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Filing date: **07/21/2014**

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

Proceeding	91216833
Party	Defendant Aristocrat Technologies Australia Pty Ltd.d.
Correspondence Address	ABIOLA SHOBOLA ARISTOCRAT TECHNOLOGIES, INC. 7230 AMIGO ST LAS VEGAS, NV 89119-4306  uspto.mail@aristocrat-inc.com
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Signature	/as/
Date	07/21/2014
Attachments	KarmasKissAnswerFinal.pdf(834122 bytes )

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

In the Matter of:  
Application Serial No. 86024407  
Mark: KARMA'S KISS  
Published in the Official Gazette: May 6, 2014

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KISS CATALOG, Ltd.

Opposer,

v.

Opposition No. 91216833

ARISTOCRAT TECHNOLOGIES AUSTRALIA Pty Ltd.

Applicant.

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**ANSWER**

Applicant, Aristocrat Technologies Australia, Pty Ltd, an Australia entity, hereby Answers the Notice of Opposition filed by Kiss Catalog, Ltd. ("Opposer") on June 12, 2014 as follows:

In answering the Notice of Opposition Preamble, Applicant alleges and pleads as follows:

Applicant is without sufficient knowledge and information to form a belief as to the truth of the allegations of this paragraph and on that basis, denies the same. Applicant denies that Opposer would be damaged by registration of the Mark.

In answering each paragraph set forth as the grounds of Opposition, Applicant alleges and pleads as follows:

1. Answering paragraph 1 of the Notice of Opposition, Applicant is without sufficient knowledge or information to form a belief as to the truth of the allegations of this paragraph and on that basis denies the same.
2. Answering paragraph 2 of the Notice of Opposition, Applicant is without sufficient knowledge or information to form a belief as to the truth of the allegations of this paragraph and on that basis denies the same.
3. Answering paragraph 3 of the Notice of Opposition, Applicant is without sufficient knowledge or information to form a belief as to the truth of the allegations of this paragraph and on that basis denies the same.
4. Answering paragraph 4 of the Notice of Opposition, Applicant is without sufficient knowledge or information to form a belief as to the truth of the allegations of this paragraph and on that basis denies the same.
5. Answering paragraph 5 of the Notice of Opposition, Applicant denies the allegations of this paragraph.
6. Answering paragraph 6 of the Notice of Opposition, Applicant denies the allegations of this paragraph.
7. Answering paragraph 7 of the Notice of Opposition, Applicant denies the allegations of this paragraph.

#### **AFFIRMATIVE DEFENSES**

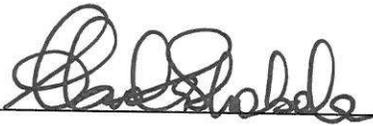
8. The Notice of Opposition and each claim therein fail to assert facts sufficient to sustain an Opposition.
9. Applicant alleges that there is no likelihood of confusion, mistake or deception because, *inter alia*, Applicant's mark and Opposer's mark are sufficiently dissimilar in appearance, sound, and commercial impression.
10. Applicant's mark is not sufficiently similar to Opposer's mark so as to be likely to cause any dilution in the distinctiveness of Opposer's mark within the meaning of Section 43 of the Lanham Act.
11. As Applicant lacks sufficient knowledge or information to form a belief as to whether it may have additional separate or affirmative defenses not stated in this Answer, Applicant reserves the right to assert additional separate or affirmative defenses based on further discovery, investigation or analysis.

12. In view of the foregoing, Applicant contends that this opposition is groundless and baseless in fact.

WHEREFORE, Applicant requests that this opposition be dismissed with prejudice and that Application Serial No. 86024407 be passed through to allowance on the Principal Register.

Please address all communications to Abiola Shobola at the address listed below.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Abiola Shobola', is written over a horizontal line.

Dated July 21, 2014

Abiola Shobola  
Intellectual Property Counsel  
Legal Department  
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**CERTIFICATE OF ELECTRONIC TRANSMISSION**

It is hereby certified that the foregoing ANSWER is being electronically filed with the United States Patent and Trademark Office:

Trademarks Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451

on July 21, 2014.

By:  \_\_\_\_\_

Abiola Shobola

**CERTIFICATE OF SERVICE BY MAIL**

It is hereby certified that a true and complete copy of the foregoing ANSWER has been served by prepaid first class mail upon Attorneys for the Opposer:

William H. Cox  
Gordon, Herlands, Randolph & Cox LLP  
355 Lexington Avenue,  
New York, NY 10017  
Tel: (212) 986-1200  
Email: wcox@gordonherlands.com

said service taking place this July 21, 2014.

By:   
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Abiola Shobola