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Filing date: **09/29/2020**

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

Proceeding	91263733
Party	Defendant Mission Mighty Me, LLC
Correspondence Address	RACHEL A. RICE POL SINELLI PC 1401 LAWRENCE STREET SUITE 2300 DENVER, CO 80202 UNITED STATES Primary Email: uspt@polsinelli.com Secondary Email(s): rrice@polsinelli.com , scason@polsinelli.com 303-583-8224
Submission	Answer
Filer's Name	Rachel A. Rice
Filer's email	rrice@polsinelli.com , lwolfgram@polsinelli.com , mgutierrez@polsinelli.com , docketing@polsinelli.com , uspt@polsinelli.com
Signature	/Rachel A. Rice/
Date	09/29/2020
Attachments	Answer to Notice of Opposition MISSION MIGHTY ME_FINAL 8pm.pdf(221 10 bytes)

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

Galil Importing Corporation,)	Opposition No.	91263733
)		
Opposer,)	Serial No.	87/863,405
)		
v.)	Mark:	MISSION MIGHTY ME
)		
Mission Mighty Me, LLC,)		
)		
Applicant.)		

ANSWER TO NOTICE OF OPPOSITION

Through the undersigned counsel, Mission Mighty Me, LLC (“Applicant”) answers the Notice of Opposition against Application No. 87/863,405 filed by Galil Importing Corporation (“Opposer”) as follows. The paragraphs of this Answer to Notice of Opposition (“Answer”) are numbered to correspond with the numbered paragraphs of the Notice of Opposition.

To the extent not explicitly admitted, all allegations in the Notice of Opposition are denied. The first paragraph of the Notice of Opposition is an introductory paragraph to which no responsive pleading is required. To the extent a response is deemed necessary, Applicant denies the allegations contained therein.

1. Applicant denies the allegations contained in Paragraph 1 of the Notice of Opposition.

2. Applicant is without knowledge or information sufficient to affirm or deny the allegations contained in Paragraph 2 of the Notice of Opposition and therefore denies same.

3. Applicant is without knowledge or information sufficient to affirm or deny the allegations contained in Paragraph 3 of the Notice of Opposition and therefore denies same.

4. Applicant admits the facts contained in Paragraph 4 of the Notice of Opposition.

5. Applicant's U.S. Trademark Application 87/863,405 speaks for itself and no response is necessary.

6. To the extent the allegations of Paragraph 6 of the Notice of Opposition consist of legal conclusions, they require no admission or denial. To the extent a response is necessary, Applicant denies any allegations contained in Paragraph 6 of the Notice of Opposition.

7. To the extent the allegations of Paragraph 7 of the Notice of Opposition consist of legal conclusions, they require no admission or denial. To the extent a response is necessary, Applicant denies any allegations contained in Paragraph 7 of the Notice of Opposition.

8. To the extent the allegations of Paragraph 8 consist of legal conclusions, they require no admission or denial. To the extent a response is necessary, Applicant denies any allegations contained in Paragraph 8 of the Notice of Opposition.

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

10. To the extent the allegations of Paragraph 10 of the Notice of Opposition consist of legal conclusions, they require no admission or denial. To the extent a response is necessary, Applicant denies any allegations contained in Paragraph 10 of the Notice of Opposition.

11. To the extent the allegations of Paragraph 11 of the Notice of Opposition consist of legal conclusions, they require no admission or denial. To the extent a response is necessary, Applicant denies any allegations contained in Paragraph 11 of the Notice of Opposition.

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

AFFIRMATIVE DEFENSES AND COUNTERCLAIMS

1. Applicant asserts that the Notice of Opposition is barred under the doctrine of unclean hands because Opposer does not have priority or senior rights to the word “MIGHTY” but Opposer commenced the present-opposition. The Notice of Opposition does not provide a date of first use by Opposer nor does it account for Applicant’s constructive priority date.

2. Applicant reserves the right to amend its Answer to add Affirmative Defenses and Counterclaims that are not now known but may later become known through discovery or other means.

RELIEF REQUESTED

WHEREFORE, Applicant respectfully requests the Notice of Opposition be dismissed with prejudice.

Dated: September 29, 2020

Respectfully Submitted,

/Rachel A. Rice/

Rachel A. Rice
Laila S. Wolfgram
Monica M. Gutierrez
1401 Lawrence Street, Suite 2300
Denver, CO 80202
uspt@polsinelli.com
docketing@polsinelli.com
rrice@polsinelli.com
lwolfgram@polsinelli.com
mgutierrez@polsinelli.com

Attorneys for Applicant

CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of September 2020 a true and correct copy of the foregoing has been served to upon counsel for Opposer via electronic email to:

DAVID I. GREENBAUM
RIMON, P.C.
One Embarcadero Center
#400
San Francisco, CA 94110
tmdocketing@rimonlaw.com
david.greenbaum@rimonlaw.com

Dated: September 29, 2020

Respectfully Submitted,

/Laila S. Wolfgram/

Rachel A. Rice
Laila S. Wolfgram
Monica M. Gutierrez
1401 Lawrence Street, Suite 2300
Denver, CO 80202
uspt@polsinelli.com
docketing@polsinelli.com
rrice@polsinelli.com
lwolfgram@polsinelli.com
mgutierrez@polsinelli.com

Attorneys for Applicant