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

Proceeding	91240068
Party	Defendant Detroit Aircraft Corporation
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

SPACE EXPLORATION TECHNOLOGIES CORP.,)		
)	Mark:	AIRSPACEX
<i>Opposer,</i>)		
)	Application Ser. No.:	87/368,820
v.)		
)	Filing Date:	March 13, 2017
DETROIT AIRCRAFT CORPORATION)		
)	Opposition No.:	91240068
<i>Applicant.</i>)		

**APPLICANT’S ANSWER TO NOTICE OF OPPOSITION AND AFFIRMATIVE
DEFENSES**

Applicant, Detroit Aircraft Corporation (“Applicant”), by its attorneys, hereby submits an Answer to the Notice of Opposition filed by Space Exploration Technologies, Inc. (“Opposer”) against the application for registration of Applicant’s trademark AIRSPACEX, Serial No. 87/368820, filed March 13, 2017, and published in the Official Gazette on February 13, 2018, states as follows:

In response to the preamble, otherwise referred to as the paragraph preceding Paragraph 1 of the Opposer’s Notice of Opposition, Applicant denies that Opposer would be damaged by the registration of Applicant’s trademark, AIRSPACEX.

1. Applicant lacks information sufficient to form a belief on which to base a response regarding the allegations of paragraph 1, and thereby denies the same.

2. Applicant admits only that the U.S. Patent and Trademark Office (“USPTO”) records purport to show that Space Exploration Technologies Corp. is the owner of U.S.

Trademark Registration No. 3,066,872, registered on March 7, 2006, for the word mark SPACEX in International Class 039, U.S. Trademark Registration No. 4,267,520, registered on January 1, 2013, for the word mark SPACEX in International Class 039, and pending U.S. Trademark Application Serial No. 87/576981, filed on August 21, 2017, for the word mark SPACEX in International Classes 009, 038, and 042. Notwithstanding, Applicant lacks information sufficient to form a belief on which to base a response to the remaining allegations in paragraph 2, and thereby denies the same.

3. Applicant lacks information sufficient to form a belief on which to base a response regarding the allegations of paragraph 3, and thereby denies the same.

4. Applicant lacks information sufficient to form a belief on which to base a response regarding the allegations of paragraph 4, and thereby denies the same.

5. Applicant lacks information sufficient to form a belief on which to base a response regarding the allegations of paragraph 5, and thereby denies the same.

6. The Applicant admits that Opposer has accurately quoted the description of goods in International Class 012 in U.S. Trademark Application Serial No. 87/368,820 filed with the USPTO on March 13, 2017.

7. The Applicant admits that Opposer has accurately quoted the filing date and publication date in the USPTO *Official Gazette* of U.S. Trademark Application Serial No. 87/368,820.

8. The Applicant admits only that it was aware of the U.S. Patent and Trademark Office (“USPTO”) records purporting to show that Space Exploration Technologies Corp. was the owner of U.S. Trademark Registration No. 3,066,872, registered on March 7, 2006, for the word mark SPACEX in International Class 039, U.S. Trademark Registration No. 4,267,520,

registered on January 1, 2013, for the word mark SPACEX in International Class 039, and that Space Exploration Technologies Corp. intentionally abandoned and/or cancelled goods in Trademark Registration No. 3,066,872, covering “aerospace vehicles, namely, launch vehicles and rockets” in International Class 012 on March 3, 2016, over one year prior to the Applicant’s filing of Trademark Application Serial No. 87/368820 for the mark AIRSPACEX on March 13, 2017. The Applicant denies the remainder of the allegations contained in paragraph 8.

9. The Applicant denies the allegations contained in paragraph 9 in the Notice of Opposition.

10. The Applicant denies the allegations contained in paragraph 10 in the Notice of Opposition.

11. The Applicant repeats and re-alleges its responses to the preceding paragraphs 1-10 of the Notice of Opposition.

12. The Applicant admits only that the U.S. Patent and Trademark Office (“USPTO”) records purport to show that Space Exploration Technologies Corp. is the owner of U.S. Trademark Registration No. 3,066,872, registered on March 7, 2006, for the word mark SPACEX in International Class 039, U.S. Trademark Registration No. 4,267,520, registered on January 1, 2013, for the word mark SPACEX in International Class 039, and pending U.S. Trademark Application Serial No. 87/576981, filed on August 21, 2017, for the word mark SPACEX in International Classes 009, 038, and 042. Notwithstanding, Applicant lacks information sufficient to form a belief on which to base a response to the remaining allegations in paragraph 12, and thereby denies the same.

13. The Applicant denies the allegations contained in paragraph 13 in the Notice of Opposition.

14. The Applicant admits that it is engaged in the development of aeronautical goods in International Class 012 as identified in its Trademark Application Serial No. 87/368820, namely, unmanned, electrically-powered, vertical-takeoff-and-landing (eVTOL) aircraft that can carry modular payloads for local and regional taxi operations. The Applicant lacks information sufficient to form a belief on which to base a response to the remainder of the allegations in paragraph 14, and thereby denies the same.

15. Applicant lacks information sufficient to form a belief on which to base a response to the allegations in paragraph 15, and thereby denies the same.

16. The Applicant denies the allegations contained in paragraph 16 in the Notice of Opposition.

17. The Applicant admits the allegations contained in paragraph 17 in the Notice of Opposition.

18. The Applicant admits the allegations contained in paragraph 18 in the Notice of Opposition.

19. The Applicant denies the allegations contained in paragraph 19 in the Notice of Opposition.

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