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Filing date: **11/23/2004**

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

| | |
|-------------------------------|--|
| Proceeding | 91162494 |
| Party | Defendant Focus on the Family Focus on the Family 8605 Explorer Drive Colorado Springs, CO 80920 |
| Correspondence Address | THERESA W. MIDDLEBROOK SQUIRE, SANDERS & DEMPSEY, LLP 801 S. FIGUEROA STREET, 14TH FLOOR LOS ANGELES, CA 90017-5554 |
| Submission | Answer |
| Filer's Name | Theresa W. Middlebrook |
| Filer's e-mail | theresa.middlebrook@hklaw.com |
| Signature | //Theresa W. Middlebrook// |
| Date | 11/23/2004 |
| Attachments | 1123165902.tif (3 pages) |

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

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|---|---|-------------------------|
| SLANE & SLANE DESIGNS, LLC, | : | |
| | : | |
| | : | |
| Opposer, | : | |
| | : | Opposition No. 91162494 |
| v. | : | (Serial No. 78242388) |
| | : | |
| FOCUS ON THE FAMILY, | : | |
| | : | |
| Applicant. | : | |
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ANSWER TO OPPOSITION

FOCUS ON THE FAMILY, (hereinafter "Applicant"), by and through counsel, states as follows in answer to the Notice of Opposition filed by SLANE & SLANE DESIGNS, LLC, (hereinafter "Opposer") in the captioned proceeding:

In response to paragraph a, Applicant admits that it has applied for registration of a mark consisting of a shepherd's staff in a box and the word GRACE, Serial No. 78242388, for lapel pins, which are classified in International Class 14, and published on September 28, 2004. Applicant denies that it is attempting to register a mark consisting solely of the word GRACE, or that it is seeking to register this mark for all goods in Class 14.

In response to paragraph b, Applicant denies all allegations therein.

In response to paragraphs c, d, e and f, Applicant is without sufficient information to form a belief as to the truth or falsity of the allegations made therein, and therefore denies the same.

Applicant denies that Opposer is entitled to the relief which it seeks.

In all other respects, to the extent not specifically denied herein, Applicant avers that Opposer be required to strictly prove all allegations made, and facts and circumstances asserted, in the Notice of Opposition.

AFFIRMATIVE DEFENSES

As a first affirmative defense, Applicant asserts that the Opposition fails to state a claim upon which relief may be granted.

As a second affirmative defense, Applicant asserts that any rights which are held by Opposer do not conflict with Applicant's registration of the mark as submitted.

Pursuant to Section 19 of the Trademark Act, 15 USC Section 1068, Applicant requests that the Director modify the goods in its application to read as follows: "Lapel Pins not intended for use as fashion or fine jewelry", or such other description of the goods that clearly indicates that the use of Applicant's mark on the goods so identified does not conflict with any rights held by Opposer.

Respectfully submitted,

FOCUS ON THE FAMILY

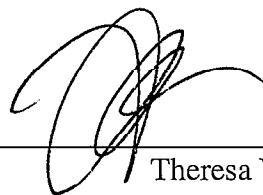
Date: November 23, 2004

By: _____


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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing ANSWER TO OPPOSITION was sent by e-mail and First Class Mail to counsel for Opposer, Mina Hamilton, Lewis Brisbois Bisgaard & Smith LLP, 221 North Figueroa, Suite 1200, Los Angeles, California 90012 on this 23rd day of November, 2004.



Theresa W. Middlebrook

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