

ESTTA Tracking number: **ESTTA450742**

Filing date: **01/11/2012**

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

Proceeding	91202810
Party	Defendant Thunder Rose Enterprises, Inc.
Correspondence Address	MARC A HUBBARD GARDERE WYNNE SEWELL LLP 1601 ELM ST, STE 3000 DALLAS, TX 75201-4761 UNITED STATES
Submission	Answer
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Date	01/11/2012
Attachments	Thunder_Rose-BULLHEAD-ANSWER_Opp 91202810.pdf ( 4 pages )(31043 bytes )

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

BULLHEAD CONTROL SYSTEMS, LLC	)	
	)	
Opposer,	)	
	)	
and	)	
	)	
BILLY R. KIRK	)	Opposition No. 91202810
	)	Application Serial No.: 76/708068
Opposer,	)	Mark: BULLHEAD
	)	
v.	)	
	)	
THUNDER ROSE ENTERPRISES, INC.	)	
	)	
Applicant.	)	
	)	

Commissioner of Patents and Trademarks  
P.O. Box 1451  
Alexandria, Virginia 22313-1451

**ANSWER**

Applicant, Thunder Rose Enterprises, Inc. (“Applicant”) submits this its Answer in response to the Notice of Opposition filed by Bullhead Control Systems, LLC and Billy R. Kirk (“Opposers”), as follows:

1. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 1 of the Notice of Opposition, and on that basis, denies such allegations.
  
2. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 2 of the Notice of Opposition, and on that basis, denies such allegations.

3. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 3 of the Notice of Opposition, and on that basis, denies such allegations.

4. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 4 of the Notice of Opposition, and on that basis, denies such allegations.

5. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 5 of the Notice of Opposition, and on that basis, denies such allegations.

6. Applicant admits that Thunder Rose Enterprises, Inc. is not and has not been a member, owner, manager or shareholder of Bullhead Control Systems, LLC. As to the remainder of the allegations in paragraph 6, Applicant denies the allegations.

7. Responsive to the allegations of paragraph 7, Applicant admits that Opposers' alleged marks are similar to Applicant's mark and admits that Opposers' alleged goods are similar to Applicant's goods. As to the remainder of the allegations in paragraph 7, Applicant denies the allegations.

8. Applicant denies the allegations contained in paragraph 8 of the Notice of Opposition.

9. Applicant denies the allegations contained in paragraph 9 of the Notice of Opposition.

10. Applicant denies the allegations contained in paragraph 10 of the Notice of Opposition.

**AFFIRMATIVE DEFENSES**

As and for its affirmative defenses, Thunder Rose Enterprises, Inc. alleges the following.

**FIRST AFFIRMATIVE DEFENSE**

1. Opposers are estopped from alleging that they own or possess rights in and to “Bullhead” and “Bullhead Control Systems,” or from opposing registration of Applicant’s mark.

**SECOND AFFIRMATIVE DEFENSE**

2. Opposers have acquiesced in, and/or consented to, Applicant’s registration and use of its mark.

**THIRD AFFIRMATIVE DEFENSE**

3. Opposers cannot establish use of, and did not use, its alleged marks prior to the filing date of this application for registration.

**FOURTH AFFIRMATIVE DEFENSE**

4. Any use of “Bullhead” and/or “Bullhead Control Systems” in connection with valves by either of the Opposers inures to the benefit of Applicant. Opposers do not have standing to oppose Applicant’s registration.

**PRAYER FOR RELIEF**

Applicant therefore prays that this Opposition be dismissed, that the Applicant be granted registration of the above-captioned mark, and that other and further relief be granted to Applicant to which it may show itself justly entitled.

Respectfully submitted,

/Marc A. Hubbard/  
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**ATTORNEYS FOR APPLICANT**

**CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the foregoing Answer, has been forwarded via email to [jke@rodneylaw.com](mailto:jke@rodneylaw.com) through the Electronic System for Trademark Trials and Appeal Board and by First Class Mail, postage prepaid, on January 11, 2012, to the following:

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*Attorney for Billy R. Kirk and  
Bullhead Control Systems, LLC*

/Lisa R. Hemphill/  
Lisa R. Hemphill

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