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Filing date: **03/17/2011**

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

Proceeding	91198538
Party	Defendant Sportcraft, Ltd.
Correspondence Address	R. ALAN WEEKS FELLERS SNIDER, ET AL. 321 S BOSTON AVE STE 800 TULSA, OK 74103-3318 trademarks@fellerssnider.com
Submission	Answer
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Date	03/17/2011
Attachments	Answer.pdf (4 pages)(150494 bytes)

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

Trademark Application Serial No.: 85/098,059
Filed: August 2, 2010
For Mark: BIG FUN (*Stylized*)
Published: January 11, 2011

East Point Sports, LLC

Opposer,

v.

Sportcraft, Ltd.,

Applicant.

§ Opposition No.: 91198538

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APPLICANT'S ANSWER TO OPPOSER'S NOTICE OF OPPOSITION

Sportcraft, Ltd. ("Sportcraft"), for its answer to the Notice of Opposition filed by East Point Sports, LLC, ("Opposer"), denies each and every allegation contained therein except as hereinafter specifically admitted and further responds to each numbered paragraph of the Notice of Opposition as follows:

1. Upon information and belief, Applicant admits the allegations contained in Paragraph 1 of the Notice of Opposition.
2. Applicant admits the allegations in Paragraph 2 of the Notice of Opposition.
3. Upon information and belief, Applicant admits that Opposer sells various recreational game products. Applicant is without sufficient knowledge or information to form a belief as to the truth or falsity of the remaining allegations contained in Paragraph 3 of the Notice of Opposition and therefore denies the same.

4. Upon information and belief, Applicant admits that Opposer has begun using a mark containing the words “big fun” in connection with certain games. Applicant is without sufficient knowledge or information to form a belief as to the truth or falsity of the remaining allegations contained in Paragraph 4 of the Notice of Opposition and therefore denies the same.

5. Applicant admits the allegations contained in Paragraph 5 to the extent they are consistent with Application Serial No. 85/098,059.

6. Applicant is without sufficient knowledge or information to form a belief as to the truth or falsity of the allegations contained in Paragraph 6 of the Notice of Opposition with regard to Opposer’s first use date and therefore denies the same. Applicant denies that any such use was proper should inure to Opposer’s benefit. Applicant also denies any remaining allegations contained in Paragraph 6 of the Notice of Opposition.

7. Applicant denies the allegations contained in Paragraph 7 of the Notice of Opposition in that Opposer is estopped by its conduct from claiming that Applicant does not have the right to use the subject mark and further expressly denies that any such consent or permission was necessary or required.

8. Applicant is without sufficient knowledge or information to form a belief as to the truth or falsity of the allegations contained in Paragraph 8 of the Notice of Opposition with regard to the extent of Opposer’s marketing and promotion activities, if any, and purported recognition by consumers, and therefore denies the same. Applicant denies the remaining allegations contained in Paragraph 8 of the Notice of Opposition.

9. Applicant denies that Opposer will suffer any injury or damage, as Opposer has no right to use the subject mark or any mark confusingly similar thereto. Applicant is without

sufficient knowledge or information to form a belief as to the truth or falsity of the remaining allegations in Paragraph 9 of the Notice of Opposition and therefore denies the same.

10. Applicant denies that Opposer will suffer any injury or damage, as Opposer has no right to use the subject mark or any mark confusingly similar thereto.

11. No response is required to Paragraph 11 of the Notice of Opposition.

AFFIRMATIVE DEFENSES

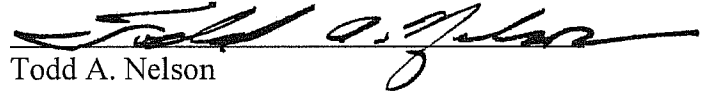
1. Opposer's opposition is barred by Applicant's prior and superior rights.
2. Opposer's opposition is barred by Opposer's wrongful conduct, including but not limited to Opposer's use of Applicant's confidential and trade secret information.
3. Opposer's opposition is barred by the breach of contract and confidentiality obligations owed to Applicant by certain of Opposer's employees.
4. Opposer's opposition is barred by estoppel and the doctrine of unclean hands.
5. Applicant reserves the right to raise such other defenses as may be warranted by discovery in this proceeding.

RELIEF REQUESTED

WHEREFORE, Applicant prays that this opposition proceeding be dismissed and that its registration issue forthwith.

Date: March 17, 2011

Respectfully Submitted,



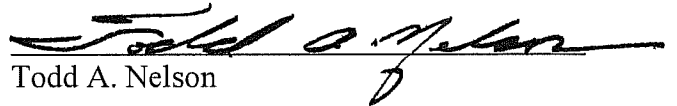
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Attorneys for Applicant,
Sportcraft, Ltd.

CERTIFICATE OF TRANSMITTAL - ESTTA

Date of Deposit March 17, 2011

I hereby certify that this correspondence is being transmitted to the UNITED STATES PATENT AND TRADEMARK OFFICE via the ESTTA system on March 17, 2011.

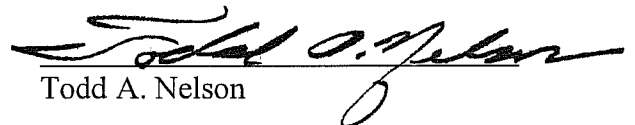


Todd A. Nelson

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 17th day of March, 2011, a true and correct copy of the foregoing was mailed, postage prepaid, to:

Thomas J. Oppold, Esq.
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Todd A. Nelson