

ESTTA Tracking number: **ESTTA866054**

Filing date: **12/20/2017**

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

Proceeding	91237906
Party	Defendant PLUMBING SUPPLY DISTRIBUTOR, LLC
Correspondence Address	PLUMBING SUPPLY DISTRIBUTOR, LLC PLUMBING SUPPLY DISTRIBUTOR, LLC 2379 HAYSTACK ROAD CASTLE ROCK, CO 80104 Email: 521@b3comm.com
Submission	Answer
Filer's Name	Kevin Keener
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Signature	/kevinkeener/
Date	12/20/2017
Attachments	Answer to Notice of Opposition Plumbing Supply.pdf(16332 bytes)

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

In the matter of:

Application No. 87/409,907

Filing Date: April 13, 2017

Mark: CROWNPLEX

)	
)	
Sloan Valve Company)	
)	
Opposer,)	
)	
v.)	Opposition No. 91237906
)	
Plumbing Supply Distributor, LLC)	
)	
)	
Applicant.)	
)	
)	

APPLICANT'S ANSWER TO NOTICE OF OPPOSITION

The following is the Answer of Plumbing Supply Distributor, LLC (hereinafter “Applicant”) to Notice of Opposition filed by Sloan Valve Company (hereinafter “Opposer”) filed on November 20, 2017 and assigned Opposition No. 91237906 (hereinafter “Notice of Opposition”). Applicant hereby Answers solely for the purpose of this proceeding, to each of the grounds set forth in the Notice of Opposition, as follows:

1. Applicant is without knowledge as to the allegations in paragraph 1 of the Notice of Opposition and therefore denies the same.
2. Applicant admits that the list of trademark registrations appears accurate and that the certificates of registration attached as Exhibit A appear accurate. Applicant is without

knowledge as to the remaining allegations in paragraph 2 of the Notice of Opposition and therefore denies the same.

3. Applicant denies the allegations in paragraph 3 of the Notice of Opposition.
4. Applicant is without knowledge as to the allegations in paragraph 4 of the Notice of Opposition and therefore denies the same.
5. Applicant is without knowledge as to the allegations in paragraph 5 of the Notice of Opposition and therefore denies the same.
6. Applicant is without knowledge as to the allegations in paragraph 6 of the Notice of Opposition and therefore denies the same.
7. Applicant admits the allegations of paragraph 7 of the Notice of Opposition.
8. Applicant denies the allegations of paragraph 8 of the Notice of Opposition.
9. Applicant repeats the respective answers in paragraphs 1-8.
10. Applicant is without knowledge as to the allegations in paragraph 10 of the Notice of Opposition and therefore denies the same.
11. Applicant denies the allegations of paragraph 11 of the Notice of Opposition.
12. Applicant denies the allegations of paragraph 12 of the Notice of Opposition.
13. Applicant denies the allegations of paragraph 13 of the Notice of Opposition.
14. Applicant denies the allegations of paragraph 14 of the Notice of Opposition.
15. Applicant denies the allegations of paragraph 15 of the Notice of Opposition.

AFFIRMATIVE DEFENSES

1. Opposer fails to state a claim upon which relief can be granted.
2. Opposer fails to state a claim upon which relief can be granted because Opposer lacks standing.

3. There is no likelihood of confusion between Opposer's mark and Applicant's mark.
4. Opposer has acquiesced to similar competitive marks which exist in the marketplace.
5. Opposer is barred by laches as it Applicant had previously owned U.S. Trademark Registration No. 3,015,256 for the mark CROWNFLEX for "Flexible metal hoses for plumbing uses." This registration issued on November 15, 2005 and was valid until June 23, 2016.

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

Date: December 20, 2017

Respectfully Submitted,

/KevinKeener/
Kevin J. Keener
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Attorney for Applicant

CERTIFICATE OF SERVICE

I hereby certify that a copy of the forgoing Notice of Opposition was served upon Opposer by electronic mail, on this 20th day of December, 2017, at the following email addresses:

Anna L. King
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/KevinKeener/

Kevin Keener