

ESTTA Tracking number: **ESTTA696037**

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

Proceeding	91223275
Party	Defendant CertainTeed Corporation
Correspondence Address	NICOLE K MCLAUGHLIN DUANE MORRIS LLP 30 S 17TH STREET 5TH FLOOR PHILADELPHIA, PA 19103-4196  NKMcLaughlin@duanemorris.com
Submission	Answer
Filer's Name	Nicole K. McLaughlin
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Signature	/NKM/
Date	09/15/2015
Attachments	Answer to Notice of Opposition for INHANCED (CertainTeed).pdf(94113 bytes )



6. Applicant is without knowledge or information sufficient to form a reasonable belief as to the allegations of Paragraph 6, and accordingly denies the same.

7. Applicant is without knowledge or information sufficient to form a reasonable belief as to the allegations of Paragraph 7, and accordingly denies the same.

8. Applicant is without knowledge or information sufficient to form a reasonable belief as to the allegations of Paragraph 8, and accordingly denies the same.

9. Applicant denies the allegations of Paragraph 9.

10. Applicant admits that its Application was initially refused registration based on a likelihood of confusion with Opposer's ENHANCE mark, yet, Applicant is without knowledge or information sufficient to form a reasonable belief as to the remaining allegations of Paragraph 10, and accordingly denies the same.

11. Applicant denies the allegations of Paragraph 11.

12. Applicant denies the allegations of Paragraph 12.

13. Applicant admits that its Application was initially refused registration based on a likelihood of confusion with Opposer's ENHANCE mark, yet, Applicant is without knowledge or information sufficient to form a reasonable belief as to the remaining allegations of Paragraph 13, and accordingly denies the same.

14. Applicant is without knowledge or information sufficient to form a reasonable belief as to the allegations of Paragraph 14, and accordingly denies the same.

15. Applicant admits that its Application was initially refused registration based on a likelihood of confusion with Opposer's ENHANCE mark, yet, Applicant is without knowledge or information sufficient to form a reasonable belief as to the remaining allegations of Paragraph 15, and accordingly denies the same.

16. Applicant denies the allegations of Paragraph 16.

17. Applicant denies the allegations of Paragraph 17.

### **AFFIRMATIVE DEFENSES**

18. Applicant repeats and re-alleges its Answer in Paragraphs 1 through 17 as though fully set forth herein.

19. The Notice of Opposition fails to state a claim for which relief may be granted.

20. Applicant alleges there is no likelihood of confusion, mistake or deception as to the origin, source, sponsorship or affiliation of Applicant's goods nor does Applicant's mark so closely resemble Opposer's ENHANCE mark that it falsely suggests a connection with Opposer.

**PRAYER FOR RELIEF**

WHEREFORE, Applicant prays that the Opposition be dismissed, and that a Certificate of Registration be issued to Applicant for its mark.

Dated: September 15, 2015

Respectfully submitted,

/NKM/  
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*Attorneys for Applicant*

**CERTIFICATE OF SERVICE**

I hereby state that a true and correct copy of the foregoing Answer to Notice of Opposition and Affirmative Defenses was mailed via first-class mail, postage prepaid to Attorneys for Opposer as follows this 15<sup>th</sup> day of September 2015.

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