

ESTTA Tracking number: **ESTTA190053**

Filing date: **01/31/2008**

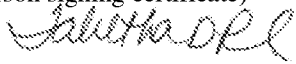
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91180722
Party	Defendant Christopher Brian Apparel, Inc.
Correspondence Address	TABETHA D. PLUMMER, ESQ. PLUMMER LAW GROUP, PC 14724 VENTURA BLVD PH SUITE SHERMAN OAKS, CA 91403-3501 UNITED STATES tabetha@plummerlawgroup.com
Submission	Answer
Filer's Name	Tabetha D. Plummer, Esq.
Filer's e-mail	tabetha@plummerlawgroup.com
Signature	/tabetha d plumber/
Date	01/31/2008
Attachments	CB_Answer_77061944_91180722.pdf (5 pages)(35234 bytes)

CERTIFICATE OF ELECTRONIC FILING: I hereby certify that this correspondence is being filed electronically with the United States Patent and Trademark Office Trademark Trial and Appeal Board at the following address:
<http://esta.uspto.gov/ipp/r.jsp> on

January 31, 2008
(date of deposit)

Tabetha D. Plummer
(name of person signing certificate)


(signature)

January 31, 2008
(date of signature)

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

In the matter of Trademark Registration Application Serial No. 77/061,944 published in the Official Gazette (Trademarks) on July 17, 2007:

CUTTER & BUCK, INC.)	
)	
Opposer,)	
v.)	Opposition No.: 91180722
)	
CHRISTOPHER BRIAN APPAREL, INC.,)	
)	
Applicant.)	
)	

ANSWER TO NOTICE OF OPPOSITION

CHRISTOPHER BRIAN APPAREL, INC., by its attorneys, hereby Answers the Notice of Opposition of CUTTER & BUCK, INC. and admits, denies and alleges as follows:

1. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 1 and on that basis denies the allegations contained therein.

2. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 2 and on that basis denies the allegations contained therein.

3. Applicant admits that Opposer is listed as the owner of Registration No. 2,311,321 for the trademark CB and that the goods listed in this registration are “a variety of men’s, women’s, and children’s sportswear” in Class 25. Applicant further admits that this registration identifies a registration date of January 25, 2000. Applicant is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph 3 and on that basis denies the allegations contained therein.

4. Applicant admits that Opposer is listed as the owner of Registration No. 1,660,896 for the trademark CUTTER & BUCK CB and that the goods listed in this registration are “a variety of men’s, women’s, and children’s sportswear” in Class 25 Applicant further admits that this registration identifies a registration date of October 15, 1991. Applicant is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph 4 and on that basis denies the allegations contained therein.

5. Applicant admits that Opposer is listed as the owner of Registration No. 2,460,208 for the trademark CUTTER & BUCK CB and that the goods listed in this registration are “footwear” in Class 25. Applicant further admits that this registration identifies a registration date of June 12, 2006. Applicant is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph 5 and on that basis denies the allegations contained therein.

6. Applicant admits that Opposer is listed as the owner of Registration No. 3,117,918 for the trademark CB ANNIKA and that the goods listed in this registration are “apparel” in Class 25. Applicant further admits that this registration identifies a registration date

of July 18, 2006. Applicant is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph 6 and on that basis denies the allegations contained therein.

7. Applicant admits that Opposer is listed as the owner of Registration No. 2,552,315 for the trademark CUTTER & BUCK and that the goods listed in this registration is “watches” in Class 14, “various bags and umbrellas” in Class 18, “golf towels” in Class 24, “apparel and footwear” in Class 25, “golfing tools” in Class 28, and “retail store services and wholesale services” in Class 35. Applicant further admits that this registration identifies a registration date of March 26, 2002. Applicant is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph 7 and on that basis denies the allegations contained therein.

8. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegation of Paragraph 8 and on that basis denies the allegations contained therein.

9. Applicant denies the allegations of Paragraph 9.

10. Applicant denies the allegations of Paragraph 10.

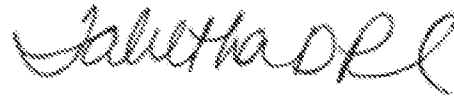
//

//

//

WHEREFORE, having fully answered the Notice of Opposition to Applicant's registration of the subject mark, Applicant prays that registration be granted and that the Opposition be dismissed with prejudice.

Respectfully submitted,



Dated: January 31, 2008

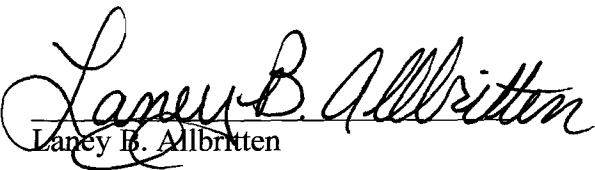
Tabetha D. Plummer, Esq.
PLUMMER LAW GROUP, PC
14724 Ventura Boulevard, Penthouse
Sherman Oaks, California 91403
Telephone: (818) 728-0180
Facsimile: (818) 728-0198

Attorney for Applicant

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing Answer to Notice of Opposition has been served on Deborah Trant, Esq. by mailing said copy on January 31, 2008, via First Class Mail, postage prepaid to:

Deborah Trant, Esq.
Lane Powell, PC
601 SW Second Avenue, Suite 2100
Portland, Oregon 97204


Laney B. Albritton