



January 30, 2013

Trademark Trial and Appeal Board
U.S. Patent and Trademark Office
Madison East, Concourse Level Room C 55
600 Dulany Street
Alexandria, VA 22314

TTAB

Kevin S. Costanza
Seed IP Law Group PLLC
710 Fifth Avenue, Suite 5400
Seattle, Washington 98104

Response to Notice of Opposition: Opposition No. 91207623 **Seattle Pacific Industries v. MTC Marketing Inc.** Trademark Serial No. 85597944

To whom this may concern,

In response to the notice of opposition filed by Seattle Pacific Industries, we hereby request immediate relief due to the fact that their opposition of our trademark application is without merit and is frivolous in nature because our trademark # **85597944** clearly lists our brand name as: **Common Union**, which is derived from the words Common and Union; Our brand name is different in every aspect from that of the opposer and clearly would not lead to brand misidentification by apparel retailers and or consumers. Our brand does not possess placement of word marks as listed by the opposers existing trademark(s) and does not phonetically or visually possess characteristics that would confuse or mislead consumers or infringe upon or cause harm to the to the brand equity of the opposers trademark(s).

We have enclosed exhibits of our trademark image filed with the USPTO and of hangtags, labels and other items used in the presentation of our brand in the market place that will clearly evidence that our trademark does not infringe upon and will not cause confusion or harm to the brand equity of the Union & Design and or U Union & Design trademark(s).

The use of the word Union in trademarks is known to be very common in commerce, listed below are examples of **(3)** apparel brands utilizing the word Union in their registered mark(s):

- a. Rebel Union
- b. Unknown Union
- c. Union Bay



01-31-2013

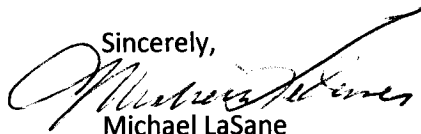
U.S. Patent and Trademark Office #72

In response to the Notice of Opposition filed by Seattle Pacific Industries, we pray to the UTPSO Appeals Board to grant a summary judgment –in our favor due to the evidence herein clearly depicting that both trademarks are completely different and that each would be clearly identifiable by consumers, retailers and the apparel trade industry.

A copy of this response has been sent to the opposing party on January 30, 2013 via UPS.

We thank you for your review of this matter and look forward to a quick resolution.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael LaSane", written in a cursive style.

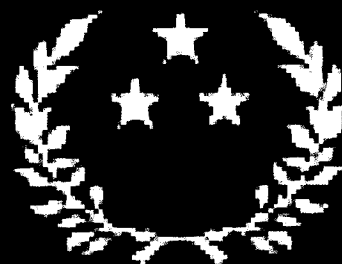
Michael LaSane

Vice President

MTC Marketing, Inc.

1624 W. Crosby Road, Suite 144

Carrollton, TX 75006



COMMON

UNION

