first class mail Postage prepaid to the counsel of record in an envelope addressed as follows:

Luke Brean  
Luke Brean LLC  
POB 4120  
ECM 72065  
Portland Oregon 97208

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