

ESTTA Tracking number: **ESTTA722380**

Filing date: **01/25/2016**

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

Proceeding	92062658
Party	Plaintiff Jason P. Petch
Correspondence Address	ANDREW D SKALE MINTZ LEVIN COHN FERRIS ET AL 3580 CARMEL MOUNTAIN ROAD, SUITE 300 SAN DIEGO, CA 92130 UNITED STATES adskale@mintz.com, jddib@mintz.com
Submission	Answer to Counterclaim
Filer's Name	Andrew D. Skale
Filer's e-mail	adskale@mintz.com, jddib@mintz.com
Signature	/Andrew D. Skale/
Date	01/25/2016
Attachments	Answer to Counterclaim - SKYNANNY (1).pdf(139511 bytes)

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

In the matter of Registration No. 4,751,342
Registration Date: June 9, 2015

<hr/>)	
JASON PHILLIP PETCH)	
)	
)	
Petitioner and Counterclaim Defendant,)	
)	Cancellation No.: 92062658
v.)	
)	
NEIT ENTERPRISES INC.)	
)	
Registrant and Counterclaim Plaintiff.)	
<hr/>)	

Trademark Assistance Center
Madison East, Concourse Level Room C 55
600 Dulany Street
Alexandria, VA 22314

**COUNTERCLAIM DEFENDANT’S ANSWER AND
AFFIRMATIVE DEFENSES TO COUNTERCLAIM**

Petitioner and Counterclaim Defendant Jason Phillip Petch by its attorneys, hereby files its Answer to the Counterclaim filed on December 21, 2015 by Registrant and Counterclaim Plaintiff Neit Enterprises Inc. as follows:

ANSWER

1. Petitioner notes its filings with the USPTO speak for themselves, but otherwise denies the allegations in paragraph 32.
2. Petitioner denies the allegations in paragraph 33.
3. Petitioner denies the allegations in paragraph 34.

DEFENSES

1. The Counterclaim should be dismissed for failure to state a claim upon which relief can be granted.

WHEREFORE, the Counterclaim should be dismissed with prejudice.

By: /Andrew D. Skale/
Andrew D. Skale
Mintz, Levin, Cohn, Ferris, Glovsky, and
Popeo, P.C.
3580 Carmel Mountain Road
Ste 300
San Diego, CA. 92130
Tel: 858-314-1506
Fax: 858-314-1501
E-mail: adskale@mintz.com

Dated: January 25, 2016

Attorneys for Petitioner
JASON PHILLIP PETCH

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing COUNTERCLAIM DEFENDANT'S ANSWER AND AFFIRMATIVE DEFENSES TO COUNTERCLAIM was served by U.S. mail, first class, postage prepaid, on this 25th day of January, 2016 on the Registrant at the address listed in the current U.S. Trademark Office Records as follows:

Paul L. Hickman, Esq.
TIPS GROUP
960 San Antonio Road
Suite 200
Palo Alto, CA 94303-4932

/Jennifer Wolber/
Jennifer Wolber

45051763v.1