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

Open Raven, Inc.,  
Opposer

:

v.

: Opposition No. 91158373

Kenneth S. Lin,  
Applicant

: Serial No. 76/449,226

APPLICANT'S ANSWER TO NOTICE OF OPPOSITION

Applicant, Kenneth S. Lin, by the undersigned attorney hereby answers each of the allegations provided in the Notice of Opposition made by Opposer. It is further respectfully submitted that the Notice of Opposition apparently mailed from the U.S. Patent and Trademark Office on 6 November 2003 was received in the offices of the undersigned attorney on 15 December 2003. The undersigned attorney in any event is filing Applicant's Answer to the Notice of Opposition by hand-filing at the U.S. Patent and Trademark Office. The following paragraphs correspond to the paragraphs in the Notice of Opposition:

(1) Applicant is without knowledge or information to form a belief as to the allegations of the Opposer in paragraph 1 of the Notice of Opposition and therefore denies same.

(2) Applicant is without knowledge or information to form a belief as to the allegations of the Opposer in paragraph 2 of the Notice of Opposition and therefore denies same.



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(3) Applicant admits in part and denies in part the allegations made in paragraph 3 of the Notice of Opposition. Applicant admits that a search of the website of the USPTO shows Trademark Registrations directed to “SUNBRELLA”. Applicant is without knowledge or information to form a belief as to Opposer developing a family of SUNBRELLA marks and Applicant is without knowledge or information to form a belief as to Opposer’s allegation of expanded use of the suffix “BRELLA” and therefore denies same.

(4) Applicant is without knowledge or information to form a belief as to the allegations of the Opposer in paragraph 4 of the Notice of Opposition and therefore denies same.

(5) Applicant admits in part and denies in part the allegations made in paragraph 5 of the Notice of Opposition. Applicant admits that a search of the website of the USPTO shows that Registrations 2,761,048; 2,452,965; 2,451,005; 2,302,347; 2,028,355; 1,828,899; 1,815,959; 1,542,589; and 709,110 have issued as U.S. Trademark Registrations. Applicant is without knowledge or information to form a belief as to the allegations relating to Opposer being the owner of all right, title and interest in and to the previously referred to Registrations and further Applicant is without knowledge or information to form a belief as to the validity of the aforementioned Trademark Registrations.

(6) Applicant is without knowledge or information to form a belief as to the allegations of the Opposer in paragraph 6 of the Notice of Opposition and therefore denies same.

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(7) Applicant is without knowledge or information to form a belief as to the allegations of the Opposer in paragraph 7 of the Notice of Opposition and therefore denies same.

(8) Applicant admits the allegations in paragraph 8 of the Notice of Opposition.

(9) Applicant is without knowledge or information to form a belief as to the allegations of the Opposer in paragraph 9 of the Notice of Opposition and therefore denies same.

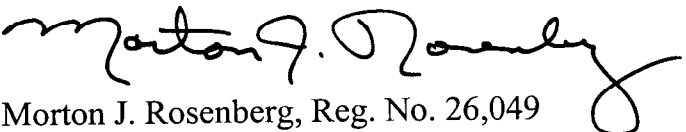
(10) Applicant denies the allegations made by the Opposer in paragraph 10 of the Notice of Opposition.

(11) Applicant denies the allegations made by the Opposer in paragraph 11 of the Notice of Opposition.

(12) Applicant denies the allegations made by the Opposer in paragraph 12 of the Notice of Opposition.

WHEREFORE, having made full answer to the Notice of Opposition, Applicant prays that the Opposition be dismissed.

Respectfully submitted,  
FOR: ROSENBERG, KLEIN & LEE




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Dated: 16 December 2003

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Applicant's Answer to the Notice of Opposition was served upon the Opposer by mailing a true copy thereof by first class mail, postage pre-paid to: J. Timothy Hobbs, Esq., Wiley Rein & Fielding LLP, 1776 K Street, N.W., Washington, D.C. 20006, on this 16<sup>th</sup> day of December 2003.

  
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