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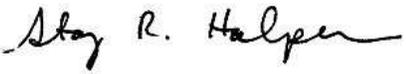
Filing date: **11/26/2013**

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

Proceeding	91213097
Party	Defendant RADILLO, JOSE ADRIAN CORONA
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Date	11/26/2013
Attachments	answer.pdf(19831 bytes)

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

Luxco, Inc.,
Opposer,
v.
Jose Adrian Corona Radillo,
Applicant.

) U.S. Opposition No. 91213097
)
) I hereby certify that this correspondence and all marked attachments are
) being electronically filed with the Trademark Trial and Appeal Board of
) the U.S. Patent and Trademark Office through their website located at
) <http://esta.uspto.gov> on:
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) November 26, 2013
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Stacey R. Halpern

ANSWER TO NOTICE OF OPPOSITION AND AFFIRMATIVE DEFENSES

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

Dear Sir:

Jose Adrian Corona Radillo (“Applicant”) hereby answers the Notice of Opposition filed by Luxco, Inc. (“Opposer”) against registration of Applicant’s mark GENERACION REBELDE, U.S. Application Serial No. 77/752,453 (“Applicant’s Mark”), as set forth below.

1. Answering Paragraph 1 of the Notice of Opposition, Applicant admits the allegations contained therein.
2. Answering Paragraph 2 of the Notice of Opposition, Applicant is without sufficient knowledge or information to form a belief as to the truth or falsity of the allegations contained therein, and accordingly denies the allegations set forth in Paragraph 2.
3. Answering Paragraph 3 of the Notice of Opposition, Applicant is without sufficient knowledge or information to form a belief as to the truth or falsity of the allegations contained therein, and accordingly denies the allegations set forth in Paragraph 3.
4. Answering Paragraph 4 of the Notice of Opposition, Applicant is without

sufficient knowledge or information to form a belief as to the truth or falsity of the allegations contained therein, and accordingly denies the allegations set forth in Paragraph 4.

5. Answering Paragraph 5 of the Notice of Opposition, Applicant is without sufficient knowledge or information to form a belief as to the truth or falsity of the allegations contained therein, and accordingly denies the allegations set forth in Paragraph 5.

6. Answering Paragraph 6 of the Notice of Opposition, Applicant is without sufficient knowledge or information to form a belief as to the truth or falsity of the allegations contained therein, and accordingly denies the allegations set forth in Paragraph 6.

7. Answering Paragraph 7 of the Notice of Opposition, Applicant denies the allegations contained therein.

8. Answering Paragraph 8 of the Notice of Opposition, Applicant is without sufficient knowledge or information to form a belief as to the truth or falsity of the allegations contained therein, and accordingly denies the allegations set forth in Paragraph 8.

9. Answering Paragraph 9 of the Notice of Opposition, Applicant is without sufficient knowledge or information to form a belief as to the truth or falsity of the allegations contained therein, and accordingly denies the allegations set forth in Paragraph 9.

10. Answering Paragraph 10 of the Notice of Opposition, Applicant denies the allegations contained therein.

11. Answering Paragraph 11 of the Notice of Opposition, Applicant is without sufficient knowledge or information to form a belief as to the truth or falsity of the allegations contained therein, and accordingly denies the allegations set forth in Paragraph 11.

12. Answering Paragraph 12 of the Notice of Opposition, Applicant denies the allegation “[n]otwithstanding LUXCO’S prior rights in the REBEL Marks.” With regard to the remaining allegations contained therein, Applicant admits that on June 4, 2009, it filed an

application with the U.S. Patent and Trademark Office and it was assigned Serial No. 77/752,453.

13. Answering Paragraph 13 of the Notice of Opposition, Applicant denies the allegations contained therein.

14. Answering Paragraph 14 of the Notice of Opposition, Applicant denies the allegations contained therein.

15. Answering Paragraph 15 of the Notice of Opposition, Applicant is without sufficient knowledge or information to form a belief as to the truth or falsity of the allegation contained therein, and accordingly denies the allegations set forth in Paragraph 15.

16. Answering Paragraph 16 of the Notice of Opposition, Applicant denies the allegations contained therein.

17. Answering Paragraph 17 of the Notice of Opposition, Applicant denies the allegations contained therein.

AFFIRMATIVE DEFENSES

Applicant alleges the following affirmative defenses.

FIRST AFFIRMATIVE DEFENSE

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

SECOND AFFIRMATIVE DEFENSE

Opposer's alleged prime facie rights, if any, based on its registration are limited to the specific marks listed in alleged Opposer's registrations and do not extend to the mark identified in Applicant's application.

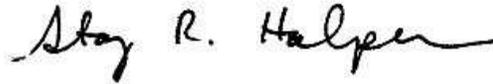
THIRD AFFIRMATIVE DEFENSE

Opposer's alleged prime facie rights, if any, based on its registration are limited to the specific goods listed in Opposer's registrations and do not extend to the goods identified in Applicant's application.

WHEREFORE, Applicant prays that the Notice of Opposition be dismissed in its entirety, and that a registration issue to Applicant for its mark. Please charge Deposit Account No. 11-1410 for any fees which may be required, or credit any overpayment to this account.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP



Dated: November 26, 2013

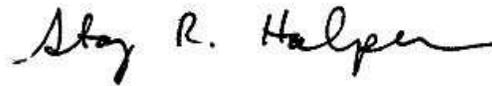
By: _____

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Irvine, CA 92614
(949) 760-0404
Attorneys for Applicant

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the foregoing **ANSWER TO NOTICE OF OPPOSITION AND AFFIRMATIVE DEFENSES** upon Opposer's counsel by depositing one copy thereof in the United States Mail, first-class postage prepaid, on November 26, 2013, addressed as follows:

Michael R. Annis
Husch Blackwell LLP
190 Carondelet Plaza, Suite 600
St. Louis, MO 63105



Stacey R. Halpern

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