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

Proceeding	92062266
Party	Defendant Curriculum Associates, LLC
Correspondence Address	CURRICULUM ASSOCIATES LLC 153 RANGEWAY ROAD NORTH BILLERICA, MA 01862 UNITED STATES
Submission	Answer
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Date	10/28/2015
Attachments	Answer to Petition for Cancellation - DOOR 24.DOCX.pdf(164012 bytes)

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

Suntex International, Inc.,

Petitioner,

v.

Curriculum Associates, LLC

Registrant.

Cancellation No.: 92062266

Registration No.: 4,623,925

ANSWER TO PETITION FOR CANCELLATION

Registrant Curriculum Associates, LLC (“Registrant”), by and through its undersigned counsel, hereby answers the Petition for Cancellation filed by Petitioner Suntex International, Inc. (“Petitioner”) in accordance with the numbered paragraphs thereof as follows. Registrant denies all allegations in Petitioner’s Petition for Cancellation that are not expressly admitted.

1. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 1 and on that basis denies them.

2. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations of the first sentence of Paragraph 2 and on that basis denies them.

3. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 3 and on that basis denies them.

4. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations of the first sentence of Paragraph 4 and on that basis denies them.

5. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations of the first sentence of Paragraph 5 and on that basis denies them.

6. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations of the first sentence of Paragraph 6 and on that basis denies them.

7. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 7 and on that basis denies them.

8. The allegations in Paragraph 8 are legal conclusions, to which no response is required and/or Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 8 and on that basis denies them.

9. Registrant denies that Petitioner has a family of marks. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 9 and on that basis denies them.

10. Registrant denies that Petitioner has a family of marks. Registrant states that the printouts attached to the Petition as Exhibit A, B, and E-J speak for themselves. The allegations in Paragraph 10 are legal conclusions, to which no response is required and/or Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations of the second sentence of Paragraph 10 and on that basis denies them.

11. Registrant denies that Petitioner has a family of marks. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 11 and on that basis denies them.

12. Registrant denies that Petitioner has a family of marks. Paragraph 12 contains legal conclusions to which no responsive pleading is required and/or Registrant is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph 12 and on that basis denies them.

13. Admitted.

14. Registrant denies that Petitioner has a family of marks. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 14 and on that basis denies them.

15. Registrant incorporates by reference its answers of the preceding paragraphs as though fully set forth herein.

16. Denied.

17. Registrant admits that Registrant's DOOR 24 includes the number "24" but denies the remaining allegations in Paragraph 17.

18. Registrant states that the registrations attached to the Petition as Exhibits A, B, E-J, and K speak for themselves. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations of the second sentence of Paragraph 18 and on that basis denies them.

19. Denied.

20. Registrant admits that it does not have Petitioner's consent or permission to use its mark but denies that such consent or permission is required.

21. Denied.

22. Denied.

23. Denied.

Concluding Paragraph: In response to the unnumbered conclusion paragraph following Paragraph 23 of the Petition, to the extent a responsive pleading is required, Registrant denies the allegations.

AFFIRMATIVE DEFENSES

Without prejudice to the denials set forth in its Answer to Petition for Cancellation and without admitting any allegations in the Petition not otherwise admitted, Registrant avers and asserts the following Additional Defenses to Petitioner's claims. Registrant reserves all further defenses that may now or in the future exist based on discovery and further factual investigation in the case:

1. Petitioner's claims are barred in whole or in part for failure to state a claim upon which relief can be granted.
2. Petitioner's claims are barred, in whole or in part, by the doctrine of unclean hands.
3. Petitioner's claims are barred, in whole or in part, by the doctrine of equitable estoppel.
4. Petitioner's claims are barred, in whole or in part, by the doctrine of laches.

WHEREFORE, having fully answered the claims in the Petition, Registrant respectfully requests that the Petition be dismissed with prejudice in all respects.

Dated: October 28, 2015

MORGAN, LEWIS & BOCKIUS LLP

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CERTIFICATE OF SERVICE

I hereby certify that on October 28, 2015, I caused a true and complete copy of the foregoing ANSWER TO PETITION FOR CANCELLATION to be sent via First Class U.S.

Mail to:

Charlie C. Lyu
Nancy Rubner Frandsen
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By: /s/ Zarui A. Kocharyan
Zarui A. Kocharyan