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Filing date: **05/10/2013**

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

Proceeding	91210069
Party	Defendant Hearst Communications, Inc.
Correspondence Address	MAUREEN SHEEHAN HEARST CORPORATION 300 W 57TH ST FL 42 NEW YORK, NY 10019-3790  trademarks@hearst.com
Submission	Answer
Filer's Name	Sarah B. Kickham
Filer's e-mail	mdonovan@yeellp.com, kschanz@yeellp.com, skickham@yeellp.com
Signature	/sbkickham/
Date	05/10/2013
Attachments	Answer and Affirmative Defenses.pdf ( 1 page )(192066 bytes )

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

-----X		
HOLA, S.L.,	:	
	:	
Opposer,	:	Opposition No. 91/210069
	:	Serial No. 85/597012
v.	:	Mark: HELLO STYLE
	:	
HEARST COMMUNICATIONS, INC.,	:	
	:	
Applicant.	:	
	:	
-----X		

**ANSWER AND AFFIRMATIVE DEFENSES**

Applicant Hearst Communications, Inc. (“Hearst” or “Applicant”), by its attorneys Donovan & Yee LLP, hereby answers the Notice of Opposition (“Notice”) filed by Hola, S.L. (“Hola” or “Opposer”) and asserts its Affirmative Defenses as follows:

1. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 1 of the Notice, and on that basis, denies those allegations.
  
2. In response to Paragraph 2 of the Notice, Applicant admits that Opposer is listed in the records maintained by the U.S. Patent and Trademark Office as the owner of U.S. Trademark Registration No. 3,746,892 for the mark HELLO TV! (stylized), U.S. Registration No. 2,938,383 for the mark HELLO! HOLA, S.A.-MADRID, U.S. (stylized), Registration No. 2,772,805 for the mark HELLO! (stylized), and U.S. Registration No. 3,834,140 for the mark HELLOMAGAZINE.COM, and denies the remaining 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 allegations set forth in Paragraph 3 of the Notice, and on that basis, denies those allegations.

4. Applicant denies the allegations set forth in Paragraph 4 of the Notice.

5. Applicant denies the allegations set forth in Paragraph 5 of the Notice.

6. In response to Paragraph 6 of the Notice, Applicant admits that on April 13, 2012 it filed Application Serial No. 85/597012, seeking to register the mark HELLO STYLE for use in connection with “entertainment services in the nature of development, creation, production and post-production services of multi-media entertainment content, namely, programming containing information, images, video, audio reviews, commentary and opinions in the fields of fashion and beauty” in Class 41, and denies the remaining allegations set forth in Paragraph 6 of the Notice.

7. Applicant denies the allegations set forth in Paragraph 7 of the Notice.

8. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 8 of the Notice, and on that basis, denies those allegations.

9. Applicant denies the allegations set forth in Paragraph 9 of the Notice.

10. Applicant denies the allegations set forth in Paragraph 10 of the Notice.

11. Applicant denies the allegations set forth in Paragraph 11 of the Notice.

12. Applicant denies the allegations set forth in Paragraph 12 of the Notice.

13. Applicant denies the allegations set forth in Paragraph 13 of the Notice.

14. Applicant denies the allegations set forth in Paragraph 14 of the Notice.

15. Applicant admits the allegations set forth in Paragraph 15 of the Notice.

16. Applicant denies the allegations set forth in Paragraph 16 of the Notice.

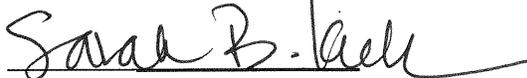
**AFFIRMATIVE DEFENSES**

1. The Notice fails to state a claim upon which relief can be granted.
2. Opposer's claims are barred by the doctrine of laches.
3. Opposer's claims are barred by the doctrine of equitable estoppel.
4. Opposer's claims are barred by the doctrine of acquiescence.

Dated: May 10, 2013  
New York, New York

Respectfully submitted,

DONOVAN & YEE LLP

By: 

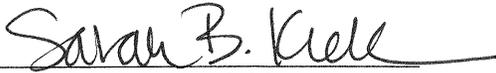
Mary A. Donovan, Esq.  
Sarah B. Kickham, Esq.  
161 Avenue of the Americas  
Suite 1201  
New York, New York, 10013  
(212) 226-7700  
(212) 226-1995 (fax)

*Attorneys for Applicant*

**CERTIFICATE OF SERVICE**

I, Sarah B. Kickham, an attorney with Donovan & Yee LLP, attorneys for Applicant, hereby affirm under the penalties of perjury, that on May 10, 2013, I caused a true and correct copy of the foregoing Answer and Affirmative Defenses to be served via First Class mail, postage prepaid, upon Opposer's attorney of record at the following address:

Robert C. Faber, Esq.  
Ostrolenk Faber LLP  
1180 Avenue of the Americas, 7<sup>th</sup> Floor  
New York, New York 10036

  
Sarah B. Kickham