

ESTTA Tracking number: **ESTTA293776**

Filing date: **07/06/2009**

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

Proceeding	91190409
Party	Defendant Flageoli, Ltd.
Correspondence Address	DAPHNE SHERIDAN BASS LAW OFFICES OF DAPHNE SHERIDAN BASS 921 26TH ST SANTA MONICA, CA 90403-2203 daphneb@earthlink.net
Submission	Answer
Filer's Name	Daphne Sheridan Bass
Filer's e-mail	daphneb@earthlink.net
Signature	/daphne sheridan bass/
Date	07/06/2009
Attachments	ProRemedy Answer to Opposition.pdf (4 pages)(1385152 bytes)

3. Applicant has insufficient knowledge or information as to the truth of the allegations set forth in Paragraph 3 of the Notice of Opposition and, therefore, denies said allegations.

4. Applicant has insufficient knowledge or information as to the truth of the allegations set forth in Paragraph 4 of the Notice of Opposition and, therefore, denies said allegations.

5. Applicant has insufficient knowledge or information as to the truth of the allegation set forth in Paragraph 5 of the Notice of Opposition relating to Opposer's "priority over Applicant's Mark" and that it has "continuously used its Marks since it commenced use of its Marks". Applicant admits the allegation with respect to the filing date of Applicant's Mark as an intent-to-use application.

6. Applicant denies the allegations set forth in Paragraph 6 of the Notice of Opposition.

7. Applicant denies the allegations set forth in Paragraph 7 of the Notice of Opposition.

8. Applicant has insufficient knowledge or information as to the truth of the allegation set forth in Paragraph 8 of the Notice of Opposition relating to the fame of Opposer's Marks and, therefore, denies that allegation. Applicant further denies all remaining allegations in Paragraph 8 of the Notice of Opposition.

9. Applicant denies the allegations set forth in Paragraph 9 of the Notice of Opposition.

10. Applicant denies the allegations set forth in Paragraph 10 of the Notice of Opposition.

11. Applicant denies the allegations set forth in Paragraph 11 of the Notice of Opposition.

12. Applicant denies the allegations set forth in Paragraph 12 of the Notice of Opposition.

13. Applicant denies the allegations set forth in Paragraph 13 of the Notice of Opposition.

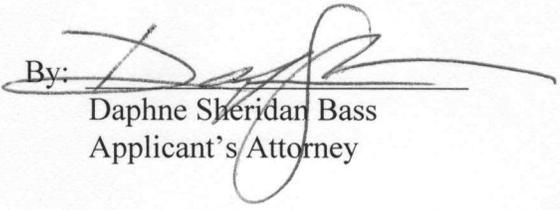
14. Applicant denies the allegations set forth in Paragraph 14 of the Notice of Opposition and, further, states that it has been using the Mark in interstate commerce since January, 2009.

WHEREFORE, Applicant prays that the opposition be dismissed, and that the Mark be ordered to proceed to publication.

Respectfully submitted,

Flageoli, Ltd.
Applicant

Date: July 6, 2009

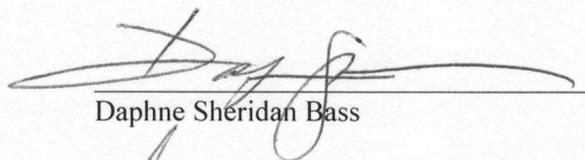
By: 

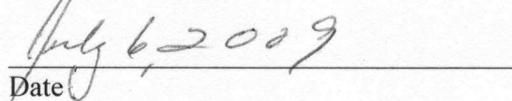
Daphne Sheridan Bass
Applicant's Attorney

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the within ANSWER TO OPPOSITION No. 91190409 is being deposited with the United States Postal Service, postage prepaid, this 6th day of July, 2009 in envelopes addressed to:

1. Guthy-Renker, Ltd.
41-550 Eclectic Street, Suite 200
Palm Desert CALIFORNIA 92260
2. Daniel M. Cislo, Esq.
CISLO & THOMAS LLP
1333 2nd Street, Suite 500
Santa Monica, CA 90401-4110


Daphne Sheridan Bass


Date