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

Proceeding	91203817
Party	Defendant Gilt Groupe, Inc.
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Date	03/23/2012
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of Application No. 85/315,331
Trademark: PARK & BOND
Applicant: Gilt Groupe, Inc.

Laurice El. Badry Rahme Ltd., dba
Laurice & Co.

Opposer

v.

Gilt Groupe, Inc.

Applicant

Opposition No. 91/203817

ANSWER TO NOTICE OF OPPOSITION

Applicant Gilt Groupe, Inc. (“Applicant”) by and through its counsel hereby answers the Notice of Opposition of Opposer Laurice El. Badry Rahme Ltd., dba Laurice & Co. (“Opposer”). To the extent that a response to the statements in the introductory paragraphs is required, Applicant denies that Opposer has been or will be damaged by the registration of Applicant’s applied-for trademark.

Applicant answers and responds to the like-numbered paragraphs of the Notice of Opposition as follows:

1. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the statements set forth in Paragraph 1 of the Notice of Opposition (the “Notice”) and on that basis denies the allegations.
2. Applicant admits the allegations set forth in Paragraph 2 of the Notice.

3. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the statements set forth in Paragraph 3 of the Notice and on that basis denies the allegations.
4. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the statements set forth in Paragraph 4 of the Notice and on that basis denies the allegations.
5. Regarding Paragraph 5 of the Notice, Applicant admits only that copies of Registration Certificates for Registration Nos. 2,742,675, 3,235,717 and 2,977,197 were attached as Exhibit A to the Notice. Applicant otherwise lacks knowledge or information sufficient to form a belief as to the truth of the statements set forth in Paragraph 5 and on that basis denies the allegations.
6. Regarding, Paragraph 6 of the Notice, Applicant admits only that a document listing marks and numbers was attached as Exhibit B to the Notice. Applicant otherwise lacks knowledge or information sufficient to form a belief as to the truth of the statements set forth in Paragraph 6 of the Notice and on that basis denies the allegations.
7. Regarding Paragraph 7 of the Notice, Applicant admits only that an image of a partial bottle was attached as Exhibit C to the Notice. Applicant otherwise lacks knowledge or information sufficient to form a belief as to the truth of the statements set forth in Paragraph 7 of the Notice and on that basis denies the allegations.
8. Applicant denies the allegations set forth in Paragraph 8 of the Notice.
9. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the statements set forth in Paragraph 9 of the Notice and on that basis denies the allegations.
10. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the statements set forth in Paragraph 10 of the Notice and on that basis denies the allegations.
11. Regarding Paragrphah 11 of the Notice, Applicant admits only that alleged copies of six articles/features were attached as Exhibit D to the Notice. Applicant otherwise lacks knowledge or information sufficient to form a belief as to the truth of the statements set forth in Paragraph 11 of the Notice and on that basis denies the allegations.
12. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the statements set forth in Paragraph 12 of the Notice and on that basis denies the allegations.

13. Regarding Paragraph 13 of the Notice, Applicant admits only that an alleged copy of a WWD.com article was attached as Exhibit E to the Notice. Applicant otherwise lacks knowledge or information sufficient to form a belief as to the truth of the statements set forth in Paragraph 13 of the Notice and on that basis denies the allegations.
14. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the statements set forth in Paragraph 14 of the Notice and on that basis denies the allegations.
15. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the statements set forth in Paragraph 15 of the Notice and on that basis denies the allegations.
16. Applicant admits it is the record owner of Application Serial No. 85/315,331 filed May 9, 2011 for the mark PARK & BOND for the services as set forth in Paragraph 16 of the Notice. Applicant admits that a copy of the USPTO Tess record for Application Serial No. 85/315,331 was attached as Exhibit F to the Notice.
17. Regarding Paragraph 17 of the Notice, Applicant admits only that its constructive use date for its Application Serial No. 85/315,331 is May 9, 2011.
18. Applicant admits the allegations set forth in Paragraph 18 of the Notice.
19. Regarding Paragraph 19 of the Notice, Applicant admits that it owns domain names other than www.parkandbond.com for websites that are operated under other names that feature various products for sale including clothing and accessories. Applicant otherwise denies the allegations set forth in Paragraph 19 of the Notice.
20. Applicant admits the allegations set forth in Paragraph 20 of the Notice.
21. For www.parkandbond.com, Applicant admits the allegations set forth in Paragraph 21 of the Notice.
22. Applicant admits the allegations set forth in Paragraph 22 of the Notice.
23. Regarding Paragraph 23 of the Notice, the statement is incomplete. Therefore, Applicant lacks knowledge or information sufficient to form a belief as to the truth of the statements set forth in Paragraph 23 of the Notice and on that basis denies the allegations.
24. Regarding Paragraph 24 of the Notice, Applicant denies that its Park & Bond group had specific knowledge of the allegations set forth in Paragraph 24 of the Notice. Applicant admits only that a different group within Applicant's business

