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

Proceeding	91191132
Party	Defendant GoFast, LLC
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Submission	Answer
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Date	08/31/2009
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By: / carrie a. johnson /  
Carrie A. Johnson

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

Go Fast Sports & Beverage Company	)	
	)	Opposition No. 91191132
Opposer,	)	
	)	Application Serial No. 77/584363
v.	)	
	)	Mark: GOFAST
GoFast, LLC	)	
	)	
Applicant.	)	
	)	

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**APPLICANT'S ANSWER**

Applicant, GoFast, LLC ("Applicant"), hereby answers the Notice of Opposition of  
Opposer as follows:

1. Admitted.
2. Admitted to the extent that the U.S. Patent and Trademark Office records identify Go  
Fast Sports & Beverage Company ("Opposer") as the owner of the following federal  
registrations for the respective goods identified therein:

- U.S. Registration No. 2,312,114, (GO FAST.SPORTS);
- U.S. Registration No. 2,307,671 (GO FAST);
- U.S. Registration No. 2,929,528 (GO FAST);
- U.S. Registration No. 3,511,463 (GO FAST SPORTS! and Design);
- U.S. Registration No. 3,600,298 (GO FAST); and

- U.S. Registration No. 3,640,651 (GO FAST SPORTS! and Design)

Paragraph 1 is also admitted to the extent that the U.S. Patent and Trademark Office records show that combined Affidavits of Use and Incontestability were filed in connection with the maintenance of U.S. Registration Nos. 2,312,114 (GO FAST.SPORTS) and 2,307,671 (GO FAST) on January 10, 2006, alleging continued use in commerce of the respective marks, and continuous use of the respective marks in commerce for five consecutive years, for “stickers and post cards, posters” and “clothing and outerwear, namely, shirts, hats, jackets, headwear, caps, socks, gloves, pants, shorts, head bands, sweat bands, sweatpants,” and verified with declarations pursuant to 37 C.R.F. § 2.20. All remaining averments in Paragraph 1, including subparts a-f, are denied.

3. Applicant is without knowledge or information sufficient to form a belief as to the truth of the averments set forth in Paragraph 3, including subparts a-d, and therefore denies the same.
4. Denied.
5. Admitted.
6. The averments of Paragraph 6 are denied on the grounds that they call for a legal conclusion.
7. Denied.
8. Denied.
9. The averments of Paragraph 9 are denied on the grounds that they call for a legal conclusion.
10. Admitted.

11. Denied.

12. Denied.

13. The averments of Paragraph 9 are denied on the grounds that they call for a legal conclusion.

**AFFIRMATIVE DEFENSES**

1. Opposer's marks are not famous in accordance with 15 U.S.C. § 1125(c).
2. Opposer's claims are barred by the doctrine of unclean hands.

Wherefore, Applicant prays that the Notice of Opposition be dismissed with prejudice.

/carrie a. johnson/

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing *Answer* was served upon Opposer by causing a true and correct copy thereof to be sent by first class mail, postage prepaid to:

Robert R. Brunelli, Esq.  
Sheridan Ross P.C.  
1560 Broadway, Suite 1200  
Denver, Colorado 80202-5141

Date: August 31, 2009

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