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

Proceeding	92061633
Party	Defendant Marc Esannason aka Global Spin
Correspondence Address	MARC ESANNASON 23 MONTGOMERY AVENUE ELMSFORD, NY 10523 UNITED STATES marc@globolspin.com
Submission	Answer
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Date	07/17/2015
Attachments	Making a Brand Answer.pdf(100905 bytes)

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

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Making the Brand LLC,	:	
	:	
Petitioner,	:	PETITION FOR CANCELLATION
	:	
	:	ANSWER
v.	:	Reg. No: 3880786
	:	Cancellation No.: 92061633
Marc Esannason AKA Globol Spin,	:	
	:	
Registrant.	:	
-----X	:	

ANSWER AND AFFIRMATIVE DEFENSES

Respondent/Registrant Marc Esannason AKA Globol Spin and owner of the lawfully registered mark MAKING A BRAND, LLC, through its attorney Xavier R. Donaldson, of Donaldson and Chilliest, LLP, files this *Answer and Affirmative Defenses* in response to Petitioner’s petition, per numbered paragraph, without waiving jurisdiction or any jurisdictional defenses, including but not limited to, lack of jurisdiction over the person, lack of jurisdiction over the subject matter and failure to state a cause of action as well as all defenses, both mandatory and discretionary provided for under Federal Rules of Civil Procedure and Local Rules of the United States Patent and Trademark Office as follows:

1. Respondent/Registrant lacks knowledge or information sufficient to form a belief about the truth of the allegations contained in paragraph 1, otherwise denies the allegations contained in paragraph 1 and leaves all legal matters to the decision of the Court.
2. Admit.

3. Respondent/Registrant lacks knowledge or information sufficient to form a belief about the truth of the allegations contained in paragraph 3, otherwise denies the allegations contained in paragraph 3 and leaves all legal matters to the decision of the Court.
4. Respondent/Registrant lacks knowledge or information sufficient to form a belief about the truth of the allegations contained in paragraph 4, otherwise denies the allegations contained in paragraph 4 and leaves all legal matters to the decision of the Court.
5. Admit.
6. Respondent/Registrant denies each and every part of Paragraph 6.
7. Respondent/Registrant denies each and every part of Paragraph 7.
8. Respondent/Registrant denies each and every part of Paragraph 8.
9. Respondent/Registrant denies each and every part of Paragraph 9.

AFFIRMATIVE DEFENSES

MAKING A BRAND, LLC has been a lawfully registered mark since 2010 (“MAKING A BRAND”). Since 2010, MAKING A BRAND has been used in commerce on multiple occasions. Notably, the mark has been actively in use in production and marketing concepts in 2010, 2012, 2013 and 2014. In addition, MAKING A BRAND has been used in connection with its Twitter account in 2010, an Instagram account in 2013 and a YouTube account in 2014. The mark has never been abandoned and the Respondent/Registrant intends on continuing using and growing the mark. Accordingly, as Affirmative Defenses, Respondent/Registrant states the following:

1. Petitioner has failed to state a claim upon which relief can be granted.

2. Petitioner has committed fraud in that Petitioner knows or should have known that the Respondent/Registrant has not abandoned the “mark”.

Dated: July 17, 2015
New York, New York

DONALDSON & CHILLIEST LLP

BY: /Xavier R. Donaldson/
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*Attorney for Registrant Marc
Esannason AKA Global Spin*

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing ***ANSWER*** has been served on Jennifer Jolley, Esq., by mailing said copy on July 18, 2015, via First Class Mail, postage prepaid to: Jennifer Jolley, Perkins Coie LLP, 1201, Third Avenue, Suite 4900, Seattle, Washington, 98101.

Signature: /Xavier R. Donaldson/
Xavier R. Donaldson

Date: July 18, 2015