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

Proceeding	92045480
Party	Defendant SURF TECHNICIANS, INC. SURF TECHNICIANS, INC. 5960 "E" Soquel Avenue Santa Cruz, CA 95062
Correspondence Address	Diane J. Mason Dorsey & Whitney LLP 555 California Street, Suite 1000 San Francisco, CA 94104 UNITED STATES mason.diane@dorsey.com
Submission	Answer
Filer's Name	Diane J. Mason
Filer's e-mail	mason.diane@dorsey.com
Signature	/djm/
Date	06/02/2006
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

NIKE, INC.

Petitioner,

v.

SURF TECHNICIANS, INC.,

Registrant.

Cancellation No. 92045480

Registration No. 2431714

REGISTRANT'S ANSWER

ANSWER TO PETITION FOR CANCELLATION

Registrant, SURF TECHNICIANS, INC., a California corporation, located at 2685 Mattison Lane, Santa Cruz, CA 95062, hereby responds to the similarly numbered paragraphs of the Petition for Cancellation of Petitioner, NIKE, INC., as follows:

1. Registrant admits the allegations set forth in paragraph 1 of the Petition for Cancellation.
2. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 2 of the Petition for Cancellation and therefore denies the same.
3. Registrant denies the allegations set forth in paragraph 3 of the Petition for Cancellation.
4. Registrant denies that Petitioner will be damaged by the continuance of the registration, and is without knowledge or information sufficient to form a belief as to the truth of whether Petitioner is using the mark S and Design for surfboards and sailboards, as set forth in paragraph 4 of the Petition for Cancellation and therefore denies the same.

5. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 5 of the Petition for Cancellation and therefore denies the same.

6. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 6 of the Petition for Cancellation and therefore denies the same.

7. Registrant is investigating the circumstances surrounding its first use of its Mark, and presently is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 7 of the Petition for Cancellation.

8. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 8 of the Petition for Cancellation and therefore denies the same.

9. Registrant denies the allegations of paragraph 9 of the Petition for Cancellation.

10. Registrant denies the allegations of paragraph 10 of the Petition for Cancellation.

AFFIRMATIVE DEFENSES

11. Petitioner is barred from relief by laches.

12. There is no likelihood of confusion as to source because, inter alia, Registrant's Mark and the pleaded marks of Petitioner are not confusingly similar.

In view of the foregoing, Registrant contends that this cancellation is groundless and baseless in fact; that Petitioner has not shown that it will be, or is likely to be, damaged by registration of Registrant's Mark; and that Registrant's Mark is manifestly distinct from any alleged mark of Petitioner. Wherefore, Registrant respectfully prays that the Petition for Cancellation be dismissed.

Cancellation No. 92045480

Respectfully submitted,

DORSEY & WHITNEY LLP

Diane J. Mason
Attorneys for Registrant

555 California Street, Suite 1000
San Francisco, CA 94104
Telephone: (415) 781-1989