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

Proceeding	91220234
Party	Defendant RGF Environmental Group, Inc.
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE
TRADEMARK TRIAL AND APPEAL BOARD

Halo Innovations, Inc.,)
)
 Opposer,)
)
 v.) Opposition No. 91220234
)
 RGF Environmental Group, Inc.,)
)
 Applicant.)
 _____)

APPLICANT’S ANSWER TO THE NOTICE OF OPPOSITION

Applicant RGF Environmental Group, Inc., by and through its undersigned counsel, as and for its Answer to the Notice of Opposition of Opposer Halo Innovations, Inc., states as follows:

1. Applicant lacks knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of Paragraph 1 of the Notice of Opposition and therefore denies the same.
2. Applicant lacks knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of Paragraph 2 of the Notice of Opposition and therefore denies the same.
3. Applicant lacks knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of Paragraph 3 of the Notice of Opposition and therefore denies the same.
4. Applicant lacks knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of Paragraph 4 of the Notice of Opposition and therefore denies the same.

5. Applicant admits that the exhibits to the Notice of Opposition identify Opposer as the owner of Registration No. 2,809,073. Applicant lacks knowledge or information sufficient to form a belief as to the truth or falsity of the remaining allegations of Paragraph 5 of the Notice of Opposition and therefore denies the same.

6. Applicant admits that the exhibits to the Notice of Opposition identify Opposer as the owner of Registration No. 3,589,765. Applicant lacks knowledge or information sufficient to form a belief as to the truth or falsity of the remaining allegations of Paragraph 6 of the Notice of Opposition and therefore denies the same.

7. Applicant admits that copies of the federal registration certificates identifying the registrations referenced in Paragraph 5 and 6 were attached to the Notice of Opposition. Applicant lacks knowledge or information sufficient to form a belief as to the truth or falsity of the remaining allegations of Paragraph 7 of the Notice of Opposition and therefore denies the same.

8. Applicant admits that copies of the federal registration certificates identifying the registrations referenced in Paragraph 5 and 6 were attached to the Notice of Opposition. Applicant lacks knowledge or information sufficient to form a belief as to the truth or falsity of the remaining allegations of Paragraph 8 of the Notice of Opposition and therefore denies the same.

9. Paragraph 9 contains a legal conclusion to which no answer is required. To the extent to which an answer to Paragraph 9 is required, Applicant denies the allegations of Paragraph 9 of the Notice of Opposition.

10. Applicant admits that it filed an application to register the mark REME HALO for "air purification units" in the United States in International Class 11 based upon use. Applicant

lacks knowledge or information sufficient to form a belief as to the truth or falsity of the remaining allegations of Paragraph 10 of the Notice of Opposition and therefore denies the same.

11. Applicant lacks knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of Paragraph 11 of the Notice of Opposition and therefore denies the same.

12. Applicant denies the allegations of Paragraph 12 of the Notice of Opposition.

13. Applicant admits to the allegations of Paragraph 13 of the Notice of Opposition, but denies that approval, authorization or acquiescence of Opposer was necessary.

14. Applicant admits that the word REME is an acronym for Reflective Electro Magnetic Energy. Applicant denies the remaining allegations of Paragraph 14 of the Notice of Opposition.

15. Applicant denies the allegations of Paragraph 15 of the Notice of Opposition.

16. Applicant denies the allegations of Paragraph 16 of the Notice of Opposition.

17. Applicant denies the allegations of Paragraph 17 of the Notice of Opposition.

18. Applicant denies the allegations of Paragraph 18 of the Notice of Opposition.

19. Applicant denies the allegations of Paragraph 19 of the Notice of Opposition.

20. Applicant denies the allegations of Paragraph 20 of the Notice of Opposition.

21. Applicant denies the allegations of Paragraph 21 of the Notice of Opposition.

AFFIRMATIVE DEFENSES

Subject to the responses above, Applicant serves the following affirmative defenses to the Notice of Opposition. Assertion of these defenses is not a concession that Applicant has the burden of proving the matters asserted. Applicant reserves the right to assert additional affirmative defenses, as they become known through the course of discovery.

1. The Notice of Opposition fails to state a claim upon which relief can be granted.
2. Opposer's claims are barred, in whole or in part, because no likelihood of confusion exists.
3. Upon information and belief, Opposer is no longer using its alleged HALO mark in connection with "air filters for domestic use" as claimed by Opposer in Registration No. 2,809,073.
4. Upon information and belief, Opposer is no longer using its alleged HALO mark in connection with "Personal air filtration equipment, namely replacements parts thereof, air filters for domestic use" as claimed by Opposer in Registration No. 3,589,765.
5. Applicant will rely on such other and further defenses as appear from discovery and the evidence.

WHEREFORE, Applicant respectfully requests that the Notice of Opposition be dismissed with prejudice.

Respectfully submitted,

RGF Environmental Group, Inc.



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Attorneys for Applicant

Dated: March 2, 2015

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing APPLICANT'S ANSWER TO THE NOTICE OF OPPOSITION was served via first-class mail, postage prepaid, on counsel for Opposer:

Sarah G. Voeller
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This 2nd day of March, 2015



Leo M. Loughlin

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