

ESTTA Tracking number: **ESTTA397518**

Filing date: **03/11/2011**

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

Proceeding	91197652
Party	Defendant Carlos Garciarce Ramirez
Correspondence Address	SUSAN OKIN GOLDSMITH DUANE MORRIS LLP 744 BROAD STREET NEWARK, NJ 07102 UNITED STATES sogoldsmith@duanemorris.com
Submission	Answer
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Date	03/11/2011
Attachments	Opp. No. 91197652.pdf (3 pages)(203554 bytes)

4. Applicant admits the allegation in Paragraph 4 of the Opposition that “Jarritos” may be translated into English as “little jugs” or “pitchers.” Applicant denies any resulting inferences of Paragraph 4 of the Opposition.

5. Applicant denies the allegations of Paragraph 5 of the Opposition.

6. Applicant denies the allegations in Paragraph 6 of the Opposition.

7. Applicant denies the allegations of Paragraph 7 of the Opposition.

8. Applicant admits the allegations of Paragraph 8 of the Opposition to the extent that it filed an application for registration of the mark shown in Serial No. 77/949,564 which was published in the *Official Gazette* of August 3, 2010, and refers the Board to the entirety of the application for completeness.

9. Applicant admits the allegations in Paragraph 9 of the Opposition that one translation of “Jarro” is “jar.” Applicant denies all remaining allegations and inferences of Paragraph 9. The English translation of the words "Jarro Frut" in the mark is fruit jar.

10. Applicant denies the allegations of Paragraph 10 of the Opposition.

11. Applicant denies the allegations of Paragraph 11 of the Opposition.

12. Applicant denies the allegations of Paragraph 12 of the Opposition.

13. Applicant lacks knowledge or information sufficient to form a belief as to the truth or falsity of the allegations in Paragraph 13 of the Opposition and therefore denies the same.

14. Applicant lacks knowledge or information sufficient to form a belief as to the truth or falsity of the allegations in Paragraph 14 of the Opposition and therefore denies the same.

15. Applicant denies the allegations of Paragraph 15 of the Opposition.
16. Applicant admits the allegations of Paragraph 16 of the Opposition.
17. Applicant admits that registration of Applicant's mark would provide Applicant with *prima facie* exclusive rights therein, but denies the remaining allegations of Paragraph 17 of the Opposition.
18. Applicant denies the allegations in Paragraph 18 of the Opposition.
19. Paragraph 19 of the Opposition contains an appointment of counsel, no allegation is made and no response is required.

WHEREFORE, Applicant requests that the Opposition be DENIED.

Respectfully submitted,

Date: March 11, 2011

/Susan Goldsmith/
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CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was served upon the following on March 11, 2011, by U.S. Postal Service, first class mail, postage prepaid:

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