

ESTTA Tracking number: **ESTTA459328**

Filing date: **02/29/2012**

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

| | |
|------------------------|--|
| Proceeding | 92054946 |
| Party | Defendant Cynthia English dba Great Dates |
| Correspondence Address | CYNTHIA ENGLISH 4018 FARMVIEW ROAD KINBURN, K0A2H0 CANADA cynenglish@hotmail.com |
| Submission | Answer |
| Filer's Name | Noel M. Cook |
| Filer's e-mail | ncook@owe.com, egelwicks@owe.com, jrhodes@owe.com, johara@owe.com |
| Signature | //noel m. cook// |
| Date | 02/29/2012 |
| Attachments | eng-anspet.pdf (4 pages)(313310 bytes) eng-mot2reopen.pdf (2 pages)(114890 bytes) |

1 3. Registrant lacks sufficient knowledge or information to form a belief as to the
2 truth of the allegations contained in paragraph 3 of the Petition, and therefore denies the same.

3 4. Registrant lacks sufficient knowledge or information to form a belief as to the
4 truth of the allegations contained in paragraph 4 of the Petition, and therefore denies the same.

5 5. Registrant lacks sufficient knowledge or information to form a belief as to the
6 truth of the allegations contained in paragraph 5 of the Petition, and therefore denies the same.

7 6. Admitted.

8 7. Admitted.

9 8. Admitted.

10 9. Admitted, except as to the word "alleged."

11 10. Admitted.

12 11. Admitted.

13 12. Denied.

14 13. Admitted as to sentence 1 of paragraph 13. Admitted that Respondent and her
15 counsel did not provide evidence of books to Petitioner's counsel. Registrant lacks sufficient
16 knowledge or information to form a belief as to the allegations contained in the rest of paragraph
17 13 of the Petition, and therefore denies the same.

18 14. In answering paragraph 14, Registrant does not count exhibit citations as
19 sentences. Admitted as to sentence 1. Registrant lacks sufficient knowledge or information to
20 form a belief as to the allegations contained in sentence 2, and therefore denies the same.

21 Admitted as to sentence 3. Denied as to sentence 4. Denied as to sentence 5. Registrant admits
22 that exhibits are attached to the Petition, but otherwise denies the allegations relating to the
23 exhibits.

24 15. Denied.

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16. Admitted that correspondence is attached. Registrant denies the allegations contained in the rest of paragraph 16 of the Petition.

17. Registrant lacks sufficient knowledge or information to form a belief as to what concerns the Petitioner has as alleged in paragraph 17 of the Petition. Further, Registrant alleges that paragraph 17 is unintelligible and, therefore, Registrant lacks sufficient knowledge or information to form a belief as to the truth of the allegations contained in paragraph 17 of the Petition, and therefore denies the same.

AFFIRMATIVE DEFENSES

In further answer to the Petition, Registrant asserts the following affirmative defenses:

First Affirmative Defense
(Failure to State a Claim for Relief)

Petitioner has failed to state a claim for which relief can be granted.

WHEREFORE, Registrant prays that the petition to cancel be denied and that the cancellation proceeding be terminated with prejudice.

Dated: February 29, 2012

/s/ Noel M. Cook
Noel M. Cook
Attorney for Registrant
Cynthia English

455 Market Street, 19th Floor
San Francisco, California 94105
(415) 882-3200

1 CERTIFICATE OF SERVICE

2 I am over the age of eighteen years and not a party to the above-entitled action; my
3 business address is Owen, Wickersham & Erickson, 455 Market Street, 19th Floor,
4 San Francisco, California 94105.

5 I am readily familiar with the business practice at my place of business for collection and
6 processing of correspondence for personal delivery, for mailing with the United States Postal
7 Service, for facsimile, and for overnight delivery by Federal Express, Express Mail, and other
8 overnight services.

9 On February 29, 2012, I placed a copy of the following document(s):

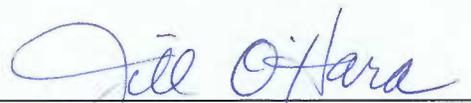
10 **REGISTRANT'S ANSWER TO THE PETITION FOR CANCELLATION**

11 in a sealed envelope, addressed to and arranged for service consistent with the ordinary business
12 practices as follows:

13 Veronica S. Root
14 Gibson Dunn & Crutcher LLP
15 1050 Connecticut Avenue NW
16 Washington, DC 20036
17 (202) 887-3539

- 18 BY MAIL: Such correspondence was deposited, with postage fully prepaid, with the
19 United States Postal Service on the same day in the ordinary course of business by First
20 Class Mail.
- 21 BY PERSONAL SERVICE: Such envelope was delivered by hand to the offices of the
22 addressee.
- 23 BY FACSIMILE: Such document was faxed to the facsimile transmission machine with
24 the facsimile machine number stated above. Upon completion of the transmission, the
25 transmitting machine issued a transmission report showing the transmission was complete
26 and without error.
- 27 BY FEDERAL EXPRESS: Such package was deposited with Federal Express on the
28 same day in the ordinary course of business.

I declare under penalty of perjury that the above is true and correct. Executed on
February 29, 2012 at San Francisco, California.

29 
30 _____
31 Jill O'Hara

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CERTIFICATE OF SERVICE

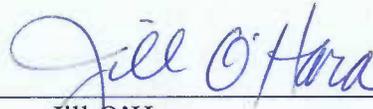
I hereby certify that true and correct copies of the foregoing:

REGISTRANT'S MOTION TO REOPEN TIME

was sent to attorneys for Applicant by first class mail, postage prepaid to the following address:

Veronica S. Root
Gibson Dunn & Crutcher LLP
1050 Connecticut Avenue NW
Washington, DC 20036
(202) 887-3539

Dated: February 29, 2012



Jill O'Hara