

IN THE UNITED STATE PATENT AND TRADEMARK OFFICE
TRADEMARK TRIALS AND APPEALS BOARD

In re: SkinSense Organic

Application Serial No. 85064357

Opposition No. 91198059

In Response to Opposition

Response by Susan Surico-Desert City Enterprises

1. Opposer only uses Skinsense as a business name and not in conjunction with any skincare or product line. Skinsense is only used to identify a service business.
2. Opposer, according to his website, is only doing business in the state of North Carolina. Applicant is located in Arizona.
3. Opposer is only using the name Skinsense for service business only.
4. According to his website, Opposer does not have a single product listed that has the Skinsense name on it or even the word Organic.
5. Since Opposer does not have any products with the name Skinsense on them, it would not confuse potential customers.
6. Since Opposer does not have any products with the Skinsense or Organic name on them, it would not cause uncertainty as to the source of the Applicants goods and would not in any way suggest affiliate, connection or any other relationship between Applicant and Opposer. Applicant is selling Organic Skincare products and is not selling a spa service.
7. The sale of the products by the Applicant would not be deceptive and would not wrongly suggest to the consumer that Applicants products originate with Opposer. Opposer has a service business associated with Skinsense not any products.

For all the foregoing reasons the Applicant respectfully requests that the Board:

1. Uphold the Applicants Application
2. Award costs and attorney's fees to the Applicant as may be authorized or within the discretion of the Board.



02-11-2011