

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

Serial No.: 86/375,813
Mark: DUCK COMMANDER

GREENBALL CORPORATION)	
)	
Opposer,)	
)	
v.)	Opposition No. 91220940
)	
DUCK COMMANDER, INC.)	
)	
Applicant)	

APPLICANT’S ANSWER TO NOTICE OF OPPOSITION

For its answer to the Notice of Opposition filed by Greenball Corporation (“GREENBALL”), Duck Commander, Inc. (“DUCK COMMANDER”) answers as follows:

1. DUCK COMMANDER is without information to admit or deny the allegations contained in paragraph 1 of the Notice of Opposition and, on that basis, denies them.
2. DUCK COMMANDER is without information to admit or deny the allegations contained in paragraph 2 of the Notice of Opposition and, on that basis, denies them.
3. DUCK COMMANDER is without information to admit or deny the allegations contained in paragraph 3 of the Notice of Opposition and, on that basis, denies them.



4. DUCK COMMANDER admits the allegations contained in paragraph 4 of the Notice of Opposition.

5. DUCK COMMANDER admits the allegations contained in paragraph 5 of the Notice of Opposition.

6. DUCK COMMANDER is without information to admit or deny the allegations contained in paragraph 6 of the Notice of Opposition and, on that basis, denies them.

7. DUCK COMMANDER is without information to admit or deny the allegations contained in paragraph 7 of the Notice of Opposition and, on that basis, denies them.

8. DUCK COMMANDER admits that the referenced marks contain COMMANDER as do other relevant third party marks.

9. DUCK COMMANDER denies the allegations contained in paragraph 9 of the Notice of Opposition.

10. DUCK COMMANDER denies the allegations contained in paragraph 10 of the Notice of Opposition as the tires appear to be different in type and in market.

11. DUCK COMMANDER is without information to admit or deny the allegations contained in paragraph 11 of the Notice of Opposition and, on that basis, denies them.

12. DUCK COMMANDER denies the allegations contained in paragraph 12 of the Notice of Opposition.

13. DUCK COMMANDER denies the allegations contained in paragraph 13 of the Notice of Opposition.

14. DUCK COMMANDER denies the allegations contained in paragraph 14 of the Notice of Opposition.

FIRST AFFIRMATIVE DEFENSE

GREENBALL's Notice of Opposition fails to state a claim upon which relief can be granted.

Respectfully submitted,

Edward D. Lanquist, Jr.
PATTERSON INTELLECTUAL
PROPERTY LAW, P.C.
1600 Division Street
Suite 500 Roundabout Plaza
Nashville, TN 37203
(615) 242-2400
(615) 242-2221 facsimile
Attorneys for Duck Commander, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing ANSWER TO NOTICE OF OPPOSITION has been served via express mail this 10th day of April, 2015, on:

Kathryn Jennison Shultz
John N. Jennison
Carl E. Jennison
JENNISON & SHULTZ, P.C.
2001 Jefferson Davis Highway – Suite 1102
Arlington, Virginia 22202
Telephone: (703) 415-1640
Attorneys for Opposer

EI682758697US

Edward D. Lanquist, Jr.

CERTIFICATE OF EXPRESS MAIL

I hereby certify that this DUCK COMMANDER'S ANSWER TO NOTICE OF OPPOSITION along with two copies are being deposited with the United States Postal Service, via Express Mail, Label No. EF 101538482 US on April ~~10~~, 2015, addressed to:

BOX TTAB
Trademark Trial and Appeal Board
U.S. Patent and Trademark Office
P. O. Box 1451
Alexandria, VA 22313-1451

EF101538482US



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