

ESTTA Tracking number: **ESTTA595927**

Filing date: **04/01/2014**

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

Proceeding	91215026
Party	Defendant Western Holdings, LLC
Correspondence Address	DAVID R. PARKINSON 5742 W HAROLD GATTY DR SALT LAKE CITY, UT 84116-3762  IP@mjstc.net
Submission	Answer
Filer's Name	David R. Parkinson
Filer's e-mail	IP@ppktrial.com, davidparkinson@ppktrial.com
Signature	/David R. Parkinson/
Date	04/01/2014
Attachments	Answer Glyterra.pdf(16323 bytes )



4. Western admits the application was filed, denies the remaining allegations of Paragraph 4 of Opposer's Notice of Opposition.

5. Western admits the allegations of Paragraph 5 of Opposer's Notice of Opposition.

6. Western hereby incorporates and realleges the denials in preceding paragraphs 1 through 5, as if set forth fully herein.

7. Western denies the allegations of Paragraph 7 of Opposer's Notice of Opposition.

8. Western denies the allegations of Paragraph 8 of Opposer's Notice of Opposition.

9. Western hereby incorporates and realleges the denials in preceding paragraphs 1 through 8, as if set forth fully herein .

10. Western denies the allegations of Paragraph 10 of Opposer's Notice of Opposition.

11. Western denies the allegations of Paragraph 11 of Opposer's Notice of Opposition.

#### **FIRST AFFIRMATIVE DEFENSE**

Opposer's Notice of Opposition fails to state a claim against the Defendant upon which relief can be granted.

#### **SECOND AFFIRMATIVE DEFENSE**

Opposer's Notice of Opposition is barred, in whole or in part, by good faith.

#### **THIRD AFFIRMATIVE DEFENSE**

Opposer's Notice of Opposition is barred, in whole or in part, by lack of standing.

#### **FOURTH AFFIRMATIVE DEFENSE**



**CERTIFICATE OF SERVICE**

I hereby certify that on this 1<sup>st</sup> day of April, 2014, a true and correct copy of the **ANSWER TO NOTICE OF OPPOSITION** was served, postage pre-paid via U.S. mail to the address listed below; and electronically submitted through the Electronic System for Trademark Trials and Appeal (“ESTTA”):

Kenneth L. Wilton  
Seyfarth Shaw LLP  
2029 Century Park East, Suite 3500  
Los Angeles, CA 90067-3021

Susan J. Hinchey  
Corporate Trademark Manager  
Allergan, Inc.  
2525 Dupont Drive  
Irvine, CA 92612

/s/ David R. Parkinson  
\_\_\_\_\_  
David R. Parkinson