

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

HOSPIRA, INC. a Delaware corporation

Petitioner,

v.

JASON SMITH, an individual,

Owner-Respondent,

)
)
)
)
)
)

REGISTRATION 3,874,167
REGISTERED ON NOVEMBER 9, 2010

92053 581

~~97/074,262~~

NOTICE OF FILING

TO: LEYDIG, VOIT & MAYER, LTD.
1420 FIFTH AVENUE, STE.3670
SEATTLE, WASHINGTON 98101
(206)428-3100

US PATENT AND TRADEMARK OFFICE
US TRADEMARK TRIAL AND APPEAL BOARD
PO BOX 1451
ALEXANDRIA, VA 22313-1451

PLEASE TAKE NOTICE On August 18, 2011, I caused to be filed or soon
in the Trademark Trial and Appeal Board the attached OWNER-
RESPONDENT ANSWER AND OPPOSITION TO PETITION FOR
CANCELLATION.


JASON SMITH

JASON SMITH
3023 NORTH CLARK, STE,211
CHICAGO, ILLINOIS 60657
312-371-2737

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United
States Post Office with sufficient postage as first class mail in an
envelope to LEYDIG, VOIT & MAYER, LTD. 1420 FIFTH AVENUE,
STE.3670, SEATTLE, WASHINGTON 98101 on August 18, 2011.


JASON SMITH
Date of Signature: August 18, 2011



08-22-2011

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

HOSPIRA, INC. a Delaware corporation
Petitioner,)
)
v.) REGISTRATION 3,874,167
) REGISTERED ON NOVEMBER 9, 2010
JASON SMITH, an individual,)
Owner-Respondent,)

OWNER-RESPONDENT ANSWER AND OPPOSITION TO
PETITION FOR CANCELLATION

Now Comes, Dr. Jason Smith. Pro Se, located at 3023 North Clark, Chicago, Illinois
and for his answer and opposition, states as follows:

COUNT I

1. Owner Respondent answer to paragraph 1.
Answer:
Neither admits nor denies and leaves to petitioner to his proof thereof.
2. Owner Respondent answer to paragraph 2.
Answer:
Neither admits nor denies and leaves to petitioner to his proof thereof.
3. Owner Respondent answer to paragraph 3.
Answer:
Neither admits nor denies and leaves to petitioner to his proof thereof.
4. Owner Respondent answer to paragraph 4.
Answer:
Neither admits nor denies and leaves to petitioner to his proof thereof.
5. Owner Respondent answer to paragraph 5.
Answer:
Neither admits nor denies and leaves to petitioner to his proof thereof.
6. Owner Respondent answer to paragraph 6.
Answer:
Neither admits nor denies and leaves to petitioner to his proof thereof.
7. Owner Respondent answer to paragraph 7.
Answer:
Neither admits nor denies and leaves to petitioner to his proof thereof.

8. Owner Respondent answer to paragraph 8.
Answer:
Neither admits nor denies and leaves to petitioner to his proof thereof.
9. Owner Respondent answer to paragraph 9.
Answer:
Respondent Denies allegations of number 9.
10. Owner Respondent answer to paragraph 10.
Answer:
Respondent Denies allegations of number 10.

COUNT II

11. Respondent re-alleges answers from Count 1, answers 1 thru 10.
12. Owner Respondent answer to paragraph 12.
Answer:
Admits
13. Owner Respondent answer to paragraph 13.
Answer:
Respondent Denies allegations of number 13.
14. Owner Respondent answer to paragraph 14.
Answer:
Neither admits nor denies and leaves to petitioner to his proof thereof.
15. Owner Respondent answer to paragraph 15.
Answer:
Neither admits nor denies and leaves to petitioner to his proof thereof.
16. Owner Respondent answer to paragraph 16.
Answer:
Respondent Denies allegations of number 16
17. Owner Respondent answer to paragraph 17.
Answer:
Respondent Denies allegations of number 17.
18. Owner Respondent answer to paragraph 18.
Answer:
Respondent Denies allegations of number 18.

Wherefore the respondent prays that this honorable board deny and dismiss petitioners' request for cancellation of REGISTRATION 3,874,167.


JASON SMITH

JASON SMITH
3023 NORTH CLARK, STE,211
CHICAGO, ILLINOIS 60657
312-371-2737

AFFIRMATIVE DEFENSE

1. That the word attempted to be cancelled is a generic word and an animal widely known in nature.
2. That butterfly caddy has a total different use from the butterfly.
3. That this is a patent/trademark troll attempting to limit small business innovation.

Wherefore the respondent prays that this honorable board deny and dismiss petitioners' request for cancellation of REGISTRATION 3,874,167.


JASON SMITH

JASON SMITH
3023 NORTH CLARK, STE,211
CHICAGO, ILLINOIS 60657
312-371-2737