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

Proceeding	92063647
Party	Defendant K & N Distributors
Correspondence Address	K & N DISTRIBUTORS 1531 WYNDCLIFF DRIVE WELLINGTON, FL 33414 UNITED STATES
Submission	Answer
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Date	06/12/2016
Attachments	KN Distributors Answer.pdf(127911 bytes )

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

	)	
	)	
INTERNATIONAL BEAUTY	)	
EXCHANGE, INC.	)	
Petitioner	)	
	)	
v.	)	Cancellation No. 92063647
	)	U.S. Reg. No. 4,941,822
	)	Registered: April 19, 2016
K&N DISTRIBUTORS,	)	Mark: AFRICAN CLAIR FORMULA
	)	PLUS
Registrant.	)	
	)	
	)	

**REGISTRANT'S ANSWER TO PETITION FOR CANCELLATION**

The following is the Answer of K&N DISTRIBUTORS (hereinafter “Registrant”) to the Petition for Cancellation filed on April 20, 2016 and assigned Cancellation No. 92063647. Registrant hereby responds, solely for the purpose of this proceeding, to each of the grounds set forth in the Petition to Cancel, as follows:

1. Registrant is without knowledge or information sufficient to form a belief as to paragraph 1 of the petition for cancellation and therefore denies the same.
2. Registrant admits the allegations contained in paragraph 2.
3. Registrant is without knowledge or information sufficient to form a belief as to paragraph 3 of the petition for cancellation and therefore denies the same.

4. Registrant is without knowledge or information sufficient to form a belief as to paragraph 4 of the petition for cancellation and therefore denies the same.
5. Registrant is without knowledge or information sufficient to form a belief as to paragraph 5 of the petition for cancellation and therefore denies the same.
6. Registrant is without knowledge or information sufficient to form a belief as to paragraph 6 of the petition for cancellation and therefore denies the same.
7. Paragraph 7 contains legal conclusions to which no response is required. For the remaining allegations Registrant denies the allegations.
8. Paragraph 8 contains legal conclusions to which no response is required. For the remaining allegations Registrant is without knowledge or information sufficient to form a belief and therefore denies the same.
9. Paragraph 9 contains legal conclusions to which no response is required. For the remaining allegations Registrant is without knowledge or information sufficient to form a belief and therefore denies the same.

#### **AFFIRMATIVE DEFENSES**

1. Petitioner has not and will not be damaged by the continued registration of the trademark for AFRICAN CLAIR FORMULA PLUS and therefore lacks standing to petition to cancel the registration.
2. Petitioner does not have seniority, rather Registrant's actual use in commerce predates Petitioner's claimed priority dates.
3. Petitioner is barred from seeking cancellation of the Registrant's trademark under the doctrines of laches, estoppel, waiver, and unclean hands.





**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the forgoing Answer was served upon Petitioner by first-class U.S. mail, postage prepaid, on this June 13, 2016, at the following address:

Donald L. Dennison  
Ladas & Parry  
1727 King Street, Suite 105  
Alexandria, VA 22314  
*Attorney for Petitioner International Beauty Exchange, Inc.*

/Rishi Nair/

Rishi Nair