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

Proceeding	91222691
Party	Defendant Teaura
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Submission	Answer
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Date	11/16/2015
Attachments	answer to notice of opposition.pdf(18317 bytes )

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

In the Matter of:  
Application Serial No. 86474524  
Filed: December 8, 2014  
Published: June 16, 2015  
Mark: TEAURA TEA and Design

TEAVANA CORPORATION,	)	
	)	
Opposer,	)	Opposition No.
	)	91222691
v.	)	
	)	
TEAURA, LLC,	)	
	)	
Applicant.	)	

**APPLICANT’S ANSWER TO NOTICE OF OPPOSITION**

Applicant, Teaura, LLC (“Teaura”), through its undersigned counsel, G.W. MERRICK & ASSOCIATES, LLC, for its Answer to the Notice of Opposition (the “Opposition”) filed by Teavana Corporation (“Teavana”) in respect of the application for registration of Teaura’s trademark TEARUA, Serial No. 86474524 filed December 8, 2014 and published in the Official Gazette on June 16, 2015, pleads and states as follows:

1. Teaura is without sufficient knowledge or information to form a belief as to the veracity of the allegations contained in Paragraph 1 of the Opposition, and therefore denies all such allegations.
2. Teaura is without sufficient knowledge or information to form a belief as to the veracity of the allegations contained in Paragraph 2 of the Opposition, and therefore denies all such allegations.

3. Teaura is without sufficient knowledge or information to form a belief a to the veracity of the allegations contained in Paragraph 3 of the Opposition, and therefore denies all such allegations.

4. Teaura is without sufficient knowledge or information to form a belief a to the veracity of the allegations contained in Paragraph 4 of the Opposition, and therefore denies all such allegations.

5. Teaura is without sufficient knowledge or information to form a belief a to the veracity of the allegations contained in Paragraph 5 of the Opposition, and therefore denies all such allegations.

6. Teaura is without sufficient knowledge or information to form a belief a to the veracity of the allegations contained in Paragraph 6 of the Opposition, and therefore denies all such allegations.

7. Teaura is without sufficient knowledge or information to form a belief a to the veracity of the allegations contained in Paragraph 7 of the Opposition, and therefore denies all such allegations.

8. Teaura is without sufficient knowledge or information to form a belief a to the veracity of the allegations contained in Paragraph 8 of the Opposition, and therefore denies all such allegations.

9. Teaura is without sufficient knowledge or information to form a belief a to the veracity of the allegations contained in Paragraph 10 of the Opposition, and therefore denies all such allegations.

10. Teaura is without sufficient knowledge or information to form a belief as to the veracity of the allegations contained in Paragraph 1 of the Opposition, and therefore denies all such allegations.

11. With respect to the allegations contained in Paragraph 11 of the Opposition, Teaura admits that it is a Colorado limited liability company with a principal place of business as set forth in that Paragraph. Teaura denies any other allegations contained in Paragraph 11 of the Opposition.

12. With respect to the allegations contained in Paragraph 12 of the Opposition, Teaura admits that on or about December 8, 2014, it filed a trademark application for the mark TEAURA TEA and Design as described in that Paragraph. Teaura denies any other allegations contained in Paragraph 12 of the Opposition.

13. With respect to the allegations contained in Paragraph 13 of the Complaint, Teaura admits that the TEAURA TEA and Design mark had been used in commerce by February 21, 2014. Teaura denies any other allegations contained in Paragraph 13 of the Opposition.

14. Teaura is without sufficient knowledge or information to form a belief as to the veracity of the allegations contained in Paragraph 14 of the Opposition, and therefore denies all such allegations.

15. Paragraph 15 of the Opposition does not contain any allegations; rather, it is a statement incorporating by reference other portions of the Opposition. Teaura responds to Paragraph 15 of the Opposition as it responds to the allegations incorporated thereby.

16. Teaura is without sufficient knowledge or information to form a belief as to the veracity of the allegations contained in Paragraph 16 of the Opposition, and therefore denies all such allegations.

17. Teaura denies the allegations contained in Paragraph 17 of the Opposition.

18. Teaura denies the allegations contained in Paragraph 18 of the Opposition.

19. Teaura denies the allegations contained in Paragraph 19 of the Opposition.

20. Teaura denies the allegations contained in Paragraph 20 of the Opposition.

21. Paragraph 21 of the Opposition does not contain any allegations; rather, it is a statement incorporating by reference other portions of the Opposition. Teaura responds to Paragraph 21 of the Opposition as it responds to the allegations incorporated thereby.

22. Teaura denies the allegations contained in Paragraph 22 of the Opposition.

23. Teaura denies the allegations contained in Paragraph 23 of the Opposition.

24. Teaura is without sufficient knowledge or information to form a belief as to the veracity of the allegations contained in Paragraph 24 of the Opposition, and therefore denies all such allegations.

25. Teaura denies the allegations contained in Paragraph 25 of the Opposition.

26. Teaura denies the allegations contained in Paragraph 26 of the Opposition.

WHEREFORE, Teaura respectfully denies that the Opposition has any merit, denies that its application should be refused, requests that the Opposition be dismissed with prejudice and requests that its application be granted.

Dated: November 16, 2015

Respectfully submitted,

G.W. MERRICK & ASSOCIATES, LLC

By: /Joseph T. Bernstein/

Joseph T. Bernstein

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ATTORNEY FOR APPLICANT TEAURA, LLC

**CERTIFICATE OF SERVICE**

The undersigned certifies that on November 16, 2015, a true and correct copy of the foregoing **APPLICANT'S ANSWER TO NOTICE OF OPPOSITION** was served upon counsel for Teaura Corporation by placing the same in the custody of the U.S. Postal Service, postage prepaid, addressed as follows:

Julia Anne Matheson, Esq.  
Morgan E. Smith, Esq.  
Finnegan, Henderson, Farabow,  
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/Joseph T. Bernstein/

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