

TTAB

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

CONVERSE, INC.)
)
 Opposer,)
)
 v.)
)
 DEPARTMENT OF THE ARMY.)
)
 Applicant)

Opposition No. 91158536
Serial No. 76472300

Commissioner for Trademarks
Box TTAB
NO FEE
2900 Crystal Drive
Arlington, VA 22202-3513



12-22-2003
U.S. Patent & TMOtc/TM Mail Rcpt Dt. #22

Applicant's Answer to the Notice of Opposition

In response to the Notice of Opposition issued by the Board on November 21, 2003, the Applicant, Department of the Army, an agency of the United States Government, answers the Opposer identified above as follows:

1. The Applicant admits the allegations set forth in paragraphs 2 and 3 of the Notice.
2. The Applicant admits and denies in part the allegations set forth in rhetorical paragraph 11. Applicant admits that it did not use the specific design depicted in Application No. 76472300 prior to Opposer's claimed date for first use of its Star Marks. However, the Applicant has used a star design in association with its goods and services since a date prior to the date of first use of the Star Marks of Opposer.
3. The Applicant is without knowledge or information sufficient to form a belief as to the truth of the averments set forth in paragraphs 1, 4, 5, 6, 7, 8, 17 and 18, and based thereon denies each and every such averment.

4. The Applicant denies the material allegations set for in rhetorical paragraphs 9, 12, 13, 14, 15, 19 and 20 of the Notice.

5. Applicant re-alleges and re-states its Answers to the allegations in paragraph 1 through 9 in response to paragraph 10.

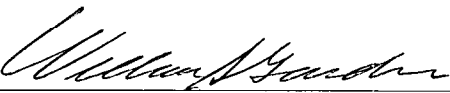
6. Applicant re-alleges and re-states its Answers to the allegations in paragraph 1 through 15 in response to paragraph 16.

In further answer to the Notice, the Applicant asserts that:

7. The Opposer has failed to allege grounds sufficient to establish its standing to maintain the present opposition.

8. The Applicant asks that this opposition proceeding be dismissed and that a Notice of Allowance be issued on its mark.

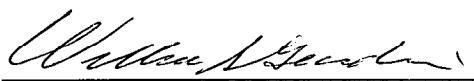
Respectfully submitted,

By 
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CERTIFICATE OF SERVICE

I hereby certify that the original copy of this document is being deposited with the United States Postal Service, postage prepaid, in an envelope addressed to the Commissioner for Trademark, Box TTAB, 2900 Crystal Drive, Arlington, VA 22202-3513, on this date of December 17, 2003.


William S. Gardiner.

CERTIFICATE OF SERVICE

I hereby certify that a copy of this document has been served on counsel for the Opposer, Kenneth Solomon, Esq., THOMPSON CORBURN, One U.S. Bank Plaza, St. Louis, MO 63101, by sending him a copy by first class mail, postage prepaid, on December 17, 2003.



William S. Gardiner