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

Proceeding	92061522
Party	Defendant Huascar Morell
Correspondence Address	HUASCAR MORELL 523 WEST 152ND ST, APT 21 NEW YORK, NY 10031 UNITED STATES smorell@artesanonyc.com
Submission	Answer
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Date	06/29/2015
Attachments	Respondent- CNo.92061522.pdf(87434 bytes)

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

Cancellation No. 92061522
Registration No. 3840723

Date: June 29th, 2015

HUASCAR MORELL
523 WEST 152ND STREET, APT 21
NEW YORK, NY 10031 UNITED STATES

JS ADL, LLC

v.

HUASCAR MORELL

THEODORE R REMAKLUS
WOOD HERRON & EVANS LLP
441 VINE STREET 2700 CAREW TOWER
CINCINNATI, OH 45202 UNITED STATES

ANSWER

Respondent, Huascar Morell, is the Registered owner of trademark **Artesano New York City**, registered on August 31, 2010. Registration No. 3840723, Serial No. 77917258. Huascar Morell is an individual and sole proprietor of **Artesano New York City**, formed and organized under the laws of the State of New York, having a place of business at 523 West 152nd Street, Apt. 21, New York, New York 10031. Respondent agrees with the findings and ruling of the Examining Attorney regarding the likelihood of confusion with the Petitioner's intent-to-use **ARTISAN✿NY** trademark, filed on April 11, 2014. Respondent uses and will continue to use in good faith, the Registration No. 3,840,723 **Artesano New York City** trademark in connection with the goods in International Classes 18, 25 and 28. Respondent disagrees with the Petitioners' petition for cancellation (Cancellation No. 92061522).

GROUND FOR ANSWER

1. Respondents business is located within the State of New York and has been conducting business since the year of 2010, in a small scale. **Artesano New York City** has had a positive presence within the State and our costumers have built a relationship with our trademark.

Artesano New York City, is an active participant within the athletic community. The **Artesano New York City** trademark was obtained in 2010, while the Respondent (Huascar Morell) was pursuing to further his education. Due to the cost associated with attending College and the academic responsibilities needed to accomplish a quality education, Huascar Morell had to delay his true passion for the **Artesano New York City** trademark/brand.

2. Huascar Morell started the business of **Artesano New York City** in his last year of High School with the money he saved up working during the summers of his childhood. One of his life's greatest achievement to date, is the successful registration of the **Artesano New York City** trademark. As a result of his College education, Huascar Morell is employed, has payed off his student debt and is currently saving capital to commence the business of **Artesano New York City** again.

3. The **Artesano New York City** trademark has not been abandoned nor do we intend to abandon it. **Artesano New York City** is embedded into the lifestyle we live and what we want our costumers to see with us. The **Artesano New York City** trademark, and the mark it represents, wants everyone to have the ability to pursue their dreams and develop their craft.

4. The intent-to-use trademark application from JS ADL, LLC Serial No. 86/249,415 will indeed cause confusion with the already registered **Artesano New York City** trademark, within the means of Section 2(d) of the Trademark Act, 15 U.S.C. § 1052(d) and prays that the decision of the United States Patent and Trademark Office is sustained.

5. Respondent will be available for Discovery Conference as Follows:

-July 13th, 2015 at 12:00pm Eastern Standard Time (Call 1-(646)416-6411)

-July 20th, 2015 at 02:00pm Eastern Standard Time (Call 1-(646)416-6411)

-July 21st, 2015 at 02:00pm Eastern Standard Time (Call 1-(646)416-6411)

Respondent will be available to speak to the members of the JS ADL, LLC and/or their representative(s).

Also, respondent will be able to conduct Discovery Conferences, if preferred, via e-mail at:

smorell@artesanonyc.com.

Prayerfully,
Huascar Morell

Date June 29, 2015

By: /s/ Huascar Morell
HUASCAR MORELL
smorell@artesanonyc.com
HUASCAR MORELL
523 WEST 152ND STREET, APT 21
NEW YORK, NY 10031 UNITED STATES

Huascar Morell/ Respondent

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing **Answer** has been served by first class mail, postage prepaid, this 29th day of June, 2015, on Petitioner as Follows:

THEODORE R. REMAKLUS

Re: JS ADL, LLC

WOOD HERRON & EVANS LLP
441 VINE STREET 2700 CAREW TOWER
CINCINNATI, OH 45202 UNITED STATES

/s/Huascar Morell
Huascar Morell
Respondent