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

Proceeding	92052234
Party	Defendant jWin Electronics Corp
Correspondence Address	jWIN ELECTRONICS CORP 2 HARBOR PARK DRIVE PORT WASHINGTON, NY 11050 UNITED STATES
Submission	Answer
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Date	04/28/2010
Attachments	iluv ans.pdf (3 pages)(78648 bytes)

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

In The Matter of Registration No. 3,705,744
For the Mark INNOVATIVE LIFESTYLE UNQUESTIONABLE VALUE
Registered on November 3, 2009

Bose Corporation,)	
)	
Petitioner,)	
)	
vs.)	Cancellation No. 92052234
)	
jWIN Electronics Corporation,)	
)	
Registrant.)	
)	

REGISTRANT’S ANSWER TO PETITION FOR CANCELLATION

Registrant, jWIN ELECTRONICS CORP., by and through its undersigned counsel, hereby responds to the petition for cancellation as follows:

1. With regard to the introductory paragraph, denies knowledge or information sufficient to form a belief as to the truth of the allegations regarding Petitioner’s citizenship and therefore denies those allegations, admits that Petitioner has filed the instant Petition to Cancel, 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. Admits the allegations contained in paragraph 2 that Petitioner is listed as the registrant for the mark LIFESTYLE, and affirmatively avers that there is no likelihood of confusion between such trademark and INNOVATIVE LIFESTYLE UNQUESTIONABLE VALUE®, and otherwise denies the remaining allegations contained in paragraph 2&3.
4. Admits the allegations contained in paragraph 4 that jWIN ELECTRONICS CORP. Is the owner of Registration No. 3,705,744 for the goods and classes specified therein.
5. Denies the allegations contained in paragraph 5, except admits that 4.
6. Denies the allegations contained in paragraph 6.

Petitioner will not be able to prove that there is likelihood of confusion between Petitioner’s trademark and INNOVATIVE LIFESTYLE UNQUESTIONABLE VALUE®.

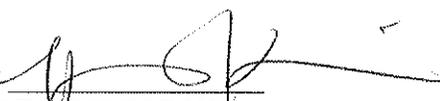
AFFIRMATIVE DEFENSES

1. The petition for cancellation fails to state any claim upon which relief may be granted.
2. Petitioner has not and will not be damaged by the Registrant's trademark INNOVATIVE LIFESTYLE UNQUESTIONABLE VALUE® and therefore lacks standing to petition to cancel the registration.
3. Petitioner lacks standing to initiate the cancellation proceeding, as Petitioner does not have any rights in and to the mark INNOVATIVE LIFESTYLE UNQUESTIONABLE VALUE, has not made any use of the mark INNOVATIVE LIFESTYLE UNQUESTIONABLE VALUE, and/or did not and/or does not now have a bona fide intent to use the mark INNOVATIVE LIFESTYLE UNQUESTIONABLE VALUE in commerce.
4. Petitioner is barred from seeking cancellation of the registrant's trademark under the doctrines of laches, estoppel, waiver and unclean hands.
5. Registrant's trademark INNOVATIVE LIFESTYLE UNQUESTIONABLE VALUE® has been registered and well known in the commerce as the full meaning of Registrant's other trademark iLuv registered in the U.S. and other countries, which is over sixty countries in the world.

WHEREFORE, Registrant prays that the Cancellation proceeding be dismissed in its entirety.

Dated this 5th day of APRIL 2010.

HYUNJUNG KIM
Attorney for Registrant
jWIN Electronics Corporation

By 
HYUNJUNG KIM

CERTIFICATE OF TRANSMITTAL

I hereby certify that a true copy of the foregoing REGISTRANT'S ANSWER TO PETITION FOR CANCELLATION is being filed electronically with the TTAB via ESTTA on this day, April 27th 2010.

By 
HYUNJUNG KIM

CERTIFICATE OF SERVICE

I hereby certify that I caused to be mailed a true and correct copy of the foregoing REGISTRANT'S ANSWER TO PETITION FOR CANCELLATION to:

MICHELLE BROWNLEE
Attorney for Petitioner
BOSE CORPORATION
The Mountain
Framingham, MA01701

on the 27th day of April 2010, postage prepaid in the UPS courier service.

HYUNJUNG KIM
Attorney for Registrant
jWIN Electronics Corporation

By 
HYUNJUNG KIM