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Filing date: **07/22/2011**

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

Proceeding	91200223
Party	Defendant Laguna Candles
Correspondence Address	KEVIN MATTHEW WELCH THE LAW OFFICE OF KEVIN M. WELCH PO BOX 494 HERMOSA BEACH, CA 90254-0494 Kevin@kmwlawoffice.com
Submission	Answer
Filer's Name	Kevin M. Welch
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Date	07/22/2011
Attachments	11.07.21 Answer to Opposition No 91200223.pdf (3 pages)(66252 bytes)

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

In the matter of Trademark Application Serial No.: 85/137,006

Filed: September 23, 2010

For the mark: LAGUNA CANDLES

Published in the Official Gazette on May 17, 2011

FLAME & WAX, INC.

Opposer,

v.

Opposition No.: 91200223

LAGUNA CANDLES,

Applicant.

ANSWER

In the above referenced Opposition to Serial No. 85/137,006, LAGUNA CANDLES (“Applicant”), by and through its attorney, Kevin M. Welch, hereby answers the allegations in the Notice of Opposition as Follows:

1. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph “1” of the Notice of Opposition, and therefore denies the same.
2. Applicant denies the allegation contained in Paragraph “2” of the Notice of Opposition.
3. Applicant denies the allegation contained in Paragraph “3” of the Notice of Opposition.

4. Applicant admits that the term "candle" is a generic term for a "candle" but denies the allegation contained in Paragraph "4" of the Notice of Opposition to the degree that the allegation has broader meaning.
5. Applicant admits the allegation contained in Paragraph "5" of the Notice of Opposition.
6. Applicant denies the allegation contained in paragraph "6" of the Notice of Opposition.
7. Applicant admits to maintaining a home office in Laguna Beach but denies the remainder of the allegation contained in Paragraph "7" of the Notice of Opposition.
8. Applicant denies the allegation contained in Paragraph "8" of the Notice of Opposition.
9. Applicant denied the allegation contained in Paragraph "9" of the Notice of Opposition.

WHEREFORE, Applicant prays that this Opposition be dismissed and that registration of its mark LAGUNA CANDLES as shown in Application Serial No. 85/137,006 be issued.

Dated: July 21, 2011

Respectfully submitted,

By: 

Kevin M. Welch

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Attorney for Applicant
LAGUNA CANDLES

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the forgoing ANSWER has been served upon Amanda Mooney, counsel for Opposer FLAME & WAS, INC., via First Class Unites States Mail, Postage prepaid, on July 21, 2011 at the following address:

**Amanda J. Mooney
Goodman, Mooney, Bernstein, LLP.
2030 Main Street, Suite 1300
Irvine, CA 92614**

Dated: July 21, 2011 By: 
Kevin M. Welch

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