

ESTTA Tracking number: **ESTTA707996**

Filing date: **11/11/2015**

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

Proceeding	91223570
Party	Defendant Menna's Joint Holdings, Inc.
Correspondence Address	MOLLY B. MARKLEY YOUNG BASILE HANLON & MACFARLANE P.C. 3001 W BIG BEAVER RD STE 624 TROY, MI 48084-3107 david@youngbasile.com, docketing@youngbasile.com, smith@youngbasile.com
Submission	Answer
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Signature	/Molly B. Markley/
Date	11/11/2015
Attachments	00348072.PDF(1518339 bytes)

Our Reference: MAQ-105

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

In the matter of U.S. Application Serial No. 86/391,888

For the mark: DUBHUB

By: Menna's Joint Holdings, Inc.

Filed: September 11, 2014

Published in the Official Gazette on March 3, 2015

GRUBHUB HOLDINGS, INC.

Opposer,

v.

MENNA'S JOINT HOLDINGS, INC.

Applicant.

Opposition No. 91223570

ANSWER TO NOTICE OF OPPOSITION

Menna's Joint Holdings, Inc., by and through its attorneys of record, Young, Basile, Hanlon & MacFarlane, P.C., hereby answers Opposer's Notice of Opposition as follows:

Applicant is without sufficient knowledge or information to form a belief as to the truth of the opening paragraph relating to Opposer's name, state of incorporation and place of business and therefore, denies the same. Applicant denies Opposer will be damaged by registration of the DUBHUB mark.

1. The allegations set forth in Paragraph 1 are admitted.
2. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 2 and therefore, denies the same.

3. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 3 and therefore, denies the same.

4. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 4 and therefore, denies the same.

5. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 5 and therefore, denies the same.

6. The allegations set forth in Paragraph 6 are admitted.

7. The allegations set forth in Paragraph 7 are admitted.

8. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 8 and therefore, denies the same.

9. The allegations set forth in Paragraph 9 are denied.

10. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 10 and therefore, denies the same.

11. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 11 and therefore, denies the same.

12. The allegations set forth in Paragraph 12 are denied.

13. The allegations set forth in Paragraph 13 are denied.

14. The allegations set forth in Paragraph 14 are denied.

15. The allegations set forth in Paragraph 15 are denied.

16. The allegations set forth in Paragraph 16 are denied.

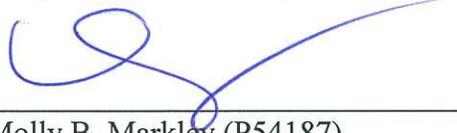
Wherefore, Applicant requests that this opposition be denied and that Applicant's mark be

moved to registration.

AFFIRMATIVE DEFENSES

1. Opposer fails to state a claim upon which relief can be granted.
2. There is no likelihood of confusion between the parties' respective marks.
3. Applicant reserves the right to bring such other affirmative defenses as may become known during discovery in this proceeding.

Respectfully submitted,



Molly B. Markley (P54187)
Kathleen G. Mellon (P26473)
Attorneys for Applicant
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the ANSWER TO NOTICE OF OPPOSITION was served via First Class Mail, postage prepaid on this 11th day of November 2015 to the following counsel of record:

Jordan A. LaVine
Attorney for Opposer
FLASTER/GREENBERG P.C.
1600 JFK Blvd., 2nd Floor
Philadelphia, PA 19103

I hereby certify that this correspondence is filed with the Trademark Trial and Appeal Board electronic filing system on November 11, 2015.



Molly B, Markley (P54187)