

ESTTA Tracking number: **ESTTA878521**

Filing date: **02/20/2018**

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

Proceeding	91238874
Party	Defendant Joseph Hong
Correspondence Address	W. WEST ALLEN HOWARD & HOWARD ATTORNEYS PLLC 450 WEST FOURTH STREET ROYAL OAK, MI 48067 Email: ipdocket@h2law.com, wwa@h2law.com, ssb@h2law.com, sl2@h2law.com, kj@h2law.com
Submission	Answer
Filer's Name	Joseph Hong
Filer's email	Yosuphonglaw@gmail.com
Signature	/Joseph Hong/
Date	02/20/2018
Attachments	Answer pdf .pdf(132152 bytes)

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

In re:

Applicant: Joseph Hong
Serial No. 87/439,181
Application Date: May 5, 2017
Mark: SILVER & BLACK NATION

NFL PROPERTIES LLC, THE OAKLAND
RAIDERS,

Opposers,

v.

Opposition Proceeding No. 91238874
Interlocutory Attorney Katie W. McKnight

JOSEPH HONG,

Applicant.

ANSWER TO NOTICE OF OPPOSITION

Joseph Hong (“Applicant”) hereby answers Opposers The Oakland Raiders and NFL Properties, LLC’s (“Opposers”) Notice of Opposition as follows:

With respect to the unnumbered paragraphs preceding Paragraph 1 of the Notice of Opposition, Applicant lacks information or knowledge sufficient to form a belief as to Opposers’ belief that it will be damaged by registration of the mark SILVER & BLACK NATION shown in Application Serial No. 87/439,181 for use in connection with “Clothing, namely, short-sleeved shirts, long-sleeved shirts, sweatshirts, jackets, pants and shorts” in Class 25. Applicant admits that Applicant is a Nevada resident.

In response to the enumerated allegations, Applicant states the following:

1. Applicant is without sufficient information or knowledge to form a belief as to the truth of the allegations asserted in Paragraph 1 and, therefore, denies the same.

2. Applicant is without sufficient information or knowledge to form a belief as to the truth of the allegations asserted in Paragraph 2 and, therefore, denies the same.

3. Applicant is without sufficient information or knowledge to form a belief as to the truth of the allegations asserted in Paragraph 3 and, therefore, denies the same.

4. Applicant is without sufficient information or knowledge to form a belief as to the truth of the allegations asserted in Paragraph 4 and, therefore, denies the same.

5. Applicant is without sufficient information or knowledge to form a belief as to the truth of the allegations asserted in Paragraph 5 and, therefore, denies the same.

6. Applicant answers that the records of the United States Patent and Trademark Office speak for themselves. Applicant is without information or knowledge sufficient to form a belief as to the truth of the remaining allegations in paragraph 6 and, therefore, denies the same.

7. Applicant is without sufficient information or knowledge to form a belief as to the truth of the allegations asserted in Paragraph 7 and, therefore, denies the same.

8. Applicant is without sufficient information or knowledge to form a belief as to the truth of the allegations asserted in Paragraph 8 and, therefore, denies the same.

9. Applicant is without sufficient information or knowledge to form a belief as to the truth of the allegations asserted in Paragraph 9 and, therefore, denies the same.

10. Applicant is without sufficient information or knowledge to form a belief as to the truth of the allegations asserted in Paragraph 10 and, therefore, denies the same.

11. Applicant is without sufficient information or knowledge to form a belief as to the truth of the allegations asserted in Paragraph 11 and, therefore, denies the same.

12. Applicant is without sufficient information or knowledge to form a belief as to the truth of the allegations asserted in Paragraph 12 and, therefore, denies the same.

13. Paragraph 13 does not contain an allegation or averment of fact to which a response is required but, rather, seeks the affirmation of a legal conclusion. To the extent a response may be required, Applicant lacks information or knowledge sufficient to form a belief as to the truth of the allegations in Paragraph 13 and, therefore, denies the same.

14. Applicant admits the allegations set forth in Paragraph 14.

15. Applicant admits the allegations set forth in Paragraph 15.

16. Applicant admits the allegations set forth in Paragraph 16.

17. Applicant admits that the Trademark Trial and Appeal Board extended the opposition period to January 10, 2018, by granting Opposers' requests for extensions of time. Applicant is without sufficient information or knowledge to form a belief as to the truth of the remaining allegations asserted in Paragraph 17 and, therefore, denies the same.

18. Applicant is without sufficient information or knowledge to form a belief as to the truth of the allegations asserted in Paragraph 18 and, therefore, denies the same.

19. Paragraph 19 does not contain an allegation or averment of fact to which a response is required but, rather, seeks the affirmation of a legal conclusion. To the extent a response may be required, Applicant lacks information or knowledge sufficient to form a belief as to the truth of the allegations in Paragraph 19 and therefore denies the same.

20. Applicant admits the allegations set forth in Paragraph 20.

21. Applicant denies the allegations set forth in Paragraph 21.

22. Applicant is without sufficient information or knowledge to form a belief as to the truth of the allegation that the NFL has approved the Raiders Club to relocate from Oakland, California to Las Vegas, Nevada in 2019. Applicant admits that Applicant resides in the city of Las Vegas, Nevada. Applicant denies the remaining allegations in Paragraph 22.

23. Applicant lacks information or knowledge sufficient to form a belief as to Opposers' belief that it will be damaged by registration of Applicant's SILVER & BLACK NATION mark. Applicant denies the remaining allegations set forth in Paragraph 23.

24. Applicant lacks information or knowledge sufficient to form a belief as to Opposers' belief that it will be damaged by registration of Applicant's SILVER & BLACK NATION mark. Applicant denies the remaining allegations set forth in Paragraph 24.

With respect to the un-numbered paragraph following Paragraph 24, which sets forth Opposers' prayer for relief, Applicant denies that Opposers are entitled to any relief whatsoever. Applicant denies each and every allegation not expressly admitted herein.

Respectfully submitted,

Dated: February 20, 2018

By: /Joseph Hong/

Joseph Hong
10781 W. Twain Ave.
Las Vegas, NV 89135
yosuphonglaw@gmail.com

Applicant

CERTIFICATE OF SERVICE

I hereby certify that on February 20, 2018, I caused a true and accurate copy of the foregoing document entitled **ANSWER TO NOTICE OF OPPOSITION** has been served upon Opposers' counsel via email to the email addresses for Opposers' counsel provided in the Notice of Opposition, trademarks@morganlewis.com, kristin.altoff@morganlewis.com, seth.rappaport@morganlewis.com, and michelle.raynes@morganlewis.com.

Dated: February 20, 2018

/Joseph Hong/
Joseph Hong