

ESTTA Tracking number: **ESTTA149458**

Filing date: **07/05/2007**

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

Proceeding	91161028
Party	Plaintiff FINANZ ST. HONORE, B.V. FINANZ ST. HONORE, B.V. ,
Correspondence Address	Alfred Cowger Dana Classic Fragrances P.O. Box 299 Harveys Lake, PA 18618 UNITED STATES ARCowger@danaclassics.com
Submission	Answer to Counterclaim
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Date	07/05/2007
Attachments	Dana Answer to Counterclaim.pdf (5 pages)(872339 bytes)

**UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK TRIAL AND APPEAL BOARD**

FINANZ ST. HONORÉ, B.V.)	CONSOLIDATED:
)	Opposition No. 91161028
Opposer/Counterclaim)	
Respondent)	
)	
v.)	
JOHNSON & JOHNSON)	
)	
Applicant/Counterclaim)	
Petitioner)	
)	
<hr style="border-top: 1px dotted black;"/>		
JOHNSON & JOHNSON)	Cancellation No. 9204444
)	
Petitioner)	
)	
v.)	
FINANZ ST. HONORÉ, B.V.)	
)	
Respondent)	

**ANSWER TO AMENDED COUNTERCLAIM IN
OPPOSITION NUMBER 91161028**

Now comes the Opposer and Counterclaim Respondent, Finanz St. Honoré, B.V. (hereinafter "Finanz"), and for its Answer to the Amended Counterclaim filed by Applicant, Johnson & Johnson (hereinafter "J&J"), in Opposition No. 91161028, hereby responds to each paragraph of the Counterclaim Petition for Cancellation set forth in the Amended Answer as follows:

1. Finanz admits the allegations contained in Paragraph 13 of the Counterclaim.

2. Finanz denies the allegation contained in Paragraph 14 of the Counterclaim that the term "baby soft" is incapable of exclusive appropriation, and otherwise denies the remaining allegations contained in Paragraph 14 of the Counterclaim for want of knowledge.

3. Finanz denies the allegations contained in Paragraph 15 of the Counterclaim that the term "baby soft" is "generic" with respect to Johnson & Johnson's Goods, Finanz's Goods or Finanz's Registration, and otherwise admits the remaining allegations of Paragraph 15 of the Counterclaim.

4. Finanz denies the allegations contained in Paragraph 16 of the Counterclaim.

5. Finanz denies the allegations contained in Paragraph 17 of the Counterclaim.

6. Finanz denies the allegations contained in Paragraph 18 of the Counterclaim.

7. Finanz denies the allegations contained in Paragraph 19 of the Counterclaim.

8. Finanz admits the allegations contained in Paragraph 20 of the Counterclaim and notes that the Board has stricken Paragraph 20 of the Counterclaim pursuant to Finanz's motion.

9. Finanz denies the allegations contained in Paragraph 21 of the Counterclaim and notes that the Board has stricken Paragraph 21 of the Counterclaim pursuant to Finanz's motion.

10. Finanz denies the allegations of Paragraph 22 of the Counterclaim and notes that the Board has stricken Paragraph 22 of the Counterclaim pursuant to Finanz's motion.

11. Finanz admits the allegations of Paragraph 23 of the Counterclaim.

12. Finanz admits the allegations of Paragraph 24 of the Counterclaim.

13. Finanz admits the allegations of Paragraph 25 of the Counterclaim.

14. Finanz denies the allegations contained in Paragraph 26 of the Counterclaim.

15. Finanz denies the allegations contained in Paragraph 27 of the Counterclaim.

16. Finanz denies the allegations contained in Paragraph 28 of the Counterclaim.

17. Finanz denies the allegations contained in Paragraph 29 of the Counterclaim.

18. Finanz admits the allegations contained in Paragraph 30 of the Counterclaim.

19. Finanz denies the allegations contained in Paragraph 31 of the Counterclaim.

20. Finanz denies the allegations contained in Paragraph 32 of the Counterclaim.

21. Finanz denies each and every allegation contained in the Amended Counterclaim that Finanz has not specifically admitted in this Answer to be true.

AFFIRMATIVE DEFENSES

22. J&J's claims are barred by the doctrines of estoppel, laches and/or waiver.

23. Finanz hereby gives notice that it intends to rely upon and plead any other such affirmative defenses as may become available or apparent during the course of discovery and therefore reserves its rights pursuant to the Federal Rules of Civil Procedure to amend this Answer to assert and include any other such defenses, or to amend or withdraw any defense.

For the foregoing reasons, Finanz prays that the petition to cancel set forth in the Counterclaim be denied, that judgment be entered in favor of Finanz on the Counterclaim, and that Finanz be accorded such further relief as may be provided for by law and the rules of practice in trademark cases.

Respectfully submitted,

By: Michael A. Marrero

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Respondent, Finanz St. Honoré, B.V.

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing ANSWER TO COUNTERCLAIM IN OPPOSITION NUMBER 9116102 was served by ordinary U.S. mail, postage prepaid, this 5th day of July, 2007, upon counsel for Johnson & Johnson at the following address:

Norm D. Landau
Drinker Biddle & Reath LLP
1500 K Street, N.W., Suite 1100
Washington, D.C. 20005

Michael A. Marrero