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

Proceeding	92051639
Party	Plaintiff Cartier International N.V.
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Submission	Answer to Counterclaim
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Date	01/08/2010
Attachments	Answer to Counterclaims - Cancellation.pdf (6 pages)(128829 bytes)

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

Cartier International N.V. and Cartier, division
of Richemont N.A., Inc.,

Petitioners – Counterclaim Defendants,

Cancellation No.: 92051639

v.

Registration No.: 3,143,180

Stuckey Diamond, Inc.
d/b/a The Stuckey Company,

Mark: LOVEMARK

Registrant – Counterclaim Plaintiff,

Answer To Counterclaims

Petitioner - Counterclaim Defendants, Cartier International N.V. and Cartier, a division of Richemont North America, Inc., for their Answer to the Counterclaims of Registrant - Counterclaim Petitioner, Stuckey Diamond, Inc., hereby state as follows:

General Answer

Counterclaim Defendants hereby object to the Counterclaims on the grounds that they are vague and undefined as to which of two registrations they seek to cancel. Some parts of the Counterclaims reference a single “above-identified registration” without specifying, whereas other portions reference two registrations. The counterclaims’ demand

for relief similarly only mentions a single registration. Accordingly, Counterclaim Defendants are not in a position to know which of their registrations (or both) are the subject of the petition to cancel.

To the extent more specific responses are required, Counterclaim Defendants state as follows:

20. It is admitted that Counterclaim Petitioner is the owner of the cited trademark registration and application. The remainder of the allegations of paragraph 20 are denied.

21. Counterclaim Defendants are without sufficient information to admit or deny the allegations of paragraph 21, and they are therefore denied.

22. The allegations of paragraph 22 are denied.

23. The allegations of paragraph 23 are admitted.

24. The allegations of paragraph 24 are denied, except it is admitted that Cartier N.A. is one of two Petitioners for cancellation of the cited U.S. Registration.

25. The allegations of paragraph 25 are denied.

26. The allegations of paragraph 26 are denied.

27. The allegations of Counterclaims paragraph 27 do not make any factual allegations requiring a response. As stated above, the Counterclaims are self-contradictory as to the relief sought.

28. The foregoing responses are incorporated herein.

29. The allegations of paragraph 29 are admitted.

30. The allegations of paragraph 30 are admitted.

31. The allegations of Paragraph 31 are general statements of law which require no response.

32. Counterclaim Defendants are without sufficient information to admit or deny the allegations of paragraph 32, and they are therefore denied.

33. Counterclaim Defendants are without sufficient information to admit or deny the allegations of paragraph 33, and they are therefore denied.

34. Counterclaim Defendants are without sufficient information to admit or deny the allegations of paragraph 34, and they are therefore denied.

35. Counterclaim Defendants are without sufficient information to admit or deny the allegations of paragraph 35, and they are therefore denied.

36. The allegations of Paragraph 36 are denied.

37. The foregoing responses are incorporated herein.

38. Counterclaim Defendants are without sufficient information to admit or deny the allegations of paragraph 38, and they are therefore denied.

39. Counterclaim Defendants are without sufficient information to admit or deny the allegations of paragraph 39, and they are therefore denied.

40. The allegations of Paragraph 40 are denied.

41. The allegations of Paragraph 41 are denied.

42. The allegations of Paragraph 42 are denied.

43. The foregoing responses are incorporated as though set forth herein.

44. Counterclaim Defendants are without sufficient information to admit or deny the allegations of paragraph 44, and they are therefore denied.

45. Counterclaim Defendants are without sufficient information to admit or deny the allegations of paragraph 45, and they are therefore denied.

46. The allegations of Paragraph 46 are denied.

47. The allegations of Paragraph 47 are denied.

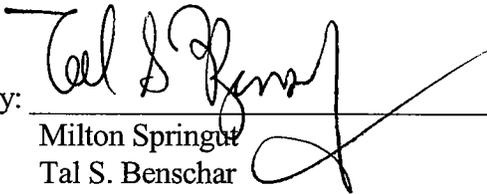
48. The allegations of Paragraph 48 are denied.

WHEREFORE Counterclaim Defendants request that the Counterclaims be denied with prejudice and for such other and further relief as the Trademark Trial and Appeal Board deems appropriate.

Dated: New York, New York
January 7, 2010

Respectfully submitted,

KALOW & SPRINGUT LLP

By: 

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Tal S. Benschar
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New York, NY 10022
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*Attorneys for Petitioners –
Counterclaim Defendants*

CERTIFICATE OF SERVICE

LAUREN NOVAK declares that:

1. I am an assistant employed by KALOW & SPRINGUT LLP attorneys for the Opposer in the captioned proceeding, and that on the execution date which appears below, I caused to be served via U.S. Mail the annexed **ANSWER TO COUNTERCLAIMS** upon the following addressee:

Robert F. Zielinski, Esq.
Law Offices of Robert F. Zielinski, LLC, Suite 1706
1518 Walnut Street
Philadelphia, Pennsylvania 19102

2. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that all of the foregoing is true and correct.

Executed on January 7, 2010
New York, New York

By: 
Lauren Novak