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

Proceeding	91190794
Party	Defendant Envirodine Studios Inc.
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Submission	Answer
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Date	08/03/2009
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

UNILEVER SUPPLY CHAIN, INC.,

Opposer,

v.

ENVIRODINE STUDIOS, INC.,

Applicant.

Opposition No.

91190794

APPLICANT'S ANSWER TO OPPOSITION

NOW COMES the Applicant, Envirodine Studios, Inc. ("Applicant"), the owner of and applicant named in application Serial No. 77/546,243 (the "Application") for the mark SCENTSICLES ("Applicant's Mark") for "Christmas tree decorations; Christmas tree ornaments; Christmas tree ornaments and decorations" in International Class 28, filed on August 13, 2008 and published for Opposition on December 30, 2008, and, in accordance with Rules 2.106 and 2.116 of the Trademark Rules of Practice and by and through its undersigned counsel, files this answer in response to Opposer's, Unilever Supply Chain, Inc. ("Opposer"), Opposition filed on June 26, 2009 as follows:

In response to the introductory unnumbered paragraph of the Opposition, Applicant admits that Applicant's Mark for the listed goods is the subject Application and that Opposer has opposed the Application; denies that Opposer will be damaged by the issuance of a registration for Applicant's Mark; and states that it is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations of the first, unnumbered paragraph.

Applicant responds to the separately-numbered paragraphs of the Opposition as follows:

1.

Applicant is without knowledge or information sufficient to form a belief as to the allegations set forth in paragraph 1 of the Notice of Opposition, which therefore stand denied.

2.

Applicant is without knowledge or information sufficient to form a belief as to the allegations set forth in paragraph 2 of the Notice of Opposition, which therefore stand denied.

3.

Applicant is without knowledge or information sufficient to form a belief as to the allegations set forth in paragraph 3 of the Notice of Opposition, which therefore stand denied.

4.

Applicant is without knowledge or information sufficient to form a belief as to the allegations set forth in paragraph 4 of the Notice of Opposition, which therefore stand denied.

5.

Applicant is without knowledge or information sufficient to form a belief as to the allegations set forth in paragraph 5 of the Notice of Opposition, which therefore stand denied.

6.

Applicant is without knowledge or information sufficient to form a belief as to the allegations set forth in paragraph 6 of the Notice of Opposition, which therefore stand denied.

7.

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

8.

Applicant is without knowledge or information sufficient to form a belief as to the allegations set forth in paragraph 8 of the Notice of Opposition, which therefore stand denied.

9.

Applicant admits the allegations set forth in paragraph 9 of the Notice of Opposition.

10.

Applicant admits the allegations set forth in paragraph 10 of the Notice of Opposition.

11.

Applicant admits 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.

15.

Applicant denies the allegations set forth in paragraph 15 of the Notice of Opposition.

16.

Applicant denies the allegations set forth in paragraph 16 of the Notice of Opposition.

17.

Applicant denies the allegations set forth in paragraph 17 of the Notice of Opposition.

In response to the unnumbered paragraph that follows paragraph 17 of the Opposition, Applicant again denies that Opposer will be damaged by registration of Applicant's Mark and denies that Opposer's Opposition should be sustained.

AFFIRMATIVE DEFENSE

1.

Opposer's Notice of Opposition fails to state a claim upon which relief can be granted.

2.

Opposer's claims are barred by the doctrine of laches.

WHEREFORE, having fully answered the Opposition, Applicant respectfully prays:

- (i) that the Opposition be dismissed and/or denied in its entirety;
- (ii) that judgment be entered in favor of Applicant on the Opposition and each and every claim and count thereof;
- (iii) that a registration be issued to Applicant for the mark SCENTSICLES, as applied for in the Application; and
- (iv) that Applicant be granted such other and further relief as the Board deems just and proper.

This 3rd day of August, 2009.

Respectfully submitted,

BALLARD SPAHR, LLP

/Mary Anthony Merchant/
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ENVIRODINE STUDIOS, INC.

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the **APPLICANT'S ANSWER TO OPPOSER'S OPPOSITION** has been served upon Opposer, by causing a true and correct copy thereof to be delivered in the manner indicated below and properly addressed to the following counsel of record:

<input type="checkbox"/> By Hand	Kristin H. Altoff Morgan, Lewis & Bockius LLP 1111 Pennsylvania Ave., NW; Attn: TMSU Washington, DC 20004 trademarks@morganlewis.com ; kaltoff@morganlewis.com ; apolott@morganlewis.com 202.739.5093
<input type="checkbox"/> By Facsimile	
<input checked="" type="checkbox"/> By US Postal Service (1 st Class)	
<input type="checkbox"/> By Overnight Delivery	
<input checked="" type="checkbox"/> By Email	

This 3rd day of August, 2009



Mary Anthony Merchant, Esq.
Winston Folmar, Esq.