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

Proceeding	91218928
Party	Defendant Inspired Peru
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Submission	Answer
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Date	05/15/2015
Attachments	OPP-ApplicantsAnswer -- 86175043.pdf(69713 bytes)

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

In the matter of: U.S. Serial No. 86175043
Date of filing: Jan. 24, 2014
Mark: INSPIRED PERU
Date of Publication: Jun. 24, 2014

Sinclair Finance Company
Opposer,

v.

Mark: INSPIRED PERU

Enrique Arias
Applicant.

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

APPLICANT'S ANSWER TO NOTICE OF OPPOSITION

Applicant, Enrique Arias (“Applicant”), for its Answer to the Notice of Opposition filed by Sinclair Finance Company against application for registration of Applicant's trademark INSPIRED PERU, serial number 86175043, filed Jan. 24, 2014 and published in the Official Gazette of Jun. 24, 2014, pleads and avers as follows:

1. Applicant admits the allegations contained therein.

2. Applicant admits the allegations contained therein.

3. Applicant does not have sufficient knowledge or information to form a belief as to the allegations contained therein and accordingly denies the allegations.

4. Applicant does not have sufficient knowledge or information to form a belief as to the allegations contained therein and accordingly denies the allegations.

5. Applicant does not have sufficient knowledge or information to form a belief as to the allegations contained therein and accordingly denies the allegations.

6. Applicant does not have sufficient knowledge or information to form a belief as to the allegations contained therein and accordingly denies the allegations.

7. Applicant does not have sufficient knowledge or information to form a belief as to the allegations contained therein and accordingly denies the allegations.

8. 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 does not have sufficient knowledge or information to form a belief as to the allegations contained therein and accordingly denies the allegations.

10. Applicant does not have sufficient knowledge or information to form a belief as to the allegations

contained therein and accordingly denies the allegations.

11. Applicant does not have sufficient knowledge or information to form a belief as to the allegations contained therein and accordingly denies the allegations.

12. Applicant does not have sufficient knowledge or information to form a belief as to the allegations contained therein and accordingly denies the allegations.

13. 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 admits the allegations contained therein.

15. Applicant admits the allegations contained therein.

16. Applicant admits the allegations contained therein.

AFFIRMATIVE DEFENSES

17. There is no likelihood of confusion, mistake or deception because, inter alia, Applicant's mark and the pleaded mark of Opposer are not confusingly similar. Opposer's marks are all used in the context of promoting and operating a ski resort and gift shops related to Opposer's ski resorts. There is no

likelihood of confusion when that obvious distinction is combined with the fact that Applicant's trademark is in relation to retail services featuring gifts from Peru.

18. Opposer will not be damaged by the registration of Applicant's trademark.

In view of the foregoing, Applicant contends that this opposition is groundless and baseless in fact; that Opposer has not shown wherein it will be, or is likely to be, damaged by the registration of Applicant's trademark; that Applicant's trademark is manifestly distinct from any alleged mark of the Opposer or any designation of the Opposer and Applicant prays that this Opposition be dismissed and that Applicant be granted registration of its trademark.

Dated: May 15, 2015

Respectfully submitted,

/LB/

Luke Brean

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CERTIFICATE OF SERVICE

This is to certify that a copy of this APPLICANT'S ANSWER TO NOTICE OF OPPOSITION, is being deposited with the U.S. Postal Service on May 15, 2015 by first-class mail, postage prepaid to the counsel of record in an envelope addressed as follows:

JOHN C STRINGHAM
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Attorney for Opposer