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

Proceeding	92062995
Party	Defendant American Direct, Inc.
Correspondence Address	AMERICAN DIRECT INC 490 ROUTE 46 EAST FAIRFIELD, NJ 07004 UNITED STATES
Submission	Answer
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Date	03/01/2016
Attachments	TTAB 92062995 Answer To Petition For Cancellation With Certificate Of Service.pdf(62114 bytes)

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

<hr/>	:	CANCELLATION NO. 92062995
JH SPECIALTIES, INC.,	:	
	:	
Petitioner,	:	MARK:
	:	LUMA CANDLES
	:	
v.	:	Registration No. 4,517,895
	:	
AMERICAN DIRECT, INC.,	:	
	:	
Registrant.	:	
<hr/>	:	

ANSWER TO PETITION FOR CANCELLATION

With Certificate of Service

Registrant Inventel Products, LLC, a New Jersey limited liability company with offices at 300 Round Hill Drive, Suite 1, Rockaway, New Jersey 07866 (hereinafter "Registrant"), through the undersigned attorney David H.E. Bursik, Esq., 401 Hamburg Turnpike, Suite 201, Wayne, New Jersey 07470, as owner by Assignment Of Trademark from the Registrant, hereby answers the Petition For Cancellation (hereinafter "Petition") filed by JH Specialties, Inc. ("Petitioner") and seeking to cancel U.S. Trademark Registration No. 4,517,895 as follows:

1. Registrant denies that the factual or legal basis exists for Petitioner to assert the matters set forth in the preamble paragraph of the Petition. Registrant denies the factual or legal basis exists for the Grounds For Cancellation as set forth by Petitioner. Registrant has insufficient knowledge and information with which to admit or deny the allegations of the preamble to the Petition and Paragraph 1 of the Petition.

2. Registrant has insufficient knowledge and information with which to admit or deny the allegations of Paragraph 2 of the Petition.

3. Registrant has insufficient knowledge and information with which to admit or deny the allegations of Paragraph 3 of the Petition.

4. Registrant has insufficient knowledge and information with which to admit or deny the allegations of Paragraph 4 of the Petition.

5. Registrant has insufficient knowledge and information with which to admit or deny the allegations of Paragraph 5 of the Petition.

6. Registrant admits the allegations of Paragraph 6 of the Petition.

7. Registrant admits the allegations of Paragraph 7 of the Petition.

8. Registrant has insufficient knowledge and information with which to admit or deny the allegations of Paragraph 8 of the Petition.

9. Registrant denies the allegations of Paragraph 9 of the Petition.

10. Registrant admits the allegations of Paragraph 10 of the Petition.

11. Registrant admits the allegations of Paragraph 11 of the Petition.

12. Registrant denies the allegations of Paragraph 12 of the Petition.

13. Registrant admits the allegations of Paragraph 13 of the Petition.

14. Registrant denies the allegations of Paragraph 14 of the Petition.

15. Registrant denies the allegations of Paragraph 15 of the Petition.

16. Registrant denies the allegations of Paragraph 16 of the Petition.

17. Registrant denies the allegations of Paragraph 17 of the Petition.

18. Registrant denies the allegations of Paragraph 18 of the Petition.

AFFIRMATIVE DEFENSES

19. There is no likelihood of confusion between the Registrant's trademark and the Petitioner's cited trademark.

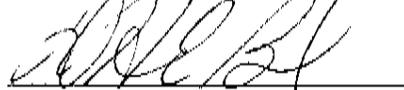
20. Petitioner waived and is estopped from claiming a likelihood of confusion exists between the Registrant's trademark and the Petitioner's cited trademarks by reason of an awareness of the use of the Registrant's trademark and the implicit consent to same.

15. Upon information or belief, Petitioner's cited application for registration is not valid trademark.

WHEREFORE, Registrant requests an Order and Judgment dismissing the Petition with prejudice.

Date: March 1, 2016

Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that I served a copy of this Answer to the Petition For Cancellation on the counsel for Matthew H. Swyers, Esq., 344 Maple Avenue West, Suite 151, Vienna, Virginia 22180 on March 1, 2016, by depositing same, postage fully prepaid, for first class regular U.S. Mail delivery to such counsel and a courtesy copy was sent to such counsel by email on that same day.

Respectfully submitted,



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