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

Proceeding	91206881
Party	Defendant Shock Doctor, Inc.
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Submission	Answer
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Date	10/16/2012
Attachments	Answer Opposition No 91206881.pdf ( 4 pages )(21398 bytes )

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

In the Matter of Application Serial No. 85/486,223  
For the Mark: CORE<sup>o</sup>  
Filed: December 2, 2011  
Published: May 8, 2012

_____	)	
AMERICAN SOCCER COMPANY, INC.,	)	
	)	Opposition No. 91206881
Opposer,	)	
	)	<b><u>ANSWER TO</u></b>
v.	)	<b><u>NOTICE OF OPPOSITION</u></b>
	)	
SHOCK DOCTOR, INC.,	)	
	)	
Applicant.	)	
_____	)	

For its Answer to the Notice of Opposition of American Soccer Company, Inc. (“Opposer”), Shock Doctor, Inc. (“Shock Doctor”), a Delaware corporation having its principal place of business at 3300 Fernbrook Lane North, Suite 250, Plymouth, Minnesota 55447, answers and alleges as follows. Except as hereinafter expressly admitted, qualified or otherwise answered, Shock Doctor denies each and every allegation, matter, statement and thing asserted in Opposer’s Notice of Opposition (the “Notice”).

1. Shock Doctor denies the allegations of paragraph 1 of the Notice except admits that Opposer alleges to be the owner of Registration Nos. 1,422,027, 1,916,007, 3,618,127, 3,930,807.

2. Shock Doctor is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 2 of the Notice and, on that basis, denies the allegations.

3. Shock Doctor is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 3 of the Notice and, on that basis, denies the allegations.

4. Shock Doctor denies the allegations of paragraph 4 of the Notice.

5. Shock Doctor is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 5 of the Notice and, on that basis, denies the allegations.

6. Shock Doctor is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 6 of the Notice and, on that basis, denies the allegations.

7. Shock Doctor admits the allegations of paragraph 7 of the Notice.

8. Shock Doctor admits the allegations of paragraph 8 of the Notice.

9. Shock Doctor is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 9 of the Notice and, on that basis, denies the allegations.

10. Shock Doctor denies the allegations of paragraph 10 of the Notice.

11. Shock Doctor admits the allegations of paragraph 11 of the Notice.

12. Shock Doctor denies the allegations of paragraph 12 of the Notice.

13. Shock Doctor denies the allegations of paragraph 13 of the Notice except admits that Application Serial Number 78/275,827, which resulted in Registration No. 2,961,092, had a Section 1(b) initial filing basis. Shock Doctor states that the registration issued based on Section 1(a) after Shock Doctor filed a Statement of Use under 15 U.S.C. §1051(d).

14. Shock Doctor admits the allegations of paragraph 14.

15. Shock Doctor denies the allegations of paragraph 15.

16. Shock Doctor denies the allegations of paragraph 16.

17. Shock Doctor denies the allegations of paragraph 17.

**Affirmative Defense**

The Notice fails, in whole or in part, to state a claim upon which relief can be granted.

WHEREFORE, Shock Doctor prays that Opposer's Notice of Opposition be dismissed with prejudice and on the merits.

Dated: October 16, 2012

**FAEGRE BAKER DANIELS LLP,**  
as Attorneys for Applicant

By Jodi A. DeSchane

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CERTIFICATE OF SERVICE

I, Jodi A. DeSchane, do hereby certify that I caused to be delivered by United States Mail a true and correct copy of the *Answer* to the following addressee:

Franklin E. Gibbs  
Gibbs & White P.C.  
2618 San Miguel Dr. #124  
Newport Beach, CA 92660

on this 16th day of October, 2012.

A handwritten signature in blue ink that reads "Jodi A. DeSchane". The signature is written in a cursive style with a horizontal line underneath it.

Jodi A. DeSchane