was aware of Opposer before Applicant launched its Park & Bond business. Applicant otherwise lacks knowledge or information sufficient to form a belief as to the truth of the statements set forth in Paragraph 24 of the Notice, and on that basis denies the allegations.

25. Regarding Paragraph 25 of the Notice, Applicant admits only that Applicant hosted a lunch at Il Buco, which is located at 47 Bond Street, but Applicant is otherwise without knowledge or information and/or denies the remaining allegations set forth in Paragraph 25 of the Notice.
26. Applicant denies the allegations set forth in Paragraph 26 of the Notice.
27. Regarding Paragraph 27 of the Notice, Applicant admits only that seven pages of photocopies of markings, some legible and some illegible, were attached as Exhibit G to the Notice. Applicant otherwise denies the allegations set forth in Paragraph 27 of the Notice.
28. Applicant denies the allegations set forth in Paragraph 28 of the Notice.
29. Regarding Paragraph 29 of the Notice, Applicant admits only that there is a Bond Street in Manhattan. Applicant otherwise lacks knowledge or information sufficient to form a belief as to the truth of the statements set forth in Paragraph 29 of the Notice and on that basis denies the allegations.
30. Regarding Paragraph 30 of the Notice, Applicant admits only that there is a Park Avenue in Manhattan. Applicant otherwise lacks knowledge or information sufficient to form a belief as to the truth of the statements set forth in Paragraph 30 of the Notice and on that basis denies the allegations.
31. Applicant denies the allegations set forth in Paragraph 31 of the Notice.
32. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the statements set forth in Paragraph 32 of the Notice and on that basis denies the allegations.
33. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the statements set forth in Paragraph 33 of the Notice and on that basis denies the allegations.
34. Applicant denies the allegations set forth in the first sentence of Paragraph 34 of the Notice. The second sentence of Paragraph 34 is a legal statement to which Applicant believes an Answer is not required. To the extent an Answer is required, Applicant denies there is a likelihood of confusion in the circumstances of this case.
35. Applicant denies the allegations set forth in Paragraph 35 of the Notice.

36. Applicant denies the allegations set forth in Paragraph 36 of the Notice.

AFFIRMATIVE DEFENSES/COUNTERCLAIMS

37. Applicant reserves the right to assert any affirmative defenses, and/or any counterclaims, if warranted by information obtained through discovery or trial.

WHEREFORE, having fully answered, Applicant prays the Trademark Trial and Appeal Board dismiss Opposer's Notice of Opposition with prejudice, and forward Applicant's Application Serial No. 85/315,331 for issuance of a Notice of Allowance.

Respectfully submitted,

GILT GROUPE, INC.

By: Roberta S. Bren

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Date: March 23, 2012
RSB/BAC/cli {6550156_1.DOC}

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing ANSWER TO NOTICE OF OPPOSITION was served on counsel for Opposer, this 23rd day of March, 2012, by sending same via First Class mail, postage prepaid, to:

George Gottlieb, Esq.
Gottlieb, Rackman & Reisman, P.C.
270 Madison Avenue Floor 8
New York, NY 10016

A handwritten signature in black ink, appearing to read "Alicia A. Barera". The signature is written in a cursive style and is positioned below the typed name of the recipient.