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

Proceeding	91202909
Party	Defendant Twin Tiger Assets Corp.
Correspondence Address	TWIN TIGER ASSETS CORP. TWIN TIGER ASSETS CORP. 520 ESPLANADE APT B REDONDO BEACH, CA 90277-4078 twintiger@9netwave.com
Submission	Answer
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Date	01/12/2012
Attachments	Answer-Opp '909.pdf (5 pages)(83335 bytes)

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

THE KEEP A BREAST)	
FOUNDATION, INC.)	
)	
Opposer,)	
)	Opposition No. 91202909
)	Application Serial No. 85359191
v.)	Mark: BOOBIES ROCK
)	
TWIN TIGER ASSETS CORP.,)	
)	
Applicant.)	

ANSWER

Twin Tiger Assets Corp. (“Applicant”), answers the Notice of Opposition filed by The Keep A Breast Foundation, Inc. (“Opposer”) against its pending Application Serial No. 85359191 as set forth below.

With respect to the preamble, Applicant denies that Opposer will be damaged by the registration of Applicant’s BOOBIES ROCK mark. As to the numbered Paragraphs in the Notice of Opposition, Applicant Answers as follows:

1. Applicant denies that Opposer would in any way be damaged by the registration of Applicant’s mark and that Opposer has any basis for claiming damages. Applicant lacks sufficient information to form a belief as to the truth or falsity of the remaining allegations in Paragraph 1 of the Notice of Opposition, and therefore denies them.

2. Admitted.

3. Admitted.

4. Admitted.

5. Applicant lacks sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 5 of the Notice of Opposition, and therefore denies them.

6. Applicant lacks sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 6 of the Notice of Opposition, and therefore denies them.

7. Applicant lacks sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 7 of the Notice of Opposition, and therefore denies them.

8. Applicant lacks sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 8 of the Notice of Opposition, and therefore denies them.

9. Applicant lacks sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 9 of the Notice of Opposition, and therefore denies them.

10. Applicant lacks sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 10 of the Notice of Opposition, and therefore denies them.

11. Applicant lacks sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 11 of the Notice of Opposition, and therefore denies them.

12. Applicant lacks sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 12 of the Notice of Opposition, and therefore denies them.

13. Applicant lacks sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 13 of the Notice of Opposition, and therefore denies them.

14. Applicant lacks sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 14 of the Notice of Opposition, and therefore denies them.

15. Applicant lacks sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 15 of the Notice of Opposition, and therefore denies them.

16. Applicant lacks sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 16 of the Notice of Opposition, and therefore denies them.

17. Applicant lacks sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 17 of the Notice of Opposition, and therefore denies them.

18. Applicant incorporates by reference its responses and/or answers to Paragraphs 1-17 above as if fully set forth herein.

19. Applicant admits that its BOOBIES ROCK mark and the textual phrases I LOVE BOOBIES! and I (HEART) BOOBIES! contain the word BOOBIES. Applicant lacks sufficient information to form a belief as to the truth or falsity of Opposer's allegations that the phrases I LOVE BOOBIES! and I (HEART) BOOBIES! are Opposer's marks, and therefore denies them. Applicant denies all other allegations in Paragraph 19 of the Notice of Opposition not specifically admitted to be true.

20. Denied.

21. Applicant lacks sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 21 of the Notice of Opposition, and therefore denies them.

22. Applicant lacks sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 22 of the Notice of Opposition, and therefore denies them.

23. Denied.

24. Applicant incorporates by reference its responses and/or answers to Paragraphs 1-23 above as if fully set forth herein.

25. Denied.

26. Denied.

27. Denied.

- 28. Denied.
- 29. Denied.
- 30. Denied.
- 31. Denied.

AFFIRMATIVE DEFENSES & ALLEGATIONS

32. Opposer has failed to state a claim upon which relief may be granted.

33. Opposer's alleged marks I LOVE BOOBIES! and I (HEART) BOOBIES! are weak and entitled to a narrow scope of protection. Further, there are numerous third-party marks comprised in part of the term BOOBIES in use in commerce, including marks pending, registered and unchallenged by Opposer.

34. Applicant reserves all affirmative defenses under Rule 8(c) of the Federal Rules of Civil Procedure, the Lanham Act, and any other defenses or counterclaims at law or in equity, that may now exist or in the future be available based on discovery and further factual investigation in this case.

WHEREFORE, Applicant prays that this opposition be dismissed with prejudice, and that Applicant's mark be granted registration.

Respectfully submitted,

DATE: January 12, 2012



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CERTIFICATE OF SERVICE

I hereby certify that on January 12, 2012, a true and correct copy of the foregoing Answer was served by United States First Class mail, postage prepaid, on counsel for the Opposer at the following address of record:

Sean Flaherty
Coast Law Group, LLP
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Encinitas, CA 92024



Cheryl L. Black