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

Proceeding	92058893
Party	Defendant Branch, Cahleb, Jeremiah LLC
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

MAYWEATHER PROMOTIONS, LLC,)	
)	
Petitioner,)	Cancellation No.: 92058893
)	
v.)	Registration No.: 3565960
)	
BRANCH, CAHLEB, JEREMIAH, LLC.)	Mark: MONEY POWER RESPECT
)	ENTERTAINMENT
)	
Registrant.)	
)	

REGISTRANT’S ANSWER TO PETITION FOR PARTIAL CANCELLATION

Registrant, Branch, Cahleb, Jeremiah, LLC,¹ by and through its undersigned attorneys of record, hereby responds to the Petition for Partial Cancellation filed by Mayweather Promotions, LLC, a Nevada limited liability company, petitioning the partial cancellation of U.S. Registration No. 3565960 for the trademark MONEY POWER RESPECT ENTERTAINMENT.

In response to the Petition for Partial Cancellation, Registrant responds as follows:

Within the first paragraph of the Petition for Partial Cancellation, Registrant denies Petitioner’s allegation that Petitioner will be damaged by the registration of the MONEY POWER RESPECT ENTERTAINMENT mark.

FACTS COMMON TO ALL CLAIMS

1. Registrant admits the contents of this paragraph.
2. Registrant admits that it filed a statement of use for its MONEY POWER RESPECT ENTERTAINMENT trademark on November 25, 2008 and that it was accepted by

¹ Registrant has submitted to the Trademark Office a Section 7 Request for Correction to correct the name of the Registrant from Branch, Cahleb, Jeremiah, LLC, to Cahleb Branch, an individual.

the USPTO, but disagrees with Registrant's characterization of the contents of the specimen submitted with the statement of use.

3. Registrant admits the contents of this paragraph.

4. Registrant admits that Petitioner's application was rightfully refused registration due to Registrant's prior rights to the MONEY POWER RESPECT ENTERTAINMENT mark.

5. Registrant denies the allegations set forth in Paragraph 5 of the Petition for Partial Cancellation.

6. Registrant repeats and restates each and every response contained in all proceeding paragraphs and incorporates the same as through fully set forth herein.

7. Registrant denies the allegations set forth in Paragraph 7 of the Petition for Partial Cancellation.

8. Registrant denies the allegations set forth in Paragraph 8 of the Petition for Partial Cancellation.

9. Registrant denies the allegations set forth in Paragraph 9 of the Petition for Partial Cancellation. Registrant affirmatively asserts it is using its MONEY POWER RESPECT ENTERTAINMENT mark in connection with online retail sales of clothing items.

10. Registrant denies the allegations set forth in Paragraph 10 of the Petition for Partial Cancellation.

11. Registrant denies the allegations set forth in Paragraph 11 of the Petition for Partial Cancellation. Registrant affirmatively asserts it is using its MONEY POWER RESPECT ENTERTAINMENT mark in connection with online retail store services in the field of clothing.

12. Registrant denies the allegations set forth in Paragraph 12 of the Petition for Partial Cancellation.

13. Registrant repeats and restates each and every response contained in all preceding paragraphs and incorporates the same as though fully set forth herein.

14. Registrant denies the allegations set forth in Paragraph 14 of the Petition for Partial Cancellation.

15. Registrant denies the allegations set forth in Paragraph 15 of the Petition for Partial Cancellation.

16. Registrant denies the allegations set forth in Paragraph 16 of the Petition for Partial Cancellation.

17. Registrant denies the allegations set forth in Paragraph 17 of the Petition for Partial Cancellation.

Registrant denies all other allegations contained in the Petition for Partial Cancellation.

AFFIRMATIVE DEFENSES

For its affirmative defenses to the Petition for Partial Cancellation, Registrant asserts the following:

1. The Petition for Partial Cancellation fails to state a claim upon which relief can be granted with regard to Petitioner's allegations of abandonment. Registrant never abandoned its MONEY POWER RESPECT ENTERTAINMENT mark, and is using this mark for all of the services listed in Class 035 making this claim futile.

2. The Petition for Partial Cancellation fails to state a claim upon which relief can be granted with regard to Petitioner's allegations of fraud.

3. Petitioner is barred from bringing this action by the doctrine of laches and undue delay.

CERTIFICATE OF SERVICE

I hereby certify that on this 19th day of December, 2014, Registrant's Answer to Petition for Partial Cancellation were served by e-mail and first-class mail, postage prepaid, on counsel for Petitioner at the following address:

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s/Elissa Blabac