

ESTTA Tracking number: **ESTTA69593**

Filing date: **03/07/2006**

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

Proceeding	91168864
Party	Defendant JJ Basics LLC JJ Basics LLC 1466 Broadway New York, NY 10036
Correspondence Address	Louis S. Ederer Torys LLP 237 Park Avenue New York, NY 10017
Submission	Answer
Filer's Name	Dorothy C. Alevizatos
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Signature	/Dorothy C. Alevizatos/
Date	03/07/2006
Attachments	JJForeverAnswer.PDF (4 pages)

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

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FOREVER 21, INC.	:	Opposition No. 91168864
	:	
Opposer,	:	Mark: JJ FOREVER
	:	Serial No. 76/633782
- against -	:	Filed: March 21, 2005
	:	Published: November 15, 2005
JJ BASICS LLC,	:	
	:	
Applicant.	:	
-----	X	

ANSWER TO NOTICE OF OPPOSITION

Applicant, JJ Basics, LLC (“Applicant”), through its undersigned attorneys, hereby responds to the allegations contained in the Notice of Opposition (the “Opposition”) filed by Forever 21, Inc. (the “Opposer”) as follows:

1. Applicant denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 1 of the Opposition.
2. Applicant denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 2 of the Opposition.
3. Applicant denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 3 of the Opposition.
4. Applicant denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 4 of the Opposition.
5. Applicant denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 5 of the Opposition.

6. Applicant denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 6 of the Opposition.

7. Applicant denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 7 of the Opposition.

8. Applicant denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 8 of the Opposition.

9. Applicant denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 9 of the Opposition.

10. With respect to the allegations contained in paragraph 10 of the Opposition, Applicant admits that it has filed an application to register the trademark JJ FOREVER (Serial No. 76/633,782), and otherwise refers to such application for the contents thereof.

11. Applicant denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 11 of the Opposition.

12. Applicant denies the allegations contained in paragraph 12 of the Opposition.

13. Applicant denies the allegations contained in paragraph 13 of the Opposition.

14. Applicant denies the allegations contained in paragraph 14 of the Opposition.

FIRST AFFIRMATIVE DEFENSE

1. Opposer fails to state a claim upon which relief can be granted.

SECOND AFFIRMATIVE DEFENSE

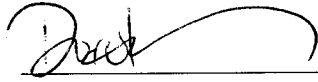
2. The Opposition is barred by the doctrines of laches, waiver, estoppel and/or acquiescence.

Dated: New York, New York
March 7, 2006

Respectfully submitted,

TORYS LLP

By:



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John Maltbie

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Attorneys for Applicant

JJ Basics, LLC

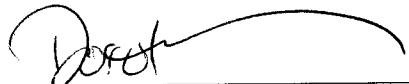
Opposition No. 91168864

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing ANSWER TO NOTICE OF OPPOSITION has been served upon Opposer by sending said copy on March 7, 2006, via Federal Express, to:

Bruce B. Brunda, Esq.
Stetina Brunda Garred & Brucker
75 Enterprise, Suite 250
Aliso Viejo, California 92656

Attorneys for Opposer



Dorothy C. Alevizatos