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

Proceeding	91225224
Party	Defendant LIFE IN COLOR FOUNDATION
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Date	01/14/2016
Attachments	Answer to LIFE IN COLOR Opposition.final.pdf(82999 bytes)

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

SFX-LIC OPERATING, LLC,	X	
	:	
Opposer,	:	
	:	
vs.	:	Opposition No. 91225224
	:	
LIFE IN COLOR FOUNDATION,	:	
	:	
Applicant.	:	
	X	

CERTIFICATE OF MAILING

I hereby certify that the original of this Answer is being electronically filed with the Trademark Trial and Appeal Board of the United States Patent and Trademark Office through the website at <http://esta.uspto.gov> on January 14, 2016
/Kate E. Rieber/
KATE E. RIEBER

ANSWER TO NOTICE OF OPPOSITION

Applicant, by its undersigned counsel of record, replies to the Notice of Opposition as follows:

1. Applicant lacks sufficient knowledge and information to form a belief as to the truth of the allegations of Paragraph 1, and therefore denies same.
2. Applicant admits the allegations in Paragraph 2.
3. Applicant admits the allegations in Paragraph 3.
4. Applicant lacks sufficient knowledge and information to form a belief as to the truth of the allegations of Paragraph 4, and therefore denies the same, except that Applicant admits that the registration numbers exist at the U.S. Patent and Trademark Office.

5. Applicant lacks sufficient knowledge and information to form a belief as to the truth of the allegations of Paragraph 5, and therefore denies the same.

6. Applicant lacks sufficient knowledge and information to form a belief as to the truth of the allegations of Paragraph 6, and therefore denies the same.

7. Applicant lacks sufficient knowledge and information to form a belief as to the truth of the allegations of Paragraph 7, and therefore denies the same.

8. Applicant denies the allegations of Paragraph 8.

9. Applicant admits the allegations of Paragraph 9.

10. Applicant denies the allegations of Paragraph 10.

11. Applicant admits that its Mark is intended for use in connection with charitable foundation services, but specifically denies that Applicant's Mark will travel through the same channels of trade as Opposer's goods, and specifically denies that Applicant's goods and services are or will be aimed at the same consumer base as that of Opposer.

12. Applicant lacks sufficient knowledge and information to form a belief as to the truth of the allegations of Paragraph 12, and therefore denies same, except that Applicant admits that the Serial Number represents Applicant's Mark.

13. Applicant denies the allegations of Paragraph 13 and specifically denies that any damage would be caused to Opposer by the registration of Applicant's application, and specifically denies that any confusion between the Marks would occur.

14. Applicant denies the allegations of Paragraph 14, and Applicant specifically denies that any damage would be caused to Opposer by the registration of

Applicant's application, and specifically denies that any confusion, mistake, or deception would take place.

AFFIRMATIVE DEFENSES

1. Opposer fails to state a claim upon which relief may be granted.
2. Opposer fails to plead its claim with adequate particularity.
3. Opposer's claims are barred by the doctrine of estoppel.
4. Opposer's claims are barred by the doctrine of unclean hands.

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

Dated: January 14, 2015

Respectfully submitted,

 /Kate E. Rieber/

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Attorneys for Applicant

CERTIFICATE OF SERVICE

It is certified that a true and complete copy of the foregoing Answer has been served on Opposer by mailing the copy by U.S. Mail, postage prepaid, on this January 14, 2016, to the attorneys for Opposer:

Meredith D. Pikser
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New York, New York 10022

/Kate E. Rieber/
Kate Rieber