

ESTTA Tracking number: **ESTTA19291**

Filing date: **11/15/2004**

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

<b>Proceeding</b>	91162503
<b>Party</b>	Defendant Negro Leagues Baseball Museum, Inc. Negro Leagues Baseball Museum, Inc. 1601 East 18th Street, Suite 260 Kansas City, MO 64108
<b>Correspondence Address</b>	Michael Elbein Hovey Williams LLP 2405 Grand Blvd., Suite 400 Kansas City, MO 64108
<b>Submission</b>	Answer
<b>Filer's Name</b>	Michael Elbein
<b>Filer's e-mail</b>	mme@hoveywilliams.com, vbs@hoveywilliams.com, tln@hoveywilliams.com
<b>Signature</b>	/michael elbein/
<b>Date</b>	11/15/2004
<b>Attachments</b>	Answer to opposition.pdf ( 4 pages )

**UNITED STATES PATENT AND TRADEMARK OFFICE  
TRADEMARK TRIAL AND APPEAL BOARD**

ST. LOUIS CARDINALS, LLC	)	
	)	
Opposer,	)	Opposition No. 91162503
	)	Serial No. 74/614,716
v.	)	
	)	
NEGRO LEAGUES BASEBALL	)	
MUSEUM, INC.	)	
	)	
Applicant.	)	

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**ANSWER TO NOTICE OF OPPOSITION**

Applicant, Negro Leagues Baseball Museum, Inc., in response to the Notice of Opposition filed by St. Louis Cardinals, LLC states as follows:

1. Applicant is without sufficient knowledge to admit or deny the allegations contained in paragraph 1, and therefore denies the same.
2. Applicant without sufficient knowledge to admit or deny the allegations contained in paragraph 2, and therefore denies the same.
3. Applicant admits that the opposer is the owner of record of the registrations noted in paragraph 3; Applicant denies the remaining allegations in paragraph 3 for lack of knowledge sufficient to admit or deny the same.

**CERTIFICATE OF ELECTRONIC FILING**

I hereby certify that the foregoing Answer to Notice of Opposition regarding U.S. Serial No.74/614,716 was filed electronically using the ESTTA electronic filing system on this 15<sup>th</sup> day of November 2004.

          /Vasuki Selvan/

ANSWER TO OPPOSITION  
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4. Applicant is without sufficient information to admit or deny the allegations contained in paragraph 4 and therefore, denies the same.

5. Applicant is without sufficient information to admit or deny the allegations of contained in paragraph 5 and therefore, denies the same.

6. Applicant admits the allegations contained in paragraph 6.

7. Applicant admits that it did not use this mark in connection with all of the goods listed in the application prior to the date of filing.

8. Applicant admits that some of the goods offered by Applicant are identical to some of the goods listed in registrations allegedly owned by the opposer in connection with its STL & Design mark; applicant denies the remaining allegations in paragraph 8.

9. Applicant denies the allegations contained in paragraph 9.

10. Applicant denies the allegations contained in paragraph 10.

11. Applicant denies that opposer will be damaged by registration of Applicant's STL & Design mark.

12. Applicant denies each and every allegation contained in the Notice of Opposition not specifically admitted herein.

13. Opposer's Notice of Opposition fails to state a claim upon which relief can be granted.

14. Opposer's marks are all for a design, which design does not even remotely resemble the design used by Applicant in its application.



ANSWER TO OPPOSITION  
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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of Answer to Notice of Opposition was mailed, first class, postage prepaid, this 15th, day of November, 2004 to the following:

\_\_\_\_ Mary L. Kevlin  
COWAN, LIEBOWITZ & LATMAN, P.C.  
1133 Avenue of the Americas  
New York, NY 10036

\_\_\_\_ ATTORNEYS FOR OPPOSER

\_\_\_\_ /Michael Elbein/