

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

LOVESAC CORPORATION)	
)	
Opposer,)	Opposition No. 91170320
)	
v.)	
)	Serial No. 76/633,460
MARKOS & WIDLY, INC.)	
)	COMFORT SAC (and Design)
Applicant)	

ANSWER

In response to the Notice of Opposition filed by LoveSac Corporation (Opposer)
Applicant files this Answer.

1. ADMITTED

2. ADMITTED

3. Regarding paragraph 3 of the Notice of Opposition, Applicant has insufficient knowledge or information to form a belief as to the truth of the allegation whereupon the allegations in paragraph 3 are DENIED.

4. Regarding paragraph 4 of the Notice of Opposition, Applicant has insufficient knowledge or information to form a belief as to the truth of the allegation whereupon the allegations in paragraph 4 are DENIED.

5. Regarding paragraph 5 of the Notice of Opposition, Applicant has insufficient knowledge or information to form a belief as to the truth of the allegation whereupon the allegations in paragraph 5 are DENIED.



6. Regarding paragraph 6 of the Notice of Opposition, Applicant has insufficient knowledge or information to form a belief as to the truth of the allegation whereupon the allegations in paragraph 6 are DENIED.

7. Regarding paragraph 7 of the Notice of Opposition, Applicant has insufficient knowledge or information to form a belief as to the truth of the allegation whereupon the allegations in paragraph 7 are DENIED.

8. DENIED

9. DENIED

10. Regarding paragraph 10 of the Notice of Opposition, Applicant has insufficient knowledge or information to form a belief as to the truth of the allegation whereupon the allegations in paragraph 10 are DENIED.

11. Regarding paragraph 11 of the Notice of Opposition, Applicant has insufficient knowledge or information to form a belief as to the truth of the allegation whereupon the allegations in paragraph 11 are DENIED.

12. Regarding paragraph 12 of the Notice of Opposition, Applicant has insufficient knowledge or information to form a belief as to the truth of the allegation whereupon the allegations in paragraph 12 are DENIED.

13. Regarding paragraph 13 of the Notice of Opposition, Applicant has insufficient knowledge or information to form a belief as to the truth of the allegation whereupon the allegations in paragraph 13 are DENIED.

14. DENIED

15. Regarding paragraph 15 of the Notice of Opposition, Applicant has insufficient knowledge or information to form a belief as to the truth of the allegation whereupon the allegations in paragraph 15 are DENIED.

16. DENIED

17. DENIED

18. DENIED

19. DENIED

20. DENIED

AFFIRMATIVE DEFENSES

Applicant has been using the mark COMFORT SAC since at least as early as December 2004, and, to date, has encountered no confusion with Opposer's alleged mark.

The Examining Attorney found no prior marks to preclude registration of Applicant's mark.

WHEREFORE having made full ANSWER to the Notice of Opposition, Applicant requests that the Opposition be dismissed.

Respectfully submitted,



G. Donald Weber, Jr.
Attorney for Applicant

(714) 637-8350

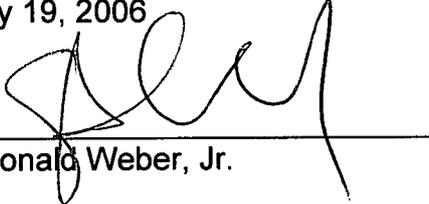
<CERTIFICATE OF MAILING>

~ I certify that the foregoing is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to the Assistant Commissioner for Trademarks, Mail Stop: Trademark Trial and Appeal Board, 2900 Crystal Drive, Arlington, VA 22202-3513, on May 19, 2006~

<Date of Deposit> May 19, 2006

~Signature~

~Name~


G. Donald Weber, Jr.

<CERTIFICATE OF MAILING>

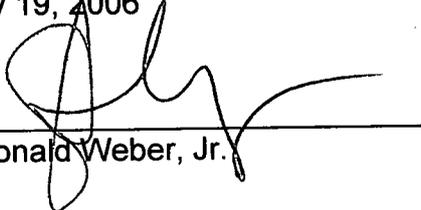
~ I certify that the foregoing is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to:

Workman/Nydegger
Attn: Robyn L. Phillips, Esq.
1000 Eagle Gate Tower
60 East South Temple
Salt Lake City, UT 84111

<Date of Deposit> May 19, 2006

~Signature~

~Name~


G. Donald Weber, Jr.