

ESTTA Tracking number: **ESTTA175937**

Filing date: **11/20/2007**

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

Proceeding	92048297
Party	Defendant W.F. YOUNG, INCORPORATED
Correspondence Address	W.F. YOUNG, INCORPORATED 302 Benton Drive East Longmeadow, MA 010281990 UNITED STATES
Submission	Answer
Filer's Name	Kevin H. Vanderleeden, Esq.
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Signature	/Kevin H. Vanderleeden/
Date	11/20/2007
Attachments	6000-0159-1AnswerPetitionCancellation.pdf (4 pages)(1064895 bytes)

4. Answer to Paragraph 4. W.F. Young is without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained therein, and leaves the Petitioner to its proof.

5. Answer to Paragraph 5. W.F. Young is without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained therein, and leaves the Petitioner to its proof.

6. Answer to Paragraph 6. W.F. Young is without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained therein, and leaves the Petitioner to its proof.

7. Answer to Paragraph 7. W.F. Young denies the allegations contained therein.

8. Answer to Paragraph 8. W.F. Young denies the allegations contained therein.

FIRST AFFIRMATIVE DEFENSE

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

SECOND AFFIRMATIVE DEFENSE

2. The Petition for Cancellation, in whole or in part, is barred by the doctrine of unclean hands.

THIRD AFFIRMATIVE DEFENSE

3. Petitioner's unreasonable delay in filing the Petition for Cancellation has caused economic prejudice to W.F. Young based on loss of time and money invested in promoting the mark, and thus the Petition for Cancellation is barred by the doctrine of laches.

FOURTH AFFIRMATIVE DEFENSE

4. The Petition for Cancellation, in whole or in part, is barred by the doctrine of estoppel.

FIFTH AFFIRMATIVE DEFENSE

5. The Petition for Cancellation, in whole or in part, is barred to the extent Petitioner has committed fraud upon the Trademark office in prosecuting its Application.

WHEREFORE,

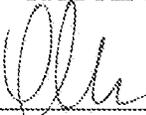
W.F. Young respectfully requests that the Petition for Cancellation be denied and that its Registration continue to be in full force and effect.

Dated:

Nov. 20, 2007

THE REGISTRANT,

By: _____


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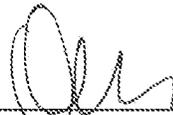
Attorneys for Registrant

CERTIFICATE SERVICE

The undersigned hereby certifies that a copy of the foregoing ANSWER TO PETITION FOR CANCELLATION has been sent and served by First Class U.S. Mail, postage prepaid this 20th day of November 2007, to the following counsel of record:

Thomas L. Moses
Monahan & Moses, LLC
13-B West Washington Street
Greenville, SC 29601

By



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