

ESTTA Tracking number: **ESTTA314681**

Filing date: **11/02/2009**

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

Proceeding	91187169
Party	Defendant Marriott International, Inc.
Correspondence Address	Julia Anne Matheson Finnegan, Henderson, Farabow, et al. 901 New York Ave., NW Washington, DC 20001-4413 UNITED STATES julia.matheson@finnegan.com, larry.white@finnegan.com, docketing@finnegan.com
Submission	Answer
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Signature	/Julia Anne Matheson/
Date	11/02/2009
Attachments	HONEST EARTH Answer.pdf ( 4 pages )(85116 bytes )



4. Marriott denies that Opposer's trademarks, as identified in Opposer's Notice of Opposition, are famous marks. Marriott is without knowledge or information sufficient to form a belief as to the truth or falsity of the remaining allegations of Paragraph 4 and therefore denies them.

5. Admitted.

6. Admitted.

7. Marriott admits that it intends to use the mark HONEST EARTH in connection with coffee. Marriott denies the remaining allegations of Paragraph 7.

8. Marriott is without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of Paragraph 8 and therefore denies them.

9. Denied.

10. Denied.

11. Denied.

12. Marriott is without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations of Paragraph 12 and therefore denies them.

13. Denied.

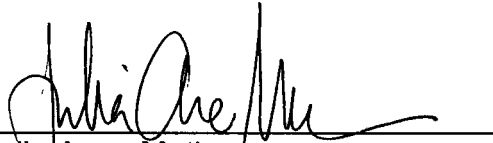
14. Denied.

**AFFIRMATIVE DEFENSES & ALLEGATIONS**

15. Opposer has failed to state a claim upon which relief may be granted.

WHEREFORE, Marriott prays that this opposition be dismissed with prejudice and that Marriott's mark HONEST EARTH be granted registration.

Respectfully Submitted,



Julia Anne Matheson  
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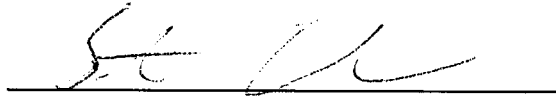
Dated: November 2, 2009

Attorneys for Applicant  
Marriott International, Inc.

**CERTIFICATE OF SERVICE**

I certify that a true and accurate copy of the foregoing Applicant's Answer to Notice of Opposition was served by first class mail, postage prepaid, on November 2, 2009 upon counsel for Opposer at the following address:

Ira Jay Levy, Esq.  
Goodwin Procter LLP  
The New York Times Building  
620 8<sup>th</sup> Avenue  
New York, New York 10018

A handwritten signature in black ink, appearing to read "Ira J. Levy", is written over a solid horizontal line.