

ESTTA Tracking number: **ESTTA573702**

Filing date: **11/27/2013**

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

Proceeding	91213081
Party	Defendant Stephanie Day Lake
Correspondence Address	KYLE T. PETERSON PATTERSON THUENTE CHRISTENSEN PEDERSEN 80 S 8TH ST MINNEAPOLIS, MN 55402 UNITED STATES trademark@ptslaw.com
Submission	Answer
Filer's Name	Kyle T. Peterson
Filer's e-mail	trademark@ptslaw.com
Signature	/Kyle T. Peterson/
Date	11/27/2013
Attachments	Answer to Notice of Opposition - Lake Foundation.pdf(16502 bytes)

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

In the Matter of Application Serial No. 85/525,339
For the mark: BONNIE CASHIN
Filed: January 25, 2012
Published: June 25, 2013

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THE TRUSTEES OF THE BONNIE CASHIN	:
FOUNDATION, LUCIA KELLAR AND	:
DAVID BAUM,	:
Opposer,	:
	:
v.	:
	:
STEPHANIE DAY LAKE,	:
Applicant.	:
-----X	

Opposition No. 91213081

**ANSWER TO NOTICE OF
OPPOSITION**

STEPHANIE DAY LAKE (“Applicant”), an individual with an address of 13117 Park Ridge Drive West, Minnetonka, Minnesota, answers the Notice of Opposition filed by The Trustees of the Bonnie Cashin Foundation, Lucia Kellar and David Baum, (“Opposer”) as follows:

1. Applicant lacks information sufficient to form a belief as to the truth or falsity of the allegations contained in Opposer’s first numbered paragraph and therefore denies same.
2. Applicant lacks information sufficient to form a belief as to the truth or falsity of the allegations contained in Opposer’s second numbered paragraph and therefore denies same.
3. Applicant lacks information sufficient to form a belief as to the truth or falsity of the allegations contained in Opposer’s third numbered paragraph and therefore denies same.

4. Applicant lacks information sufficient to form a belief as to the truth or falsity of the allegations contained in Opposer's fourth numbered paragraph and therefore denies same.
5. Applicant denies the allegations contained in Opposer's fifth numbered paragraph.
6. Applicant admits the allegations contained in Opposer's sixth numbered paragraph.
7. Applicant denies the allegations contained in Opposer's seventh numbered paragraph.
8. Applicant denies the allegations contained in Opposer's eighth numbered paragraph.
9. Applicant denies the allegations contained in Opposer's ninth numbered paragraph.
10. Applicant lacks information sufficient to form a belief as to the truth or falsity of the allegations contained in Opposer's tenth numbered paragraph and therefore denies same.
11. Applicant admits the allegations contained in Opposer's eleventh numbered paragraph.
12. Applicant denies the allegations contained in Opposer's twelfth numbered paragraph.
13. Applicant denies the allegations contained in Opposer's fourteenth numbered paragraph.

14. Applicant denies the allegations contained in Opposer's fifteenth numbered paragraph.
15. Applicant denies the allegations contained in Opposer's sixteenth numbered paragraph.
16. Applicant denies the allegations contained in Opposer's seventeenth numbered paragraph.
17. Applicant denies the allegations contained in Opposer's nineteenth numbered paragraph.
18. Applicant denies the allegations contained in Opposer's twentieth numbered paragraph.
19. Applicant denies the allegations contained in Opposer's twenty-first numbered paragraph.
20. Applicant lacks information sufficient to form a belief as to the truth or falsity of the allegations contained in Opposer's twenty-second numbered paragraph and therefore denies same.
21. Applicant denies the allegations contained in Opposer's twenty-third numbered paragraph.
22. Applicant admits the allegations contained in Opposer's twenty-fifth numbered paragraph.
23. Applicant lacks information sufficient to form a belief as to the truth or falsity of the allegations contained in Opposer's twenty-sixth numbered paragraph and therefore denies same.

24. Applicant denies the allegations contained in Opposer's twenty-seventh numbered paragraph.
25. Applicant lacks information sufficient to form a belief as to the truth or falsity of the allegations contained in Opposer's twenty-eighth numbered paragraph and therefore denies same.
26. Applicant lacks information sufficient to form a belief as to the truth or falsity of the allegations contained in Opposer's twenty-ninth numbered paragraph and therefore denies same.
27. Applicant denies the allegations contained in Opposer's thirtieth numbered paragraph.
28. Applicant denies the allegations contained in Opposer's thirty-second numbered paragraph.
29. Applicant admits the allegations contained in Opposer's thirty-third numbered paragraph.
30. Applicant denies the allegations contained in Opposer's thirty-fourth numbered paragraph.
31. Applicant denies the allegations contained in Opposer's thirty-fifth numbered paragraph.
32. Applicant denies the allegations contained in Opposer's thirty-sixth numbered paragraph.
33. Applicant denies the allegations contained in Opposer's thirty-seventh numbered paragraph.

34. Applicant denies the allegations contained in Opposer's thirty-ninth numbered paragraph.
35. Applicant denies the allegations contained in Opposer's fortieth numbered paragraph.
36. Applicant denies the allegations contained in Opposer's forty-first numbered paragraph.

FIRST AFFIRMATIVE DEFENSE

Opposer's Notice of Opposition fails to state a claim upon which relief can be granted.

SECOND AFFIRMATIVE DEFENSE

Applicant's U.S. Application No. 85/525,339 for BONNIE CASHIN has priority over any right to which Opposer may claim.

THIRD AFFIRMATIVE DEFENSE

Applicant reserves the right to amend its Answer to add additional or other affirmative defenses as may become necessary after a reasonable opportunity for appropriate discovery.

WHEREFORE, Applicant requests dismissal of the Notice of Opposition and issuance of a registration for its Application Serial No. 85/525,339 and such other and further relief as may be just and proper.

Dated: November 27, 2013

Respectfully submitted,

PATTERSON THUENTE
CHRISTENSEN PEDERSEN, P.A.

By: /s/ Kyle T. Peterson
Kyle T. Peterson
4800 IDS Center
80 South Eighth Street
Minneapolis MN 55402-2100
Telephone: (612) 252-1554
Facsimile: (612) 349-9266

Attorneys for Applicant Stephanie Day Lake

CERTIFICATE OF TRANSMITTAL

I hereby certify that a true copy of the foregoing ANSWER TO NOTICE OF OPPOSITION is being filed electronically with the TTAB via ESTTA on this day, November 27, 2013.

/s/ Kyle T. Peterson

Attorney for Applicant Stephanie Day Lake

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

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Opposer,	:	Opposition No. 91213081
	:	
v.	:	ANSWER TO NOTICE OF
	:	OPPOSITION
STEPHANIE DAY LAKE,	:	
Applicant.	:	
-----X	:	

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing ANSWER TO NOTICE OF OPPOSITION has been served on Opposer by depositing said copy with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to:

L. Donald Prutzman
Tannenbaum Helpert Syracuse
& Hirschtritt LLP.
900 Third Avenue
New York, NY 10022
(212) 508-6700

Dated: November 27, 2013

/s/ Kyle T. Peterson _____
Attorney for Applicant Stephanie Day Lake