

ESTTA Tracking number: **ESTTA677416**

Filing date: **06/10/2015**

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

Proceeding	91221326
Party	Defendant CityCenter Land, LLC
Correspondence Address	MICHAEL J. MCCUE LEWIS ROCA ROTHGERBER LLP 3993 HOWARD HUGHES PKWY STE 600 LAS VEGAS, NV 89169-5996  TRADEMARKS-LASVEGAS@LRRLAW.COM
Submission	Answer
Filer's Name	Michael J. McCue
Filer's e-mail	Trademarks-LasVe- gas@LRRLaw.com,MMcCue@LRRLaw.com,ZGordon@LRRLaw.com
Signature	/Michael J. McCue/
Date	06/10/2015
Attachments	2015.06.10 Answer to Opposition re 91221326.pdf(45319 bytes )

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

HOLLYWOOD ENTERTAINMENT, LLC dba )	)	
AVALON and dba BARDOT,	)	
	)	
Opposer,	)	
	)	Opposition No. 91221326
vs.	)	
	)	Serial No. 86/243405
CITYCENTER LAND, LLC,	)	
	)	
Applicant.	)	
_____	)	

**ANSWER TO NOTICE OF OPPOSITION**

Applicant, CityCenter Land, LLC, hereby answers the correspondingly numbered paragraphs of Opposer Hollywood Entertainment, LLC’s Notice of Opposition, filed April 1, 2015, as follows:

With respect to the un-numbered paragraph preceding Paragraph 1 of the Notice of Opposition, Applicant lacks information or knowledge sufficient to affirm or deny the form of Opposer’s business organization, the laws under which it was formed, or its principal place of business and therefore denies the same. Applicant admits it filed Application Serial No. 86/243405 for the mark BARDOT on an intent-to-use basis and that the Opposer has opposed registration of the same. Applicant lacks information or knowledge sufficient to form a belief as to the truth of the remaining allegations contained in the first un-numbered paragraph.

1. Applicant lacks information or knowledge sufficient to form a belief as to the truth of the allegations in Paragraph 1 and therefore denies the same.

2. Applicant lacks information or knowledge sufficient to form a belief as to the truth of allegations in Paragraph 2 and therefore denies the same.

3. Applicant lacks information or knowledge sufficient to form a belief as to the truth of the allegations in Paragraph 3 and therefore denies the same.

Paragraphs 4 and 5 set forth Opposer's prayer for relief. Applicant denies that Opposer is entitled to any of the relief requested.

Applicant denies each and every allegation not expressly admitted herein.

**AFFIRMATIVE DEFENSES**

Applicant is not aware of any applicable affirmative defenses at this time. Applicant specifically gives notice that it intends to rely on any such affirmative defenses as Applicant becomes aware during the course of this proceeding, and hereby reserves the right to amend its Answer and assert such defenses.

Dated this 10th day of June, 2015

LEWIS ROCA ROTHGERBER LLP



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

Michael J. McCue  
Zachary T. Gordon  
3993 Howard Hughes Pkwy., Suite 600  
Las Vegas, Nevada 89169  
Tel: 702-949-8200  
Fax: 702-949-8363  
Attorneys for Applicant

**CERTIFICATE OF SERVICE**

I, Joy A. Jones, CP, hereby certify that a true and accurate copy of the foregoing **ANSWER TO NOTICE OF OPPOSITION** has been served upon all parties, at their address of record, as shown below, by First Class Mail, postage prepaid, on this 10<sup>th</sup> day of June, 2015.

**Address listed with the TTAB:**

Christie Gaumer, Esq.  
3940 Laurel Canyon Blvd., No. 733  
Los Angeles, CA 90028

**Address in Opposition Signature Block and verified with USPS.com:**

Christie Gaumer, Esq.  
LAW OFFICES OF CHRISTIE GAUMER  
3940 Laurel Canyon Blvd., No. 733  
Studio City, CA 91604

/s/ Joy A. Jones, CP  
An employee of Lewis Roca Rothgerber LLP