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

Proceeding	92046285
Party	Defendant Elevee Custom Clothing, Inc. Elevee Custom Clothing, Inc. 6930 Valjean Avenue , CA 91406
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Submission	Answer
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Attachments	Elevee Answer.PDF (3 pages)(205434 bytes)

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

In the Matter of Registration No. 3,059,276
Registration Date: February 14, 2006

GERARD L.J.P.A. VROOMEN)	Cancellation No. 92046285
)	
Petitioner,)	Application Ser. No. 78/211,751
vs.)	
)	
ELEVEE CUSTOM CLOTHING, INC.)	
)	
Registrant.)	

ANSWER

Registrant, ELEVEE CUSTOM CLOTHING, INC., (“Registrant”), by its attorneys, hereby answers the averments set forth in the Petition for Cancellation filed herein by Petitioner, GERARD L.J.P.A. VROOMEN (“Petitioner”), as follows:

1. Registrant is without knowledge or information sufficient to form a belief as to the truth of the averments of Paragraph 1, and therefore denies the same.
2. Registrant is without knowledge or information sufficient to form a belief as to the truth of the averments of Paragraph 2, and therefore denies the same.
3. Registrant denies the averments of Paragraph 3.
4. Registrant admits the averments of Paragraph 4.
5. Registrant is without knowledge or information sufficient to form a belief as to the truth of the averments of Paragraph 5, and therefore denies the same.
6. Registrant is without knowledge or information sufficient to form a belief as to the truth of the averments of Paragraph 6, and therefore denies the same.
7. Registrant is without knowledge or information sufficient to form a belief as to the truth of the averments of Paragraph 7, and therefore denies the same.
8. Registrant is without knowledge or information sufficient to form a belief as to

the truth of the averments of Paragraph 8, and therefore denies the same.

9. Registrant is without knowledge or information sufficient to form a belief as to the truth of the averments of Paragraph 9, and therefore denies the same.

10. Registrant is without knowledge or information sufficient to form a belief as to the truth of the averments of Paragraph 10, and therefore denies the same.

11. Registrant is without knowledge or information sufficient to form a belief as to the truth of the averments of Paragraph 11, and therefore denies the same.

12. Registrant admits the averments of Paragraph 12.

13. Registrant is without knowledge or information sufficient to form a belief as to the truth of the averments of Paragraph 13, and therefore denies the same.

14. Registrant is without knowledge or information sufficient to form a belief as to the truth of the averments of Paragraph 14, and therefore denies the same.

15. Registrant is without knowledge or information sufficient to form a belief as to the truth of the averments of Paragraph 15, and therefore denies the same.

16. Registrant is without knowledge or information sufficient to form a belief as to the truth of the averments of Paragraph 16, and therefore denies the same.

AFFIRMATIVE DEFENSES

1. The Petition for Cancellation fails to state a claim upon which relief can be granted.

2. Petitioner's claim for relief is barred under the doctrines of laches, waiver, acquiescence, delay and/or estoppel.

3. Petitioner's claim for relief is barred under the equitable doctrine of unclean

hands.

WHEREFORE, the Board should deny this Petition for Cancellation and Registration No. 3,059,276 should remain as issued.

Dated: December 22, 2006

Respectfully Submitted,

BUCHALTER NEMER
A Professional Corporation

By: 

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