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Filing date: **12/03/2007**

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

Proceeding	91180188
Party	Defendant Raytheon Company
Correspondence Address	DOUGLAS W. GILMORE NOBLITT & GILMORE, LLC 4800 N. SCOTTSDALE ROAD, SUITE 6000 SCOTTSDALE, AZ 85251-7630 UNITED STATES
Submission	Answer
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Date	12/03/2007
Attachments	RAYTH6410_2007-12-03_Applicant_answer.pdf (4 pages)(82569 bytes)

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5 ATTORNEYS FOR APPLICANT

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

8 NORTHROP GRUMMAN CORPORATION

Opposition No. 91180188

9 Opposer,

10 v.

11 RAYTHEON COMPANY

APPLICANT'S ANSWER

12 Applicant.

13
14 In response to the above-captioned Notice of Opposition mailed to Applicant Raytheon
15 Company ("Applicant") on October 19, 2007, Applicant admits, denies, and defends as follows:

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17 **ADMISSIONS AND DENIALS**

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19 1. Applicant lacks knowledge or information sufficient to form a belief as to the truth of
20 the Opposer's averments contained in Paragraph 1 of the Notice of Opposition and on that basis
21 denies same.
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1 2. Applicant lacks knowledge or information sufficient to form a belief as to the truth of
2 the Opposer's averments contained in Paragraph 2 of the Notice of Opposition and on that basis
3 denies same.

4
5 3. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the
6 Opposer's averments contained in Paragraph 3 of the Notice of Opposition and on that basis
7 denies same.

8
9 4. Applicant lacks knowledge or information sufficient to form a belief as to the truth of
10 the Opposer's averments contained in Paragraph 4 of the Notice of Opposition and on that basis
11 denies same.

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14 5. Applicant admits the averments of Paragraph 5 of the Notice of Opposition to the
15 extent that Applicant filed an application for registration of the mark SILENT GUARDIAN on
16 May 5, 2006, for goods related to "directed energy systems for the protection and defense of
17 people, places and assets; namely millimeter wave weapons for repelling individuals without
18 causing injury." Applicant also admits that said application was published for Opposition in the
19 Official Gazette on September 4, 2007.

20 Applicant denies the remaining averments of Paragraph 5. Specifically, Applicant denies
21 that the mark SILENT GUARDIAN was for goods in International Class 009. Rather,
22 Applicant's mark SILENT GUARDIAN was applied for in International Class 013.

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24 6. Applicant admits the averments of Paragraph 6 of the Notice of Opposition.
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2 7. Applicant denies the averments of Paragraph 7 of the Notice of Opposition.

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4 8. Applicant denies the averments of Paragraph 8 of the Notice of Opposition.

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6 **AFFIRMATIVE DEFENSES**

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8 **First Affirmative Defense**

9 (1) Opposers's Notice of Opposition fails to state grounds for which relief may be
10 granted.

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12 **Second Affirmative Defense**

13 (2) Applicant alleges that Opposer lacks standing to commence this Opposition
14 proceeding because Opposer will not be injured by the use or registration of the SILENT
15 GUARDIAN mark.

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17 **Third Affirmative Defense**

18 (3) Opposer's claims are barred to the extent that Opposer does not have priority over
19 Applicant's mark.

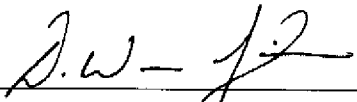
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21 **Fourth Affirmative Defense**

22 (4) Applicant reserves the right to assert additional affirmative defenses as discovery
23 proceeds herein.
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1 WHEREFORE, having fully defended, Applicant requests this Opposition Proceeding be
2 dismissed with prejudice.

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4 Dated: 12/3/2007

Respectfully submitted,

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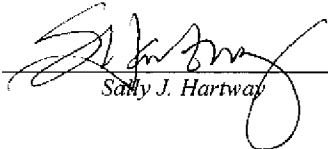
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12 CERTIFICATE OF ELECTRONIC FILING

13 *It is hereby certified that a true copy of the foregoing Answer was filed electronically with ESTTA at the United States Patent and
14 Trademark Office, on 12/3/2007.*

15 
16 Sally J. Hartway

17 CERTIFICATE OF SERVICE

18 *I hereby certify that a true and complete copy of the foregoing Answer has been served on Bruce Brunda mailing said copy on
19 12/3/2007 via First Class Mail (postage pre-paid) to: STETINA BRUNDA GARRED & BRUCKER, 75 Enterprise, Suite 250,
20 Aliso Viejo, CA 92656.*

21 
22 Sally J. Hartway