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

Proceeding	91203286
Party	Defendant Tech 4 Kids Inc.
Correspondence Address	GERALD A GOWAN GOWAN INTELLECTUAL PROPERTY 627 LYONS LANE SUITE 204 OAKVILLE ONTARIO L6J5Z7, CANADA
Submission	Answer
Filer's Name	Stuart E. Benson
Filer's e-mail	sbenson@mdslaw.com
Signature	/StuartEBenson/
Date	02/16/2012
Attachments	Tech 4 Kids Magna Color--Answer.pdf (3 pages)(824841 bytes)

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

PILOT CORPORATION OF AMERICA,)	
)	
Opposer)	
)	
v.)	
)	Opposition No. 91203286
TECH 4 KIDS INC.,)	
)	
Applicant)	
(S/N 85185293))	
)	

APPLICANT’S ANSWER TO NOTICE OF OPPOSITION

Applicant Tech 4 Kids Inc. (“Applicant”) by and through its attorneys, hereby answers the Notice of Opposition filed by Pilot Corporation of America (“Opposer”) as follows:

1. Applicant lacks sufficient information to enable it to form a belief as to the truth of the allegations of Paragraph 1 of the Notice of Opposition, and on that basis denies them.
2. Applicant admits the allegations of Paragraph 2 of the Notice of Opposition.
3. Applicant admits that Opposer appears to own U.S. Registration No. 1,437,414 but lacks sufficient information to enable it to form a belief as to the truth of the other allegations of Paragraph 3 of the Notice of Opposition, and on that basis denies them.
4. Applicant lacks sufficient information to enable it to form a belief as to the truth of the allegations of Paragraph 4 of the Notice of Opposition, and on that basis denies them.
5. Applicant lacks sufficient information to enable it to form a belief as to the truth of the allegations of Paragraph 5 of the Notice of Opposition, and on that basis denies them.

6. Applicant lacks sufficient information to enable it to form a belief as to the truth of the allegations of Paragraph 6 of the Notice of Opposition, and on that basis denies them.

7. Applicant denies the allegation of Paragraph 7 of the Notice of Opposition.

8. Applicant denies the allegations of Paragraph 8 of the Notice of Opposition.

9. Applicant denies the allegations of Paragraph 9 of the Notice of Opposition.

10. Applicant lacks sufficient information to enable it to form a belief as to the truth of the allegations of Paragraph 10 of the Notice of Opposition, and on that basis denies them.

11. Applicant denies the allegations of Paragraph 11 of the Notice of Opposition.

12. Applicant denies the allegations of Paragraph 12 of the Notice of Opposition.


AFFIRMATIVE DEFENSES

1. Relevant consumers of Opposer's and Applicant's goods are unlikely to confuse Applicant's mark MAGNA COLOR with Applicant's mark MAGNA DOODLE.

PRAYER FOR RELIEF

WHEREFORE, Applicant requests judgment dismissing Opposer's Notice of Opposition and this proceeding in its entirety.

By:



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Attorneys for Opposer

Date: February 16, 2012

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing document was served upon the attorney of record for the other party by First-Class Mail on February 16, 2012.

A handwritten signature in blue ink, appearing to read "John P. [unclear]", is written over a horizontal line.