

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

In the Matter of Trademark Registration Number: 2554024

For the Mark: BOY BEATER

Date Registered: March 26, 2002



07-31-2003

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #22

DIVA DESIGNS / BIMBO )

v. )

TROY DENDEKKER )

Cancellation No. 92042132

Box TTAB No Fee  
Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, Virginia 22202-3514

03 APR 14 PM 9:32

ANSWER

Dear Commissioner:

The registrant is Troy Dendekker whose address is 1599 Superior Avenue, Suite A-1, Costa Mesa, California 92627.

The petitioner is Diva Deloayza, doing business as Diva Designs / Bimbo, with a business address of P.O. Box 353, Altamont, New York 12009.

The registrant responds to the Petition to Cancel as follows:

1. The registrant denies the allegations contained in Paragraph 1 and Paragraph 2 of petitioner's Petition to Cancel.

AFFIRMATIVE DEFENSE

The registrant asserts the following affirmative defense:

08/21/2003TTAB

2. The petitioner's Petition to Cancel is barred by the equitable defense of estoppel.

Respectfully Submitted,

By: Amanda McLaughlin  
Amanda J. McLaughlin, Esq.  
Attorney for Troy Dendekker  
Goodman & Cray, LLP  
414 W. Fourth Street, Suite A  
Santa Ana, California 92701

**CERTIFICATE OF MAILING**

I hereby certify that this paper is being deposited with the United States Postal Service with sufficient postage as First Class mail in an envelope addressed to **Box TTAB NO FEE**, Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3514, on:

Date of Mailing Document: July 28, 2003

Name of applicant, attorney, or representative certifying mailing: Amanda J. McLaughlin, Esq.

Signature: Amanda McLaughlin

Date of Signing: July 28, 2003

**CERTIFICATE OF SERVICE**

I hereby certify that this paper was deposited with the United States Postal Service with sufficient postage as Certified Mail, Return Receipt Requested in an envelope addressed to Diva Deloayza, Diva Designs / Bimbo, PO Box 353, Altamont, New York 12009, on:

Date of Mailing Document: July 28, 2003

Name of applicant, attorney, or representative certifying mailing: Amanda J. McLaughlin, Esq.

Signature: Amanda McLaughlin

Date of Signing: July 28, 2003

09/21/2003 TTAB

TTAB



LAW OFFICES OF  
**GOODMAN & CRAY, LLP**  
BUSINESS & INTELLECTUAL PROPERTY MATTERS

07-31-2003

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #22

Across from the United States Federal Courthouse:  
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**Via First Class Mail**

July 28, 2003

Box TTAB No Fee  
Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, Virginia 22202-3514

**Re: In the Matter of Trademark Registration No:** 255024  
**For the Mark:** BOY BEATER  
**Date Registered:** March 26, 2002

Dear Commissioner:

Enclosed herewith please find the following:

1. Registrant's Answer to the Petition to Cancel; and
2. A self-addressed, stamped acknowledgement card to indicate receipt of the Answer.

Should you have any questions or comments with regard to the foregoing, please do not hesitate to contact me.

Very truly yours,

Amanda J. McLaughlin, Esq.  
Attorney for Registrant, Troy Dendekker

Enclosure(s)