

ESTTA Tracking number: **ESTTA257162**

Filing date: **12/23/2008**

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

Proceeding	92050207
Party	Defendant Suicide Girls, Inc.
Correspondence Address	Suicide Girls, Inc. 25 NW 23rd Place, Suite 6 Portland, OR 972105599 UNITED STATES
Submission	Answer
Filer's Name	paul loving
Filer's e-mail	paulloving@gmail.com
Signature	/paul loving/
Date	12/23/2008
Attachments	Answer.pdf (5 pages)(59750 bytes)

Oregon 97210, and otherwise denies the remaining allegations in the introductory paragraph.

2. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 1, and therefore denies those allegations.

3. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 2, and therefore denies those allegations.

4. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 3, and therefore denies those allegations.

5. Admits the allegations contained in paragraph 4 that Petitioner is listed as the applicant for the application Serial No. 77/498,645, and affirmatively avers that such application has been refused by the PTO.

6. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 5, and therefore denies those allegations.

7. Admits the allegations contained in paragraph 6.

8. Admits the allegations contained in paragraph 7.

9. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 8, and therefore denies those allegations.

10. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 9, and therefore denies those allegations.

11. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 10, and therefore denies those allegations.

12. Denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 11, and therefore denies those allegations.

13. Denies the allegations contained in paragraph 12.

14. Denies the allegations contained in paragraph 13.

15. Denies the allegations contained in paragraph 14.

16. Denies the allegations contained in paragraph 15.

17. Denies the allegations contained in paragraph 16.

18. Denies the allegations contained in paragraph 17.

19. Denies the allegations contained in paragraph 18.

AS AND FOR A

FIRST AFFIRMATIVE DEFENSE

20. Petitioner's Petition for Cancellation fails to state any claim upon which relief must be granted.

AS AND FOR A

SECOND AFFIRMATIVE DEFENSE

21. Petitioner's claims are barred by the doctrine of waiver, laches, unclean hands and estoppel.

AS AND FOR A

THIRD AFFIRMATIVE DEFENSE

22. Petitioner lacks standing to initiate the cancellation proceeding.

AS AND FOR A

FOURTH AFFIRMATIVE DEFENSE

23. Petitioner has acquiesced in Registrant's adoption, registration and use of the mark that is subject to the Petition for Cancellation.

Wherefore Respondent respectfully requests that the Board dismiss this cancellation proceeding in its entirety.

Dated: Portland, Oregon
December 23, 2008

PAUL LOVING, PC

/s/ Paul Loving
Attorneys for Respondent
5055 North Greeley Avenue
Portland, Oregon 97217

CERTIFICATE OF TRANSMITTAL

I hereby certify that a true copy of the foregoing ANSWER TO PETITION FOR CANCELLATION is being filed electronically with the TTAB via ESTTA on this day, December 23, 2008.

/s/ Paul Loving

CERTIFICATE OF TRANSMITTAL

I hereby certify that a copy of the foregoing ANSWER TO PETITION FOR CANCELLATION was served via first class mail and e-mail upon Daniel S. Polley, Daniel S. Polley. P.A., 1215 East Broward Boulevard, Fort Lauderdale, Florida, 33301 on this 23rd day of December, 2008.

/s/ Paul Loving