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

Proceeding	92058607
Party	Defendant Gerber Childrenswear LLC
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Date	02/09/2015
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

JUMPIN' JAMMERZ L.L.C.,

Petitioner,

v.

GERBER CHILDRENSWEAR, LLC,

Registrant.

Cancellation No. 92058607

Registration Nos.

1,292,981

2,549,557

3,488,401

2,615,158

3,825,903

2,711,179

REGISTRANT'S ANSWER TO PETITION TO CANCEL

Registrant Gerber Childrenswear LLC (hereinafter "Registrant"), answers the corresponding numbered paragraphs of the Petition to Cancel filed by Petitioner, Jumpin' Jammerz L.L.C. (hereinafter "Petitioner") as follows:

To the extent the first unnumbered paragraph of the Petition to Cancel sets forth allegations that must be admitted or denied, Registrant admits that it owns Registration Nos. 1,292,981; 2,549,557; 3,488,401; 2,615,158; 3,825,903; and 2,711,179. Registrant lacks sufficient knowledge or information to admit or deny the alleged address of Petitioner's regular and established place of business. Otherwise, Registrant denies the allegations set forth in the first unnumbered paragraph of the Petition to Cancel.

1. Registrant admits that the chart contained in Schedule A of the Petition to Cancel accurately sets forth certain application details of the listed trademark registrations.
2. Registrant lacks sufficient knowledge or information to admit or deny the allegations set forth in Paragraph 2 of the Petition to Cancel and therefore denies same.
3. Registrant denies the allegations set forth in Paragraph 3 of the Petition to Cancel.
4. Registrant lacks sufficient knowledge or information to admit or deny the

allegations set forth in Paragraph 4 of the Petition to Cancel and therefore denies same.

5. Registrant denies the allegations set forth in Paragraph 5 of the Petition to Cancel.

6. To the extent Paragraph 6 of the Petition to Cancel requires a response, Registrant lacks sufficient knowledge or information to admit or deny the allegations set forth in Paragraph 6 of the Petition to Cancel and therefore denies same.

AFFIRMATIVE DEFENSES

1. Petitioner fails to state a claim upon which relief may be granted.

2. The Petition to Cancel is barred by the doctrines of estoppel, laches, acquiescence, waiver, and/or unclean hands.

3. Registrant reserves the right to assert additional affirmative defenses as may be warranted by discovery in this matter.

WHEREFORE, Registrant prays that this Petition to Cancel be dismissed.

Respectfully submitted,

GERBER CHILDRENSWEAR, LLC.

/Anthony E. Rufo/

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Dated: February 9, 2015

Attorneys for Registrant

CERTIFICATE OF SERVICE

I hereby certify that a true copy of this Answer to the Petition to Cancel was served upon Petitioner's attorney of record as shown on the USPTO website, namely:

Paul I. Perlman, Esq.
Hodgson Russ LLP
The Guaranty Building
140 Pearl Street, Suite 100
Buffalo, NY 14202
pperlman@hodgsonruss.com

by e-mail and First Class Mail this date of February 9, 2015.

/Anthony E. Rufo/
Anthony E. Rufo