

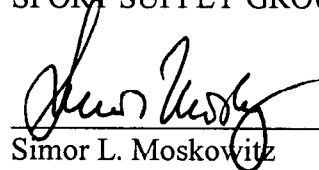
2003 filing date and, therefore, by definition, none of the above-mentioned pending applications can form the basis for opposing the published application based upon a claim of priority and likelihood of confusion. Consequently each of the listed later-filed applications is irrelevant and immaterial to the opposition and do not support a basis for the pleaded claim for relief.

In view of the foregoing, Applicant respectfully submits that its Motion is proper, and requests that the Board issue an Order striking the noted pleaded applications from paragraph 3 of the Notice of Opposition.

Respectfully submitted,

SPORT SUPPLY GROUP, INC.

By: _____


Simor L. Moskowitz
Jacobson Holman, PLLC.
400 Seventh Street, N.W.
Washington, D.C. 20004-2201
(202) 638-6666
Attorneys for Applicant

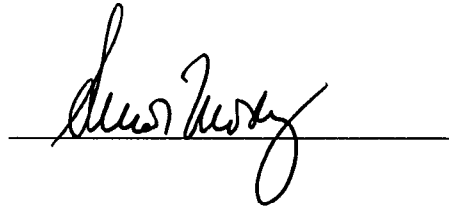
Date: November 9, 2004
Atty. Dkt. No.: I-5154

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing MOTION TO STRIKE was served via first class mail, postage pre-paid, upon

Bruce O. Bradford, Esq.
1000 East Hanes Mill Road
Winston-Salem, NC 27105

this 9th day of November, 2004.

A handwritten signature in black ink, appearing to read "Bruce Bradford", is written over a horizontal line.

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

SARA LEE GLOBAL FINANCE, LLC)	
)	
Opposer)	
)	
v.)	Opposition No. 91/162,348
)	
SPORT SUPPLY GROUP, INC.)	
)	
Applicant.)	
)	

ANSWER

Applicant, Sport Supply Group, Inc., through its undersigned counsel, hereby answers the Notice of Opposition as follows.

1. Applicant is without sufficient knowledge or information upon which to form a belief as to the truth of the allegations set forth in paragraph 1 of the Notice of Opposition, and therefore denies same.

2. Applicant is without sufficient knowledge or information upon which to form a belief as to the truth of the allegations set forth in paragraph 2 of the Notice of Opposition, and therefore denies same.

3. Applicant is without sufficient knowledge or information upon which to form a belief as to the truth of the allegations set forth in paragraph 3 of the Notice of Opposition, and therefore denies same.

4. Applicant is without sufficient knowledge or information upon which to form a belief as to the truth of the allegations set forth in paragraph 4 of the Notice of Opposition, and therefore denies same.

5. Applicant is without sufficient knowledge or information upon which to form a

belief as to the truth of the allegations set forth in paragraph 5 of the Notice of Opposition, and therefore denies same.

6. Applicant denies the last sentence of paragraph 6 of the Notice of Opposition, and demands strict proof thereof. Further answering, Applicant admits the remaining allegations of paragraph 6 of the Notice of Opposition.

7. Applicant denies the allegations of paragraph 7 of the Notice of Opposition and demands strict proof thereof.

8. Applicant denies the allegations of paragraph 8 of the Notice of Opposition and demands strict proof thereof.

AFFIRMATIVE DEFENSES

9. The Notice of Opposition fails to state a claim upon which relief can be granted.

10. Reference to the following pending trademark/service mark applications pleaded in paragraph 3 of the Notice of Opposition should be stricken on the grounds that each one of the pleaded applications was filed based upon intent-to-use and each has a filing date which is later than the February 28, 2003 filing date of the opposed application and, therefore, none of the noted applications can have priority and are therefore immaterial to this proceeding: Serial Nos. 78/241,994; 78/241,984; 78/397,997; 78/398,045; 78/398,069; 78/398,066; 78/398,060; 78/398,018; 78/398,006; 78/398,088; and 78/242,114.

11. There is no likelihood of confusion as between Applicant's CHAMPION BARBELL & DESIGN application and any of the trademarks/service marks pleaded by Opposer in the Notice of Opposition.

12. The word "champion" is the subject of numerous federal registrations and accepted/allowed applications in Classes 25 and 28, owned by various third parties which, upon information and belief, are unrelated to Opposer, as result of which the state of the Register dictates that Opposer's pleaded CHAMPION Trademarks are weak; and whatever rights Opposer may have in its pleaded CHAMPION Trademarks are sufficiently narrow as not to encompass the opposed CHAMPION BARBELL & DESIGN mark.

13. The letter "C" is the subject of numerous federal registrations and accepted/allowed applications in Classes 25 and 28, owned by various third parties which, upon information and belief, are unrelated to Opposer, as result of which the state of the Register dictates that Opposer's pleaded C LOGO Trademarks are weak, and whatever rights Opposer may have in its pleaded C LOGO Trademarks are sufficiently narrow as not to encompass the opposed CHAMPION BARBELL & DESIGN mark.

14. Upon information and belief, the word "champion" is the subject of numerous unregistered uses owned by various third parties unrelated to Opposer, rendering Opposer's pleaded CHAMPION Trademarks weak and, as result of which, whatever rights Opposer may have in its pleaded CHAMPION Trademarks are sufficiently narrow as not to encompass the opposed CHAMPION BARBELL & DESIGN mark.

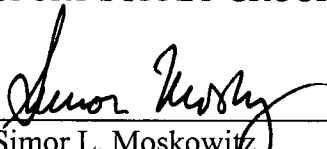
15. Upon information and belief, the letter "C" is the subject of numerous unregistered uses owned by various third parties unrelated to Opposer, rendering Opposer's pleaded C LOGO Trademarks weak and, as result of which, whatever rights Opposer may have in its pleaded C LOGO Trademarks are sufficiently narrow as not to encompass the opposed CHAMPION BARBELL & DESIGN mark.

WHEREFORE, Applicant respectfully submits that Opposer will not be injured or damaged by the registration of Applicant's CHAMPION BARBELL & DESIGN mark which is the subject of the opposed application, and therefore requests that the Opposition be denied and that Application Serial No. 76/494,961 be granted, and a registration issued thereon.

Respectfully submitted,

SPORT SUPPLY GROUP, INC.

By:



Simor L. Moskowitz
Jacobson Holman, PLLC.
400 Seventh Street, N.W.
Washington, D.C. 20004-2201
(202) 638-6666
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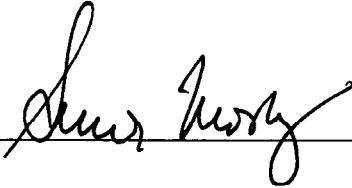
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Bruce O. Bradford, Esq.
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