

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

3 78 537629

TTAB

4 In the matter of Trademark Registration No. 3,163,783
5 for the mark "GO INTERNATIONAL" registered on
6 October 24, 2006

6 Vanounou Clothing, Inc.,)
7 a California corporation,)

Cancellation No.: 92047941

8 Petitioner,)

ANSWER TO COUNTERCLAIM

9 v.)

10 Target Brands, Inc.,)
11 an Minnesota corporation,)

12 Registrant.)
13

14 COMES NOW, Petitioner Vanounou Clothing, Inc. (hereafter "Vanounou") and
15 answers the Counterclaim filed in the above-referenced action by Registrant Target
16 Brands, Inc. ("TBI") as follows:

- 17 1. Answering Paragraph 1 of the Counterclaim, Vanounou admits the
18 allegations of said Paragraph 1 of the Counterclaim.
- 19 2. Answering Paragraph 2 of the Counterclaim, Vanounou denies each and
20 every, all and singular, the allegations of said Paragraph 2 of the Counterclaim.
- 21 3. Answering Paragraph 3 of the Counterclaim, Vanounou admits that TBI
22 seeks the cancellation of the '349 Registration through the Counterclaim however,
23 Vanounou opposes this method of seeking cancellation through a Counterclaim and states
24 it is inappropriate and a formal petition to cancel should have been filed.
- 25 4. Answering Paragraph 4 of the Counterclaim, Vanounou denies each and
26 every, all and singular, the allegations of said Paragraph 4 of the Counterclaim.


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5. Answering Paragraph 5 of the Counterclaim, Vanounou denies each and every, all and singular, the allegations of said Paragraph 5 of the Counterclaim.

6. Answering Paragraph 6 of the Counterclaim, Vanounou denies each and every, all and singular, the allegations of said Paragraph 6 of the Counterclaim.

AFFIRMATIVE DEFENSES

FIRST AFFIRMATIVE DEFENSE

7. As a first, separate and distinct affirmative defense to the Counterclaim, Vanounou states that the Counterclaim is improper and is a backdoor method of seeking a petition for cancellation. Therefore, the Counterclaim should be dismissed with prejudice.

SECOND AFFIRMATIVE DEFENSE

8. As a second, separate and distinct affirmative defense to the Counterclaim, Vanounou incorporates by reference all of its allegations set forth in its Petition for Cancellation and states that Vanounou clearly will be damaged by continuance of the Trademark Registration 3,163,783.

THIRD AFFIRMATIVE DEFENSE

9. As a third, separate and distinct affirmative defense to the Counterclaim, Vanounou alleges that it was not aware of any other use of the trademark "GO" and has not been made aware of any other use of the trademark "GO" other than the use by TBI.

FOURTH AFFIRMATIVE DEFENSE

10. As a fourth, separate and distinct affirmative defense to the Counterclaim, Vanounou alleges that the Counterclaim and each and every paragraph stated therein fails to state a cause of action against Vanounou.

FIFTH AFFIRMATIVE DEFENSE

11. As a fifth, separate and distinct affirmative defense to the Counterclaim, Vanounou alleges that TBI has sustained no damage, injury or prejudice as a result of the

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1 Vanounou's Trademark Registration No. 3,089,349.

2 WHEREFORE, Vanounou respectfully prays that TBI take nothing by way of its
3 Counterclaim and that the Counterclaim be dismissed with prejudice. If there is any fee
4 required for this Answer to Counterclaim, then the Commissioner of Patents and
5 Trademarks is hereby authorized to charge my Deposit Account No. 18-2222 for any
6 such appropriate fee.

7 Respectfully submitted,

8 Vanounou Clothing, Inc.

9
10 By Thomas I. Rozsa 10/26/07
11 Thomas I. Rozsa
12 Attorney for Petitioner
13 Vanounou Clothing, Inc.

14 Thomas I. Rozsa, Esq.

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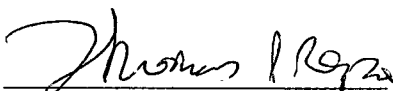
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CERTIFICATE OF MAILING

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3 I hereby certify that the ANSWER TO COUNTERCLAIM, CERTIFICATE OF
4 SERVICE, and CERTIFICATE OF MAILING are being deposited with the United
5 States Postal Service with sufficient postage as Express Mail, Express Mail No. EM
6 146188849 US, in an envelope addressed to:

7 Commissioner for Trademarks
8 Trademark Trial and Appeal Board
9 P.O. Box 1451
10 Alexandria, VA 22313-1451

11 Dated: October 6, 2007

12 
13 Thomas I. Rozsa
14 Registration No. 29,210
15 Attorney For Vanounou

16 In Re Cancellation No. 92047941
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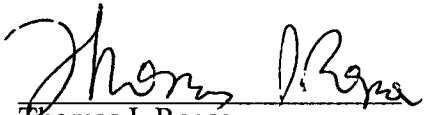
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the document entitled STIPULATED DISMISSAL WITH PREJUDICE was sent on October 6, 2007 via first class mail, postage prepaid, to the attorneys for the Registrant at the following address:

James R. Steffen, Esq.
Timothy J. Cruz, Esq.
Faegre & Benson LLP
2200 Wells Fargo Center
90 South Seventh Street
Minneapolis, Minnesota 55402

Dated: October 6, 2007


Thomas I. Rozsa
Registration No. 29,210

In Re Cancellation No. 92047941