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

Proceeding	91198131
Party	Defendant Carlos Garciarce Ramirez
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Date	03/11/2011
Attachments	Opp. No. 91198131.pdf (3 pages)(202417 bytes)

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

JARRITOS, INC.

Opposer,

v.

CARLOS GARCJARCE RAMIREZ,

Applicant.

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Opposition No. 91198131

ANSWER TO NOTICE OF OPPOSITION

Applicant, Carlos Garcjarce Ramirez, a Mexican citizen having an address at Adofo Prieto 1714-A Col. Del Valle C.P 03000, Mexico, hereby answers the Notice of Opposition of Jarritos, Inc. ("Opposer"), in Opposition No. 91198131 as follows:

1. Applicant lacks knowledge or information sufficient to form a belief as to the truth or falsity of the allegations in Paragraph 1 of the Opposition.
2. Applicant admits that his address is at Adofo Prieto 1714-A Col. Del Valle C.P 03000, Mexico.
3. Applicant denies that Opposer owns a "family" of marks. Applicant lacks knowledge or information sufficient to form a belief as to the truth or falsity of the remaining allegations in Paragraph 3 of the Opposition, and therefore denies the same.

4. Applicant admits the allegation in Paragraph 4 of the Opposition that “Jarritos” may be translated into English as “little jugs” or “pitchers.” Applicant denies any resulting inferences of Paragraph 4 of the Opposition.

5. Applicant denies the allegations of Paragraph 5 of the Opposition.

6. Applicant denies the allegations in Paragraph 6 of the Opposition.

7. Applicant denies the allegations of Paragraph 7 of the Opposition.

8. Applicant admits the allegations of Paragraph 8 of the Opposition to the extent that it filed an application for registration of the mark shown in Serial No. 77/949,657 which was published in the *Official Gazette* of September 14, 2010, and refers the Board to the entirety of the application for completeness.

9. Applicant admits the allegations in Paragraph 9 of the Opposition that one translation of “Jarro” is “jar.” Applicant denies all remaining allegations and inferences of Paragraph 9. The English translation of the words "Jarro Frut" in the mark is fruit jar.

10. Applicant denies the allegations of Paragraph 10 of the Opposition.

11. Applicant denies the allegations of Paragraph 11 of the Opposition.

12. Applicant denies the allegations of Paragraph 12 of the Opposition.

13. Applicant lacks knowledge or information sufficient to form a belief as to the truth or falsity of the allegations in Paragraph 13 of the Opposition and therefore denies the same.

14. Applicant lacks knowledge or information sufficient to form a belief as to the truth or falsity of the allegations in Paragraph 14 of the Opposition and therefore denies the same.

15. Applicant denies the allegations of Paragraph 15 of the Opposition.

16. Applicant admits the allegations of Paragraph 16 of the Opposition.

17. Applicant admits that registration of Applicant's mark would provide Applicant with *prima facie* exclusive rights therein, but denies the remaining allegations of Paragraph 17 of the Opposition.

18. Applicant denies the allegations in Paragraph 18 of the Opposition.

19. Paragraph 19 of the Opposition contains an appointment of counsel, no allegation is made and no response is required.

WHEREFORE, Applicant requests that the Opposition be DENIED.

Respectfully submitted,

Date: March 11, 2011

/Susan Goldsmith/
Susan Okin Goldsmith
Gregory A. Luck
DUANE MORRIS LLP
744 Broad St., Suite 1200
Newark, NJ 07102
Attorneys for Carlos Garciarce Ramirez

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was served upon the following on March 11, 2011, by U.S. Postal Service, first class mail, postage prepaid:

Christine Lebrón-Dykeman
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