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

Proceeding	91199035
Party	Defendant Jonathan E Chien dba I Love DC, LLC
Correspondence Address	JUNGJIN LEE LEE LEE & ASSOCIATES PC 2531 JACKSON ROAD, SUITE 234 ANN ARBOR, MI 48103 UNITED STATES jj@llapc.com
Submission	Answer
Filer's Name	Jason R. Lee
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Signature	/Jason R. Lee/
Date	04/26/2011
Attachments	Answer to Notice of Opposition.pdf ( 4 pages )(261940 bytes )

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

D.C. One Wholesaler, Inc.,	)	
Opposer,	)	Opposition No. 91199035
	)	In the Matter of
v.	)	Serial No. 77962853
	)	Mark: I ♥ DC
Jonathan E. Chien dba I LOVE DC, LLC,	)	Filed: March 18, 2010
Applicant.	)	Published: November 16, 2010
	)	

**ANSWER TO NOTICE OF OPPOSITION**

Jonathan E. Chien dba I LOVE DC, LLC (“Applicant”), by its counsel, hereby answers the Notice of Opposition filed by D.C. One Wholesaler, Inc., (“Opposer”) and respectfully submits the following for its opposition to the Application:

1. Applicant is without knowledge or information to form a belief as to the truth of the allegations contained in paragraph 1 of the Notice of Opposition.
2. Applicant is without knowledge or information to form a belief as to the truth of the allegations contained in paragraph 2 of the Notice of Opposition.
3. Denied as to the mark in question being “ornamental and descriptive.” Applicant is without knowledge or information to form a belief as to the truth of the allegations contained in the rest of paragraph 3 of the Notice of Opposition.

4. Applicant is without knowledge or information to form a belief as to the truth of the allegations contained in paragraph 4 of the Notice of Opposition.
5. Denied.
6. Applicant admits that registration of its "I ♥ DC" trademark would constitute prima facie evidence of the validity of such registration, of Applicant's ownership of that trademark, and of Applicant's exclusive right to use said trademark pursuant to governing statutes and case law. Applicant is without knowledge or information to form a belief as to the truth of the rest of the allegations contained in paragraph 6 of the Notice of Opposition.
7. Admitted.
8. Admitted.

#### **Additional and Affirmative Defenses**

1. Applicant is already the owner of Registration No. 3759575, also for the mark "I ♥ DC," only slightly different in its presentation. The Applicant is simply seeking registration of a mark it already owns, presented in a slightly different way.

Wherefore, having fully answered the Notice of Opposition, Applicant respectfully requests that the Notice of Opposition be dismissed and the application Serial No. 78448790 for "I ♥ DC" be granted registration.

Applicant hereby appoints Jason R. Lee, a member of the bar of the State of Michigan, of the firm of Lee, Lee & Associates, P.C., 2531 Jackson Road, Suite 234, Ann Arbor MI 48103, or its duly appointed associates, as its attorneys in the above-entitled opposition to prosecute the same and to transact all business in the Patent and Trademark Office in connection with said Opposition.

Dates this 26th day of April, 2011.

Respectfully Submitted,  
Jonathan E Chien dba I LOVE DC LLC, Applicant

By: /Jason R. Lee/  
Jason R. Lee, Esq.  
Attorney for Applicant

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**CERTIFICATE OF SERVICE**

I hereby certify that on April 26, 2011, a true and correct copy of the foregoing Answer to the Notice of Opposition was served upon:

Deborah M. Lodge  
Susan E. Billheimer  
Patton Boggs LLP  
Opposer's Attorney of Record

By First Class Mail at:

Deborah M. Lodge  
Susan E. Billheimer  
Patton Boggs LLP  
2550 M Street, N.W.  
Washington, D.C. 20037

I further certify that the foregoing paper is being filed electronically via the Electronic System for Trademark Trials and Appeals (ESTTA).

Date: April 26, 2011

/Jason R. Lee/  
Jason R. Lee