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

Proceeding	91200765
Party	Defendant Perks Palooza LLC
Correspondence Address	PERKS PALOOZA LLC 17062 ROYAL COACHMAN DR SISTERS, OR 97759 UNITED STATES
Submission	Answer
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Date	08/11/2011
Attachments	Answer+to+Opposition+Proof+of+Mail+ESSTA+Copy.pdf (1 page)(39170 bytes) Mailed+answer+to+opposition.pdf (3 pages)(63277 bytes)

I hereby certify that on August 11, 2011 I served a true and correct copy of the foregoing ANSWER TO OPPOSITION on Opposer by the U.S. mail addressed as follows:

Couch/Braunsdorf Affinity, Inc.
2561 Territorial Rd.
St. Paul, MN 55114
UNITED STATES

And

Philip A. Jones
Brinks Hofer Gilson & Lione
P.O. Box 10395
Chicago, IL 60610
UNITED STATES

/Jennifer L. Weems/
CEO PerksPalooza LLC

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

In the Matter of Trademark Application No. 85107403
For the mark PerksPalooza
Application Date: 8/13/2010

Couch/Braunsdorf Affinity, Inc.)	Opposition no. <u>91200765</u>
)	
Opposer)	
)	
v.)	
)	Application no. <u>85107403</u>
PerksPalooza LLC,)	
)	
Applicant)	

ANSWER TO OPPOSITION

Applicant PerksPalooza LLC (“PerksPalooza”) answers the Notice of Opposition, filed by Couch/Braunsdorf Affinity, Inc. of Minnesota as follows:

- 1) PerksPalooza is without knowledge sufficient to form a belief as to the truth of the allegations in Paragraph 1, and therefore denies the same.
- 2) PerksPalooza is without knowledge sufficient to form a belief as to the truth of the allegations in Paragraph 2, and therefore denies the same.
- 3) PerksPalooza is without knowledge sufficient to form a belief as to the truth of the allegations in Paragraph 3, and therefore denies the same.
- 4) PerksPalooza is without knowledge sufficient to form a belief as to the truth of the allegations in Paragraph 4, and therefore denies the same.

- 5) PerksPalooza is without knowledge sufficient to form a belief as to the truth of the allegations in Paragraph 5, and therefore denies the same.
- 6) PerksPalooza agrees to the statements in Paragraph 6 to be true.
- 7) PerksPalooza agrees to the statements in Paragraph 7 to be true.
- 8) PerksPalooza is without knowledge sufficient to form a belief as to the truth of the allegations in Paragraph 8, and therefore denies the same.
- 9) PerksPalooza agrees to the statements in Paragraph 9 to be true.
- 10) PerksPalooza agrees to the statements in Paragraph 10 to be true.
- 11) PerksPalooza denies the allegations made in Paragraph 11.
- 12) PerksPalooza denies the allegations made in Paragraph 12.
- 13) PerksPalooza denies the allegations made in Paragraph 13.

WHEREFORE PerksPalooza believes that by signing an Examiner's Admendment on 1/12/2011, where PerksPalooza agreed to the following Disclaimer Statement that: **No Claim is made to the exclusive right to use "Perks" apart from the mark as shown**, and that PerksPalooza has defined its 'Goods and Services' to be a "web based" service, along with "software applications" as stated in Paragraph 9, by the Opposer, and furthermore stated in Paragraph 6, exhibit 1, by the Opposer, in which it is shown to be clear that the Opposer's mark(s) have an entirely separate Classification of Goods and Services, and do not show anywhere to claim the Classification of Goods as "web based" or "software applications" Applicant believes it is unlikely that there would be any confusion to the public, between Opposer's mark(s) and Applicant's mark, that could cause any harm or injury to the public, or any damage to the Opposer.

Therefore Applicant respectfully requests that the opposition filed by Couch/Braunsdorf Affinity, against PerksPalooza LLC Inc, be denied.

Respectfully Submitted,

PerksPalooza LLC

Dated: August 11, 2011

By: Jennifer L. Weems/
Jennifer L. Weems
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