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

Proceeding	91180462
Party	Plaintiff CALIFORNIA CLOSET COMPANY, INC.
Correspondence Address	Marsha G. Gentner Jacobson Holman PLLC 400 - 7th Street N.W. Washington, DC 20004 UNITED STATES trademark@jhip.com, mgentner@jhip.com
Submission	Answer to Counterclaim
Filer's Name	Marsha G. Gentner
Filer's e-mail	trademark@jhip.com, mgentner@jhip.com
Signature	/Marsha G. Gentner/
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

CALIFORNIA CLOSET COMPANY, INC.)
)
 Opposer,)
)
 v.) Opposition No. 91180462
)
CHARLES KENWORTHY)
TERRI KENWORTHY)
)
 Applicants.)

**ANSWER TO COUNTERCLAIM FOR CANCELLATION OF
U.S. TRADEMARK REGISTRATION NOS. 1915339, 2853226 AND 3168301**

Opposer California Closet Company, Inc., hereby answers the counterclaim for cancellation of U.S. Trademark Registration Nos. 1915339, 2853226 and 3168301 (“counterclaim”), as follows:

1. Counterclaim ¶1 states no allegations to which a responsive pleading is required.
2. California Closet Company, Inc. (“California Closets” or “Opposer”) admits that it is a California corporation, that it filed the present consolidated opposition to applications serial nos. 76670880 and 76670902 on October 31, 2007, and that it has pleaded it owns, and will rely on in the opposition, U.S. Registrations nos. 1915339, 2853226 and 3168301; Opposer denies the remainder of the allegations of ¶2 of the counterclaim.
3. California Closets admits that the mark and services identified in its Registration No. 1915339 are as stated in ¶3 of the counterclaim.
4. California Closets admits that the services identified in its Registration No. 2853226 are as stated in ¶4 of the counterclaim; Opposer denies the remainder of the allegations of ¶4 of the counterclaim.

5. California Closets admits that the mark and services identified in its Registration No. 3168301 are as stated in ¶5 of the counterclaim.

6. California Closets denies the allegations of ¶6 of the counterclaim.

7. California Closets denies the allegations of ¶7 of the counterclaim.

8. California Closets denies the allegations of ¶8 of the counterclaim.

9. California Closets denies the allegations of ¶9 of the counterclaim, including, but not limited to, that Applicants was so “informed.”

10. California Closets admits the allegations of ¶10 of the counterclaim.

11. California Closets denies the allegations of ¶11 of the counterclaim.

12. California Closets denies the allegations of ¶12 of the counterclaim.

13. California Closets denies the allegations of ¶13 of the counterclaim.

AFFIRMATIVE DEFENSES

14. The counterclaim fails to state any claims for which relief may be granted.

15. Applicants are estopped to bring and/or maintain the counterclaim due to laches, acquiescence and/or unclean hands.

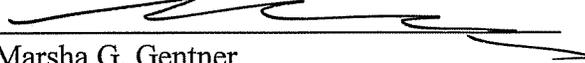
WHEREFORE, Opposer California Closets, Inc. prays that:

- A. judgment be entered herein in favor of Opposer and against Applicants on each of the claims of Applicants’ counterclaim for cancellation; and
- B. the counterclaim for cancellation be dismissed with prejudice in its entirety.

CALIFORNIA CLOSET COMPANY, INC.

Dated: February 21, 2008

By:


Marsha G. Gentner
JACOBSON HOLMAN PLLC
400 Seventh St., NW
Washington, DC 20004
(202) 638-6666
Mgentner@jhip.com

Certificate of Service

I hereby certify that on the 21st day of February, 2008, the foregoing Answer to Counterclaim for Cancellation of U.S. Registration Nos. 1915339, 2853226 and 3168301 was served on Applicants by mailing same, first class and postage prepaid, to the following:

Daniel M. Cislo
Cislo & Thomas LLP
1333 2nd Street
Suite 500
Santa Monica, CA 90401



Susan L. Brooks