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

Proceeding	92052247
Party	Defendant KB Eyewear International Inc.
Correspondence Address	KB Eyewear International Inc. 305 S. Los Angeles Street Los Angeles, CA 90013 UNITED STATES
Submission	Answer
Filer's Name	Amy Lam
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Signature	/Amy Lam/
Date	05/04/2010
Attachments	double_anchor_answer1.pdf (1 page)(553544 bytes) double_anchor_answer2.pdf (1 page)(471075 bytes) double_anchor_answer3.pdf (1 page)(337070 bytes) double_anchor_answer4.pdf (1 page)(713574 bytes) double_anchor_answer5.pdf (1 page)(305629 bytes)

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

In the matter of Registration No.: 3258122
Date of Issue: July 3, 2007
Trademark DOUBLE ANCHOR EYEWEAR

Nader Angha)	
dba Maktab Tarighe Oveyssi)	
Shahmaghsoudi)	
(School Of Islamic Sufism),)	
Petitioner,)	Cancellation No. 92052247
V.)	
KB Eyewear International, Inc,)	
Registrant.)	
))	

REGISTRANT'S ANSWER TO PETITION FOR CANCELLATION

Registrant, KB Eyewear International, Inc., hereby responds to the petition for cancellation as follows:

The allegation of damage by the registration of the trademark shown in Registration No. 3258122 ("Registrant's Mark") is denied and the request to cancel said registration is objected as follows:

1. Registrant is without knowledge or information sufficient to form a belief as to paragraph 1 of the petition for cancellation and thus denies the same.
2. Registrant is without knowledge or information sufficient to form a belief as to paragraph 2 of the petition for cancellation and thus denies the same.
3. Registrant denies to the allegation contained in paragraph 3 as Petitioner's mark does not resemble that of Registrant.
4. Registrant admits the allegations of paragraph 4 of the petition for cancellation.
5. Registrant admits the allegation of paragraph 5 of the petition for cancellation.
6. Registrant denies to the allegation contained in paragraph 3 of the petition for cancellation as Petitioner's mark does not resemble that of Registrant.

7. Registrant denies to the allegation contained in paragraph 7 of the petition for cancellation as Petitioner's mark does not resemble that of Registrant, therefore cannot cause confusion, nor cause mistake, nor to deceive, per Section 2(d) of the Trademark Act, 15 U.S.C. §1052(d).
8. Registrant denies to the allegation contained in paragraph 8 of the petition for cancellation as Petitioner's mark does not resemble that of Registrant, therefore cannot falsely suggest any connection with Opposer per Section 2(a) of the Trademark Act, 15 U.S.C. §1052(a).

Petitioner will not be able to prove the allegation of the Registrant's mark (Registration No. 3258122) resembling that of Petitioner's mark (Registration No. 1440550). Allegation based on the opinion that the Registrant's mark "resembles" that of the Petitioner is groundless and will be challenged to the full capacity of the Registrant. Furthermore, Petitioner shall bears the burden to show that a resemblance and damage exists.

WHEREFORE, Registrant prays that the Cancellation be dismissed with prejudice.

Respectfully Submitted,



Date: _____

5/3/10

Amy Lam
for KB Eyewear International, Inc.
305 S. Los Angeles Street
Los Angeles, CA 90013

Cancellation No. 92052247

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing **REGISTRANT'S ANSWER TO PETITION FOR CANCELLATION** was served on counsel for petitioner, this 3rd day of May, 2010, by sending the same via email and FedEx courier service to:

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DOUBLE ANCHOR EYEWEAR

Word Mark	DOUBLE ANCHOR EYEWEAR
Goods and Services	IC 009. US 021 023 026 036 038. G & S: Sunglasses for Men, Women, and Children. FIRST USE: 20060315. FIRST USE IN COMMERCE: 20060315
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	18.11.05 - Anchors
Serial Number	78855180
Filing Date	April 6, 2006
Current Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	April 17, 2007
Registration Number	3258122
Registration Date	July 3, 2007
Owner	(REGISTRANT) KB Eyewear International Inc. CORPORATION CALIFORNIA 305 S. Los Angeles Street Los Angeles CALIFORNIA 90013
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "EYEWEAR" APART FROM THE MARK AS SHOWN
Description of Mark	The mark consists of the stylized design of two joined anchors with the wording "DOUBLE ANCHOR EYEWEAR" beneath the design.
Type of Mark	TRADEMARK
Register	PRINCIPAL

Live/Dead Indicator LIVE

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