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

Proceeding	92057096
Party	Defendant Vision Overseas, LLC
Correspondence Address	VISION OVERSEAS LLC 7212 STILTON COURT COLLEYVILLE, TX 76034 UNITED STATES
Submission	Answer
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Date	06/03/2013
Attachments	PorkEarz Answer to Cancellation.pdf(505413 bytes)

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

In the Matter of
Trademark Registration No. 2,833,384
Trademark PORK EARZ
Date Registered: April 13, 2004

PET CENTER, INC.)	Cancellation No.: 92057096
a California corporation,)	
)	
Petitioner,)	
)	
vs.)	
)	
VISION OVERSEAS, LLC)	
a limited liability company of Texas)	
)	
Registrant.)	
_____)	

**REGISTRANT’S ANSWER TO THE
PETITION FOR CANCELLATION**

Registrant, Vision Overseas, LLC answers the Petition of Cancellation by Pet Center, Inc. against Registration No. 2,833,384 for PORK EARZ.

1. Answering paragraph 1 of the Petition for Cancellation, Registrant admits that based upon the record in the Trademark Office, the date of first use of the mark PORK EARZ by Registrant is February 1, 2002. Registrant does not have sufficient knowledge or information to form a

belief as to the remaining allegations contained therein and accordingly denies the allegations.

2. Answering paragraph 2 of the Petition for Cancellation, Registrant does not have sufficient knowledge or information to form a belief as to the allegations contained therein and accordingly denies the allegations.

3. Answering paragraph 3 of the Petition for Cancellation, Registrant does not have sufficient knowledge or information to form a belief as to the allegations contained therein and accordingly denies the allegations.

4. Answering paragraph 4 of the Petition for Cancellation, Registrant admits the allegations.

5. Answering paragraph 5 of the Petition for Cancellation, Registrant admits the allegations.

6. Answering paragraph 6 of the Petition for Cancellation, Registrant does not have sufficient knowledge or information to form a belief as to the allegations contained therein and accordingly denies the allegations.

7. Answering paragraph 7 of the Petition for Cancellation, Registrant does not have sufficient knowledge or information to form a belief as to the allegations contained therein and accordingly denies the allegations.

FIRST AFFIRMATIVE DEFENSE

8. Petitioner has not pleaded any law or facts that justify the cancellation of the Registration.

SECOND AFFIRMATIVE DEFENSE

9. Petitioner's Petition to Cancel fails to state a claim upon which relief can be granted.

THIRD AFFIRMATIVE DEFENSE

10. Petitioner's claims in the Petition to Cancel are barred under the doctrine of estoppel.

FOURTH AFFIRMATIVE DEFENSE

11. Petitioner's claims in the Petition to Cancel are barred under the doctrine of laches.

FIFTH AFFIRMATIVE DEFENSE

12. Petitioner's claims in the Petition to Cancel are barred by waiver.

SIXTH AFFIRMATIVE DEFENSE

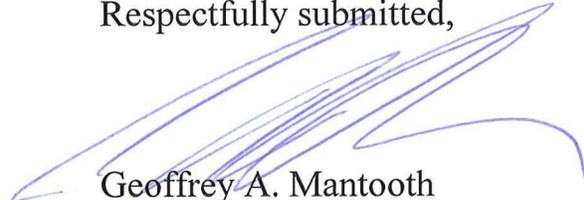
13. If Petitioner has common law trademark rights, Registrant is at least entitled to a Registration with a geographical restriction.

SEVENTH AFFIRMATIVE DEFENSE

14. If Petitioner has common law trademark rights, Registrant is at least entitled to modify or restrict its identification of goods in the Registration.

WHEREFORE, Registrant respectfully requests that the Petition for Cancellation be denied and Registration No. 2,833,384 be maintained.

Respectfully submitted,



Dated: June 3, 2013

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