

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

In the Matter of:  
Application Serial No. 85,505,221  
Published in the Official Gazette  
May 29, 2012

LFP IP, LLC,	)	
	)	
Opposer,	)	
	)	
V.	)	Opposition No. 91206171
	)	
Timothy Stephen Sanders,	)	
	)	
Applicant.	)	

**APPLICANT’S ANSWER TO NOTICE OF OPPOSITION**

In response to the Opposer, LFP IP, LLC, Notice of Opposition, they are alleging that Application Serial No. 85,505,221, Filed: December 28, 2011, Published: May 29, 2012 in the Official Gazette, Mark: **SWEETHEARTHUSTLERXXX.COM**, alleges that the Applicant has infringed upon their trademark and that we have similarities of our cause. Our cause for my trademark is totally separate from LFP IP, LLC. The Opposer specifically uses its brand for Adult Entertainment only. As the Applicant, the purpose of this trademark is to empower women from a perspective that women contribute a lot to our society and the trademark is to specifically recognize such. The Opposer has stated over and over again that their trademark is for Adult Entertainment purposes only which does not imply that they are trying to empower women and that is the sole purpose of this trademark. So I clearly do not see where there is an encroachment upon their trademark name based on the simple fact that each entity would be



08-27-2012

working in two separate worlds. While one is for sex and adult entertainment, the other is to empower the women as adult females so clearly there is a difference between our trademarks and the Applicant pleads and avers as follows:

1. Answering Paragraph 1 of the Notice of Opposition, Applicant does not have sufficient knowledge or information to form a belief as to the allegations contained therein and accordingly denies the allegations.
2. Answering Paragraph 2 of the Notice of Opposition, Applicant does not have sufficient knowledge or information to form a belief as to the allegations contained therein and accordingly denies the allegations.
3. Answering Paragraph 3 of the Notice of Opposition does not require a response.
4. Answering Paragraph 4 of the Notice of Opposition, Applicant does not have sufficient knowledge or information to form a belief as to the allegations contained therein and accordingly denies the allegations.
5. Answering Paragraph 2 of the Notice of Opposition, Applicant does not have sufficient knowledge or information to form a belief as to the allegations contained therein and accordingly denies the allegations.
6. Answering Paragraph 6, the Opposer is stating that I have filed which is true and correct which was not asserted but merely following procedure to file a trademark, however, the same goods with my trademark, yes I do. Yet there are many other companies who have that same apparel but have different causes.

7. Answering Paragraph 7 of the Notice of Opposition, Applicant does not have sufficient knowledge or information to form a belief as to the allegations contained therein and accordingly denies the allegations.
8. Answering Paragraph 8 of the Notice of Opposition, Applicant does not have sufficient knowledge or information to form a belief as to the allegations contained therein and accordingly denies the allegations.
9. Applicant further affirmatively alleges that there is not likelihood of confusion, mistake or deception because one is for sex and adult entertainment, the other is to empower the women as adult females so clearly there is a difference between our trademarks. Any trademark or service mark rights that Opposer may have are narrowly circumscribed to the goods and services indicated and any other use would not lead to a likelihood of confusion.
10. Answering Paragraph 10 of the Notice of Opposition, Applicant does not have sufficient knowledge or information to form a belief as to the allegations contained therein and accordingly denies the allegations.
11. Answering Paragraph 11 of the Notice of Opposition, Applicant does not have sufficient knowledge or information to form a belief as to the allegations contained therein and accordingly denies the allegations.
12. Answering Paragraph 12 of the Notice of Opposition, Applicant does not have sufficient knowledge or information to form a belief as to the allegations contained therein and accordingly denies the allegations.

13. Answering Paragraph 13 of the Notice of Opposition, Applicant does not have sufficient knowledge or information to form a belief as to the allegations contained therein and accordingly denies the allegations.
14. Applicant further affirmatively alleges that there is not likelihood of confusion, mistake or deception because one is for sex and adult entertainment, the other is to empower the women as adult females so clearly there is a difference between our trademarks. Any trademark or service mark rights that Opposer may have are narrowly circumscribed to the goods and services indicated and any other use would not lead to a likelihood of confusion.
15. Answering Paragraph 15 of the Notice of Opposition, Applicant does not have sufficient knowledge or information to form a belief as to the allegations contained therein and accordingly denies the allegations.
16. Answering Paragraph 16 of the Notice of Opposition, Applicant does not have sufficient knowledge or information to form a belief as to the allegations contained therein and accordingly denies the allegations.
17. Answering Paragraph 17 of the Notice of Opposition, Applicant does not have sufficient knowledge or information to form a belief as to the allegations contained therein and accordingly denies the allegations.
18. Answering Paragraph 19 of the Notice of Opposition, Applicant does not have sufficient knowledge or information to form a belief as to the allegations contained therein and accordingly denies the allegations.

19. Answering Paragraph 19 of the Notice of Opposition, Applicant does not have sufficient knowledge or information to form a belief as to the allegations contained therein and accordingly denies the allegations.

The Opposer has stated over and over again that their trademark is for Adult Entertainment purposes only which does not imply that they are trying to empower women and that is the sole purpose of this trademark. So I clearly do not see where there is an encroachment upon their trademark name based on the simple fact that each entity would be working in two separate worlds.

WHEREFORE, Applicant prays that this Opposition be overruled and that registration of U.S. Trademark Application Serial NO. 85,505,221 be approved.

Dated: August 27, 2012

Respectfully submitted,

Timothy Stephen Sanders

By: /Timothy S. Sanders/  
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*Anthony Hyder 8/27/12*

NOTARY PUBLIC-STATE OF FLORIDA  
 Anthony Hyder  
Commission # DD877872  
Expires: MAY 13, 2013  
BONDED THRU ATLANTIC BONDING CO., INC.

**CERTIFICATE OF FILING AND SERVICE**

I, Timothy Stephen Sanders, hereby certify that on August 27, 2012, I caused a true copy of the foregoing Answer to Notice of Opposition to be filed electronically with the United States Patent and Trademark Office and served upon Opposer's Counsel, Jonathan W. Brown, Esq., Lipsitz Green Scime Cambria LLP, 42 Delaware Avenue, Suite 120, Buffalo, NY 14202.

Date: August 27, 2012

By: Timothy S. Sanders



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