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

Proceeding	91176539
Party	Defendant Stanzler, Robert A Stanzler, Robert A PO Box 07070 Detroit, MI 48207
Correspondence Address	STANZLER, ROBERT A PO BOX 07070 DETROIT, MI 48207-0070 bobbydetroit@gmail.com
Submission	Answer
Filer's Name	Ronald W. Citkowski
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Signature	/s/Ronald W. Citkowski
Date	05/11/2007
Attachments	Answer.pdf (3 pages)(13731 bytes)

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

BOBBY MOSCOW, LLC,

Opposer,

v.

Opposition No. 91176539

ROBERT A. STANZLER

Serial No. 78/924,141

Applicant.

ANSWER TO NOTICE OF OPPOSITION

Applicant ROBERT A. STANZLER hereby answers the Notice of Opposition as follows:

1. Applicant denies the allegations of paragraph 1.
2. Applicant denies the allegations of paragraph 2.
3. Applicant denies the allegations of paragraph 3.

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5. Applicant denies the allegations of paragraph 5.
6. Applicant denies the allegations of paragraph 6.
7. Applicant denies the allegations of paragraph 7.
8. Applicant denies the allegations of paragraph 8.
9. Applicant denies the allegations of paragraph 9.
10. Applicant denies the allegations of paragraph 10.

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11. Applicant denies the allegations of paragraph 11.
12. Applicant denies the allegations of paragraph 12.
13. Applicant denies the allegations of paragraph 13.

14. Applicant denies the allegations of paragraph 14.
15. Applicant denies the allegations of paragraph 15.

AFFIRMATIVE DEFENSES

1. Opposer has failed to state a claim upon which relief may be granted.
2. Opposer's Copyright Registration VA-1-282-563 covers a design materially different from the subject of Applicant's Serial No. 78/924,141.
3. By asserting ownership of a mark which Opposer knew or should have known is not confusingly similar to Applicant's mark as a basis for opposition, Opposer has committed fraud and/or mistake.
4. Opposer has no legal right to use Applicant's mark and any and all such uses constitute acts of infringement.
5. Opposer is barred from opposing registration of Applicant's mark by the equitable doctrine of unclean hands.

WHEREFORE, Applicant asks that Opposition No. 91176539 be dismissed with prejudice and that Applicant's Serial No. 78/924,141 be passed to registration.

Respectfully submitted,

/s/Ronald W. Citkowski

Ronald W. Citkowski
GIFFORD KRASS, GROH, SPRINKLE,
ANDERSON & CITKOWSKI, P.C.
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(248) 647-6000

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing ANSWER TO NOTICE OF OPPOSITION was served upon:

Jeffrey H. Brown
Luke W. DeMarte
MICHAEL BEST & FRIEDRICH LLP
180 N. Stetson Avenue
Suite 2000
Chicago, IL 60601

via first class mail, postage prepaid, on this 11th day of May, 2007.

/s/Ronald W. Citkowski

Ronald W. Citkowski
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CERTIFICATE OF MAILING

I hereby certify that the foregoing ANSWER TO NOTICE OF OPPOSITION was filed electronically with the TTAB on this 11th day of May, 2007.

/s/Ronald W. Citkowski

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