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

Proceeding	92055878
Party	Defendant Posh Hair Salon Incorporated
Correspondence Address	POST HAIR SALON INCORPORATED PO BOX 4557 AVON, CO 81620 UNITED STATES
Submission	Answer
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Date	08/27/2012
Attachments	answer.pdf (6 pages)(175463 bytes)

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

In the matter of U.S. **Registration No. 3,848,130**
For the mark "DOSHA"

Registered on September 14, 2010

Cancellation No. 92055878

ANSWER TO PETITION TO CANCEL.

<p>NATIONAL AYURVEDIC MEDIAL ASSOCIATION, Petitioner,</p> <p style="text-align: center;">vs.</p> <p>POSH HAIR SALON, INC, Registrant.</p>
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Registrant POSH HAIR SALON, INC., (**POSH**) Hereby Answers the Petition to Cancel:

A. RESPONSE TO AFFIRMATIVE ALLEGATIONS OF PETITION TO CANCEL.

1. Petition, Para. 1. While POSH does not contest the allegations alleged in this Paragraph, POSH lacks sufficient information and belief to either deny or admit the truth and validity of such allegations.

1. Petition, Para. 1. While POSH does not contest the allegations alleged in this Paragraph, POSH lacks sufficient information and belief to either deny or admit the truth and validity of such allegations.

2. Petition, Para. 2. While POSH does not contest the allegations alleged in this Paragraph, POSH lacks sufficient information and belief to either deny or admit the truth and validity of such allegations.

3. Petition, Para. 3. While POSH does not contest the allegations alleged in this Paragraph, POSH lacks sufficient information and belief to either deny or admit the truth and validity of such allegations.

4. Petition, Para. 4. POSH lacks sufficient information and belief to either deny or admit the truth and validity of such allegations.

5. Petition, Para. 5. While POSH does not contest the allegations alleged in this Paragraph, POSH lacks sufficient information and belief to either deny or admit the truth and validity of such allegations.

6. Petition, Para. 6. While POSH does not contest the allegations alleged in this Paragraph, POSH lacks sufficient information and belief to either deny or admit the truth and validity of such allegations.

7. Petition, Para. 7. POSH lacks sufficient information and belief to either deny or admit the truth and validity of such allegations.

8. Petition, Para. 8. POSH denies it is a "Delinquent" Corporation. POSH admits the remaining allegations alleged in this Paragraph.

9. Petition, Para. 9. POSH denies the allegations of this Paragraph.

10. Petition, Para. 10. POSH lacks sufficient information and belief to either deny or admit the truth and validity of such allegations.

11. Petition, Para. 11. POSH denies the allegations of this Paragraph.

B. POSH'S AFFIRMATIVE DEFENSES TO PETITION TO CANCEL.

12. FIRST AFFIRMATIVE DEFENSE

The Petition fails to state a claim upon which relief may be granted.

13. SECOND AFFIRMATIVE DEFENSE

The claim set forth in the Petition is barred in whole or in part by the Doctrine of Laches.

14. THIRD AFFIRMATIVE DEFENSE

The claim set forth in the Petition is barred in whole or in part by the Doctrines of Waiver, Acquiescence, and Estoppel.

15. FOURTH AFFIRMATIVE DEFENSE

Petitioner is guilty of Unclean Hands.

16. FIFTH AFFIRMATIVE DEFENSE

Petitioner does not have Standing to maintain this Proceeding.

WHEREFORE, POSH requests that the Petition to Cancel be denied.

Dated: August 28, 2012

/Donald M. Barker /
Attorney for Posh
Hair Salon, Inc.

CERTIFICATE OF SERVICE

I, Donald M. Barker, attorney of Posh Hair Salon, Inc., hereby certify under the Penalty of Perjury pursuant to the laws of the State Of California, that on August 28, 2012 a copy of the foregoing Answer to Petition to Cancel was deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the attorneys for Petitioner as

follows:

SAMATHA UPDEGRAFF
PEACOCK MYERS PC
PO BOX 26927
ALBUQUERQUE, NM 87125-6927
UNITED STATES

Dated: August 28, 2012

/Donald M. Barker /
Attorney for Posh
Hair Salon, Inc.

