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

Proceeding	91202516
Party	Defendant Native ReVision
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Submission	Answer
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Date	12/20/2011
Attachments	Answer.pdf (6 pages)(48012 bytes)

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

In the matter of trademark application Serial No. 85/147,345
For the Mark NATIVE REVISION and design (shown below)



Published in the Official Gazette on September 13, 2011

THE JOHN HOPKINS UNIVERSITY

Opposer,

v.

NATIVE REVISION

Applicant.

Opposition No.: 91202516

**APPLICANT'S ANSWER AND RESPONSE
TO OPPOSER'S NOTICE OF OPPOSITION**

Applicant, Native Revision ("Applicant"), hereby answers and responds to the Notice of Opposition filed by Opposer, The John Hopkins University ("Opposer"), as follows:

1. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations recited in paragraph 1 of the Notice of Opposition and therefore denies same, leaving Opposer to their proofs.

2. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations recited in paragraph 2 of the Notice of Opposition and therefore denies same, leaving Opposer to their proofs.

3. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations recited in paragraph 3 of the Notice of Opposition and therefore denies same, leaving Opposer to their proofs.

4. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations recited in paragraph 4 of the Notice of Opposition and therefore denies same, leaving Opposer to their proofs.

5. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations recited in paragraph 5 of the Notice of Opposition and therefore denies same, leaving Opposer to their proofs.

6. Applicant admits the following:

(a) Trademark Application Serial No. 85/408,170 is for NATIVEVISION for summer camp/day camp services; after school educational programs in the fields of healthy lifestyles and youth development; providing group coaching and learning forums in the field of leadership development; and counseling services in the field of physical fitness, all of the foregoing services provided to American Indian youth and their families, in International Class 41; for counseling services in the fields of health, nutrition and lifestyle wellness, provided to American Indian youth and their families, in International Class 44; for counseling in the field of personal development, namely self improvement, self fulfillment and interpersonal communication; and counseling in the field of developing, strengthening and sustaining well-balanced families and family relationships, all of the foregoing services provided to American Indian youth and their families, in International Class 45.

(b) Trademark Application Serial No. 85/408,186 is for NATIVEVISION in stylized letters with the design of a sun above the word “vision” summer camp/day camp services; after

school educational programs in the fields of healthy lifestyles and youth development; providing group coaching and learning forums in the field of leadership development; and counseling services in the field of physical fitness, all of the foregoing services provided to American Indian youth and their families, in International Class 41; for counseling services in the fields of health, nutrition and lifestyle wellness, provided to American Indian youth and their families, in International Class 44; for counseling in the field of personal development, namely self improvement, self fulfillment and interpersonal communication; and counseling in the field of developing, strengthening and sustaining well-balanced families and family relationships, all of the foregoing services provided to American Indian youth and their families, in International Class 45.

Applicant lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in paragraph 6 of the Notice of Opposition and therefore denies same leaving Opposer to their proofs.

7. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations recited in paragraph 7 of the Notice of Opposition and therefore denies same, leaving Opposer to their proofs.

8. Applicant admits Applicant, Native Revision, is a Texas limited liability company formed on August 24, 2010, with a principal place of business at 2929 Mican Drive, Dallas, Texas 75212.

9. Applicant admits the allegations recited in paragraph 9.

10. Applicant admits the allegations recited in paragraph 10.

11. Applicant denies the truth of the allegations recited in paragraph 11 of the Notice of Opposition.

12. Applicant denies the truth of the allegations recited in paragraph 12 of the Notice of Opposition.

13. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations recited in paragraph 13 of the Notice of Opposition and therefore denies same, leaving Opposer to their proofs.

14. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations recited in paragraph 14 of the Notice of Opposition and therefore denies same, leaving Opposer to their proofs.

15. Applicant denies the truth of the allegations recited in paragraph 15 of the Notice of Opposition.

16. Applicant denies the truth of the allegations recited in paragraph 16 of the Notice of Opposition.

17. Applicant denies the truth of the allegations recited in paragraph 17 of the Notice of Opposition.

DEFENSES

Further responding to the Notice of Opposition, Applicant asserts the following defenses and reserves the right to amend its Answer to assert additional defenses as additional information becomes available:

FIRST DEFENSE

18. Opposer's request for relief is barred in whole or part by the equitable doctrine of laches and acquiescence.

SECOND DEFENSE

19. Opposer's request for relief is barred in whole or part by the equitable doctrine of unclean hands.

THIRD DEFENSE

20. Opposer's request for relief is barred in whole or part by the equitable doctrine of estoppel.

Please recognize Steven Cardwell, 2929 Mican Drive, Dallas, Texas 75212, as the correspondent for the *pro se* Applicant.

PRAYER FOR RELIEF

Applicant denies that Opposer is entitled to a judgment in their favor and denies that Opposer is entitled to their relief requested.

Dated: December 20, 2011.

Respectfully submitted,

Native ReVision

/Steven Cardwell/

Steven Cardwell
2929 Mican Drive
Dallas, Texas 75212

APPLICANT

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 20th day of December 2011, the foregoing **Applicant's Answer and Response to Opposer's Notice of Opposition** is being deposited with the United States Patent and Trademark Office, Trademark Trial and Appeal Board via electronic filing through their website at <http://estta.uspto.gov> and served upon Opposer by delivering a true and correct copy of same to counsel for Opposer as follows:

Donna M. D. Thomas
Astrachan Gunst Thomas Rubin, P.C.
217 East Redwood Street, 21st Floor
Baltimore, MD 21202

Date: December 20, 2011

NATIVE REVISION

By: /Steven Cardwell/

Steven Cardwell