



3. In answer to paragraph 3, Applicant admits that Opposer appears as the owner of record of U.S. Trademark Registration No 2,027,433. Applicant admits that the stated information with respect to the filing and first use date are presented in the registration, but does not admit the validity or accuracy of the cited information. With respect to the allegation of incontestability, Applicant is without sufficient information to admit or deny the assertions presented and therefore deny same.

4. In answer to paragraph 4, Applicant admits that Opposer appears as the owner of record of U.S. Trademark Registration No 2,072,103. Applicant admits the stated information with respect to the filing and first use date are presented in the registration, but does not admit the validity or accuracy of the cited information. With respect to the allegation of incontestability, Applicant is without sufficient information to admit or deny the assertions presented and therefore deny same.

5. In answer to paragraph 5, Applicant admits that Opposer appears as the owner of record of U.S. Trademark Registration No 2,867,870. Applicant admits the stated information with respect to the filing and first use date are presented in the registration, but does not admit the validity or accuracy of the cited information.

6. In answer to paragraph 6, Applicant admits that Opposer appears as the owner of record of U.S. Trademark Registration No 3,290,692. Applicant admits the stated information with respect to the filing and first use date are presented in the registration, but does not admit the validity or accuracy of the cited information.

7. In answer to paragraph 7, Applicant admits that KNOX appear as the owner of record of U.S. Trademark Application Serial No. 77/257560 for the goods as

identified therein. Applicant admits the assertions as to filing date and claims of first use presented in the application, but is without sufficient information to admit the validity of the assertions.

8. Applicant admits that the cited registrations appear valid and subsisting, unrevoked and uncancelled pursuant to the records of the United States Patent and Trademark Office and as such constitute *prima facie* evidence of the validity of the registered marks. Applicant has no specific knowledge as to KNOX's current ownership of the marks and the exclusive right to use the marks in commerce in connection with the goods or services presented therein without condition or limitation and therefore denies the assertion. Applicant admits that the cited registrations do constitute notice to Applicant of KNOX's claim of ownership of the marks shown therein.

9. Applicant admits that the cited registrations were filed in the United States Patent and Trademark Office prior to the filing date of Applicant's application. Applicant does not have sufficient information to admit or deny the validity of the registrations or that they remain subsisting, and therefore denies same. Applicant denies that the respective marks of the parties are likely to cause confusion or to cause make [sic mistake] or deceive.

10. Denied.

11. Denied.

12. Applicant is without sufficient knowledge to admit or deny the assertions presented in paragraph 12 of the Notice of Opposition and therefore denies same.

13. Applicant is without sufficient knowledge to admit or deny the assertions presented in paragraph 13 of the Notice of Opposition and therefore denies same.

14. Applicant is without sufficient knowledge to admit or deny the assertions presented in paragraph 14 of the Notice of Opposition and therefore denies same.

15. Applicant is without sufficient knowledge to admit or deny the assertions presented in paragraph 15 of the Notice of Opposition and therefore denies same.

16. Denied.

17. Denied.

18. Denied.

19. Applicant is without sufficient information to admit or deny the allegations presented in paragraph 19 of the Notice of Opposition and therefore denies same.

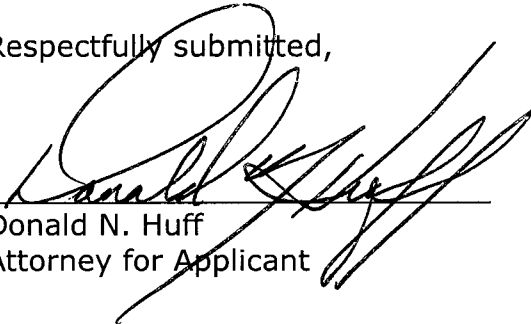
20. Denied.

21. Admitted.

22. Denied.

WHEREFORE, Applicant requests that the opposition be dismissed and that Application Serial No. 79/040769 be allowed to proceed to registry.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Donald N. Huff", is written over a horizontal line. The signature is stylized and cursive.

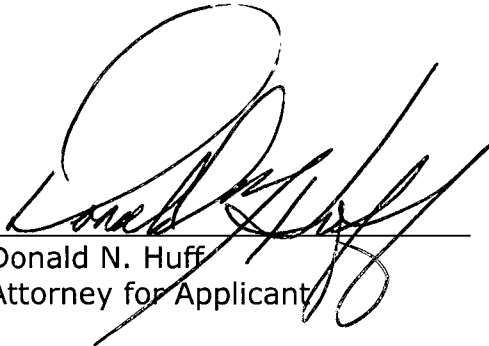
Donald N. Huff  
Attorney for Applicant

Dated this 2<sup>nd</sup> day of July 2008.

DYKEMA GOSSETT PLLC  
1300 I Street, N.W.  
Third Floor West  
Washington, D.C. 20005  
Telephone: (202) 906-8638  
Facsimile: (202) 906 8669  
E-mail: dhuff@dykema.com

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of this Answer to Notice of Opposition was served upon Alina S. Morris, Esquire, attorney for Opposer, Knobbe Martens Olson & Bear, LLP, 2040 Main Street, 14<sup>th</sup> Floor, Irvine, California 92614 via first mail, postage prepaid, this 2<sup>nd</sup> day of July 2008.



Donald N. Huff  
Attorney for Applicant