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

Proceeding	92057049
Party	Defendant Pinhas Assouline and Sandra Malek
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Joyetech (Changzhou) Electronics Co., Ltd.
Petitioner,

v.

Pinhas Assouline and Sandra Malek,
Respondents.

Cancellation No. 92057049

Registration No. 3283706

Mark:

EGO

ANSWER

COMES NOW Pinhas Assouline and Sandra Malek (“Respondents”), by and through Counsel, Erik M. Pelton & Associates, PLLC, and Answers the Petition to Cancel filed by Joyetech (Changzhou) Electronics Co., Ltd. (hereinafter “Petitioner”), and assigned Cancellation No. 92057049.

Petitioner has filed two separate Petitions in the same electronic submission and cover sheet (Docket Doc. 1), one based on Petitioner’ s Application Serial No. 85/451811 for EGO-C and one based on Petitioner’ s Application Serial No. 85/477422 for EGO-T. These two petitions are essentially identical except for their summary of the history of Petitioner’ s two pending applications. Respondents’ therefore file a single Answer, as there is just one proceeding, and have indicated where a response applies to just one of the petitions.

Respondents hereby respond, solely for the purpose of this proceeding, to each of the grounds set forth in the Petition to Cancel, as follows:

1. Respondents are without information sufficient to form a belief as to the truth of the allegations in paragraph 1 of the Petition to Cancel, and therefore deny same.

2. With respect to Application Serial No, 85,451,811, Respondents admit that the USPTO issued office actions on February 14, 2012, and October 4, 2012, refusing Application

Serial No. 85/451,811 due, at least in part, to Registration No. 3,283,706. With Respect to Application Serial No. 85/477,422, Respondents admit that the USPTO issued office actions on February 14, 2012, and October 4, 2012, refusing Application Serial No. 85/477,422 due, at least in part, to Registration No. 3,283,706.

3. Denied.
4. Denied.
5. Denied.
6. Denied.

Respondents hereby appoint Erik M. Pelton, a member of the Bars of the State of New Jersey and the District of Columbia, and Mark L. Donahey, a member of the Bar of the Commonwealth of Virginia, at the firm of:

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to act their attorneys in the matter of the cancellation identified above, to prosecute said cancellation, to transact all business in the Patent and Trademark Office connected with the cancellation, to sign its name to all papers which are hereinafter to be filed in connection therewith, and to receive all communications relating to the same.

WHEREFORE, Respondents pray that the Trademark Trial and Appeal Board deny the Petition to Cancel.

Dated this 21st day of May, 2013.



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Attorney for Respondents

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of this ANSWER has been served on the following by delivering said copy on May 21, 2013, via First Class Mail, to counsel for Petitioner at the following address:

COREY K CHO
SALIWANCIK LLOYD & EISENSCHENK
3107 SW WILLISTON ROAD
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By: _____

Erik M. Pelton, Esq.