

ESTTA Tracking number: **ESTTA187582**

Filing date: **01/18/2008**

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

Proceeding	91181170
Party	Defendant Johnny's Lunch Franchise LLC
Correspondence Address	TERRENCE H. LINK II ROETZEL & ANDRESS, LPA 222 S MAIN ST AKRON, OH 44308-1533 tlink@ralaw.com
Submission	Answer
Filer's Name	Mark C. Terzola
Filer's e-mail	mterzola@ralaw.com
Signature	/mark c terzola/
Date	01/18/2008
Attachments	answer to opp no 91181170.pdf (4 pages)(162417 bytes)

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

IN RE: SERIAL NO. 77/035,298
JOHNNY'S LUNCH JOHNNY'S HOTS,
BURGERS AND SHAKES SINCE 1936
(AND DESIGN)
PUBLISHED: JUNE 12, 2007

JOHNNY ROCKET'S LICENSING
CORPORATION

Opposer,

vs.

JOHNNY'S LUNCH FRANCHISE, LLC,

Applicant.

ANSWER

OPPOSITION NO. 91181170

Now comes the Applicant, Johnny's Lunch Franchise, LLC., and for its Response to Opposer's Notice of Opposition, pleads as follows:

1. Admitted.
2. Applicant is without knowledge or information sufficient to form a belief as to the truth of paragraph 2 and, therefore denies same.
3. Applicant is without knowledge or information sufficient to form a belief as to the truth of paragraph 3 and, therefore denies same. Applicant admits that Exhibit A to the Notice of Opposition speaks for itself.

4. Applicant is without knowledge or information sufficient to form a belief as to the truth of paragraph 4 and, therefore denies same.

5. Applicant is without knowledge or information sufficient to form a belief as to the truth of paragraph 5 and, therefore denies same.

6. Denied.

7. Denied.

8. Admitted.

9. The allegations of paragraph 9 state a legal conclusion and therefore no responsive averment is required. To the extent that paragraph 9 states an averment of fact, same is denied.

10. Applicant is without knowledge or information sufficient to form a belief as to the truth of paragraph 10 and, therefore denies same.

11. Applicant denies any allegations of the Notice of Opposition not expressly admitted herein.

AFFIRMATIVE DEFENSES

1. Laches, estoppels, waiver and/or acquiescence.

2. Applicant reserves the right to identify any and all additional affirmative defenses that it becomes ware of during the course of discovery in this matter.

Respectfully submitted,

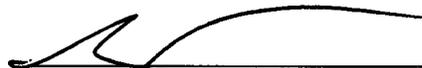


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Attorneys for Applicant JOHNNY'S LUNCH
FRANCHISE, LLC

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Answer was served upon Mark D. Passler, Attorney for Opposer, by Regular U.S. mail, to Mark D. Passler, Esq., Akerman Senterfitt, 222 Lakeview Avenue, 4th Floor, West Palm Beach, FL 33401, this 18th day of January, 2008.



Mark C. Terzola

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Proceeding	Opposition No. 91181170
Party	Applicant Johnny's Lunch Franchise, LLC
Correspondence Address	Mark C. Terzola Roetzel & Andress, LPA 222 South Main Street Akron, Ohio 44308 mterzola@ralaw.com
Submission	Answer
Filer's Name	Mark C. Terzola
Filer's E-Mail	mterzola@ralaw.com
Signature	/Mark C. Terzola/
Date	January 18, 2008
Attachments	None

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