

ESTTA Tracking number: **ESTTA631192**

Filing date: **10/06/2014**

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

Proceeding	91218103
Party	Defendant E S Devices
Correspondence Address	VICTORIA CARVER CARVER LAW PO BOX 206 BELLEFONTE, PA 16823 vc@etmlaw.com
Submission	Answer
Filer's Name	Victoria Carver
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Date	10/06/2014
Attachments	Applicant's Answer.pdf(700119 bytes)

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

Luxi Electronics Corp.)
)
Opposer,)
)
v.)
)
E S Devices)
)
Applicant.)
)

Opposition No. 91218103

APPLICANT'S ANSWER TO OPPOSITION

COMES NOW Applicant, E S Devices, by and through its below listed counsel of record and hereby responds as follows:

1. In answer to Paragraph 1, Applicant is without sufficient information or facts to form a belief and therefore the same is denied.
2. In answer to Paragraph 2, Applicant is without sufficient information or facts to form a belief and therefore the same is denied.
3. In answer to Paragraph 3, Applicant is without sufficient information or facts to form a belief and therefore the same is denied.
4. In answer to Paragraph 4, Applicant is without sufficient information or facts to form a belief and therefore the same is denied.
5. In answer to Paragraph 5, Applicant is without sufficient information or facts to form a belief and therefore the same is denied.

6. In answer to Paragraph 6, Applicant is without sufficient information or facts to form a belief and therefore the same is denied.
7. In answer to Paragraph 7, Applicant is without sufficient information or facts to form a belief and therefore the same is denied.
8. In answer to Paragraph 8, Applicant is without sufficient information or facts to form a belief and therefore the same is denied.
9. In answer to Paragraph 9, the same is admitted.
10. In answer to Paragraph 10, the same is denied.
11. In answer to Paragraph 11, the same is denied.
12. Applicant states affirmatively that it has been unable to satisfy its obligations pursuant to FRCP 11 in order to file compulsory cancellation counterclaims or to affirmatively assert applicable affirmative defenses per FRCP 8, but expressly reserves its right to do so if additional facts to support such cancellation counterclaims are subsequently discovered.
13. Any allegations in the Notice of Opposition that are not specifically admitted herein are denied.

WHEREFORE, Applicant respectfully prays that this Opposition be dismissed.


Respectfully submitted,
Attorney for Applicant

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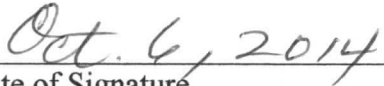
Dated: Oct. 6, 2014

CERTIFICATE OF TRANSMISSION AND SERVICE

Counsel for Applicant hereby certifies that the foregoing **Applicant's Answer to Notice of Opposition** is being electronically filed with the Trademark Trial and Appeal Board on October 6, 2014; and a copy of **Applicant's Answer to Notice of Opposition**, is being mailed by first class mail to Opposer's attorney of record, Jonathan A. Claypool, at his requested address for receipt of correspondence, 254 Chiquita Street, Laguna Beach, CA 92651, on October 6, 2014.



Victoria A. Carver, Atty.



Date of Signature