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

Proceeding	91183857
Party	Defendant Hamilton, Paige
Correspondence Address	SCOTT W. KELLEY KELLY LOWRY & KELLEY, LLP 6320 CANOGA AVE STE 1650 WOODLAND HILLS, CA 91367-7704 UNITED STATES mike@klkpatentlaw.com, scott@klkpatentlaw.com
Submission	Response to Board Order/Inquiry
Filer's Name	Michael A. DiNardo
Filer's e-mail	Mike@KLKPatentLaw.com
Signature	/Michael A. DiNardo/
Date	06/15/2009
Attachments	51199_SubmissionStmt_ITU.pdf (4 pages)(110393 bytes)

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

In the matter of
Trademark Application Serial No. 77/159,559
For the mark: PAIGE HAMILTON DESIGN
Published in Official Gazette on April 1, 2008

PREMIUM DENIM, LLC, Opposer

v.

PAIGE HAMILTON, Applicant

Opposition No. 91183857

Application Serial No. 77/159,559

SUBMISSION OF STATEMENT OF BONA FIDE INTENT TO USE

Pursuant to the June 4, 2009 order of the Board and 37 CFR §2.31(a)(2), Paige Hamilton (“Applicant”) hereby submits the declaration attached as Exhibit A. This declaration states her bona fide intent to use the mark PAIGE HAMILTON DESIGN in commerce on or in connection with the following goods:

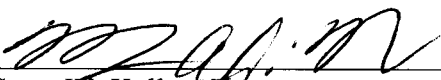
“suitcases, garment bags for travel, pet carriers, and umbrellas” in International Class 18; and

“Men's and women's apparel, namely, shoes, sandals, boots, scarves, hats, gloves, mittens, belts, socks, tights, hosiery, leggings, tank tops, camisoles, tee shirts, pants, trousers, jeans, jackets, coats, sweaters, cardigans, dresses, skirts, shorts, loungewear, sleepwear, underwear, bras, lingerie, vests, coats, blouses, shirts” in International Class 25.

Such declaration is provided in connection with an amendment of the filing basis with respect to the above listed goods from 1(a) to 1(b).

Dated: June 15, 2009

Respectfully submitted,

By: 

Scott W. Kelley, Esq.
Michael A. DiNardo, Esq.
KELLY LOWRY & KELLEY, LLP
Attorneys for Applicant, PAIGE HAMILTON

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**DECLARATION OF APPLICANT PAIGE HAMILTON
RE BONA FIDE INTENT-TO-USE MARK IN COMMERCE**

I, Paige Hamilton, declare as follows:

1. I make this declaration in connection with a trademark opposition proceeding pending in the Trademark Trial and Appeal Board ("Board") of the United States Patent and Trademark Office ("USPTO"). Specifically, I make this declaration in connection with Opposition No. 91183857, Premium Denim, LLC v. Paige Hamilton, involving my application to register the mark PAIGE HAMILTON DESIGN.

2. I am the application of U.S. Trademark Application No. 77/159,559 for PAIGE HAMILTON DESIGN. I provide this declaration in response to the Board's June 4, 2009 order

allowing me twenty days to file a statement regarding my intent to use the PAIGE HAMILTON DESIGN mark in commerce.

3. At least as early as April 18, 2007, the filing date of my Application No. 77/159,559, I had a bona fide intention to use my PAIGE HAMILTON DESIGN mark in commerce on or in connection with the following goods:

“suitcases, garment bags for travel, pet carriers, and umbrellas” in International Class 18; and

“Men's and women's apparel, namely, shoes, sandals, boots, scarves, hats, gloves, mittens, belts, socks, tights, hosiery, leggings, tank tops, camisoles, tee shirts, pants, trousers, jeans, jackets, coats, sweaters, cardigans, dresses, skirts, shorts, loungewear, sleepwear, underwear, bras, lingerie, vests, coats, blouses, shirts” in International Class 25.

The undersigned being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements and the like may jeopardize the validity of the application or document or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true; and all statements made on information and belief are believed to be true.

Executed on this 5 day of June, 2009 at Los Angeles, California.



PAIGE HAMILTON

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the attached **SUBMISSION OF STATEMENT OF BONA FIDE INTENT TO USE** (In Re TTAB Opposition No. 91183857) to be served on this date via U.S. first class mail, postage prepaid, upon counsel for Applicant, as follows:

Rod S. Berman, Esq.
Jeffer Mangels Butler & Marmaro LLP
1900 Avenue of the Stars, 7th Floor
Los Angeles, CA 90067

Dated: June 15, 2009



Nancy Hoover
For Kelly, Lowry & Kelley, LLP