

ESTTA Tracking number: **ESTTA566489**

Filing date: **10/22/2013**

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

Proceeding	92057938
Party	Defendant Sensa Products LLC
Correspondence Address	SENSA PRODUCTS LLC 2301 ROSECRANS AVENUE, SUITE 4100 EL SEGUNDO, CA 90245 UNITED STATES
Submission	Answer
Filer's Name	Jeanne Bartlett
Filer's e-mail	trademarks@ipla.com
Signature	/Jeanne Bartlett/
Date	10/22/2013
Attachments	Answer 479 (10-22-13).pdf(85576 bytes )



3. Denied.

### AFFIRMATIVE DEFENSES

#### Failure to State a Claim for Relief

1. Petitioner has failed to state facts sufficient to constitute a basis for relief as Respondent is the owner of record for the Registration, and there is no likelihood of confusion with or dilution of Petitioner's Mark.

#### Waiver

2. Petitioner's alleged claims are barred by the doctrine of waiver.

#### Laches

3. Petitioner's alleged claims are barred by the doctrine of laches.

#### Estoppel

4. Petitioner's alleged claims are barred by the doctrine of estoppel.

#### Acquiescence

5. Petitioner's alleged claims are barred by the doctrine of acquiescence.
6. Respondent gives notice that it intends to rely on any additional affirmative defenses that become available or apparent through discovery and the factual development in this case or otherwise, and thus reserves the right to amend this Answer to assert such additional and/or different defenses.

WHEREFORE, Respondent prays that the Petition for Cancellation be denied and that judgment be entered in favor of Respondent.

Dated: October 22, 2013

Respectfully submitted,

/John M. Kim/

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John M. Kim  
IP Legal Advisors, P.C.  
4445 Eastgate Mall, Suite 200  
San Diego, CA 92121  
Attorney for Respondent Sensa Products LLC

**Certificate of Service**

I hereby certify that on October 22, 2013, a copy of the foregoing was sent by U.S. mail to the following correspondent of record:

Timothy M. MacIvor  
SENSA, Inc.  
1401 Bay Road, Suite 310  
Miami Beach, FL 33139-3781  
United States

/Eunice Yu/

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Eunice Yu