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

Proceeding	91221928
Party	Defendant Owen Ryan
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Submission	Answer
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Date	09/24/2015
Attachments	ANSWER TO PETITION TO CANCEL VITAMINBLUE.pdf(243414 bytes)

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OWEN RYAN

Mark: VITAMIN BLUE

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

VDF FUTURECEUTICALS, INC.,

v.

Petitioner,

OWEN RYAN

Respondent

ANSWER TO PETITION TO CANCEL

PetitionNo. 91221928 (Parent)

Cancellation No. 92062086

Registration Number: 4,418,801

ANSWER TO PETITION TO CANCEL

Owen Ryan, hereinafter "Respondent," hereby answers the Petition for Cancellation ("Petition") filed by VDF FUTURECEUTICALS, INC, hereinafter "Petitioner," as follows

Respondent denies the allegation in the unnumbered introductory paragraph of the Petition which states that Petitioner believes that it will be damaged by the

registration for the mark VITAMIN BLUE (“Respondent’s Mark”). In response to the individually numbered paragraphs of the Petition, Respondent responds as follows:

1. Respondent is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 1 of the Petition, and on that basis denies each and every allegation contained therein.

2. Respondent is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 2 of the Petition, and on that basis denies each and every allegation contained therein.

3. Respondent is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 3 of the Petition, and on that basis denies each and every allegation contained therein

4. Respondent is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 4 of the Petition, and on that basis denies each and every allegation contained therein

5. Respondent admits the allegations of Paragraph 5 of the Petition

6. Respondent admits that Petitioner has attached registration certificates to the Petition which purports to be owned by Petitioner

7. Respondent is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 7 of the Petition, and on that basis denies each and every allegation contained therein.

8. Respondent is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 8 of the Petition, and on that basis denies each and every allegation contained therein

9. Respondent is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 9 of the Petition, and on that basis denies each and every allegation contained therein

10. Respondent is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 10 of the Petition, and on that basis denies each and every allegation contained therein

11. Respondent denies each and every allegation of Paragraph 11 of the Petition

12. Respondent admits that Petitioner has attached as Exhibit B what purports to be its website.

13. Respondent denies each and every allegation of Paragraph 13 of the Petition

14. Respondent denies each and every allegation of Paragraph 14 of the Petition.

15. Respondent admits the allegations in Paragraph 15 of the Petition

16. Respondent admits the allegations in Paragraph 16 of the Petition

17. Respondent admits the allegations in Paragraph 17 of the Petition

18. Respondent admits the allegations in Paragraph 18 of the Petition

19. Respondent admits the allegations in Paragraph 19 of the Petition

20. Respondent admits the allegations in Paragraph 20 of the Petition

21. Respondent is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 21 of the Petition, and on that basis denies each and every allegation contained therein

22. Respondent is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 22 of the Petition, and on that basis denies each and every allegation contained therein

23. Respondent is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 23 of the Petition, and on that basis denies each and every allegation contained therein

24. Respondent denies each and every allegation in Paragraph 24 of the Petition.

25. Respondent denies each and every allegation in Paragraph 25 of the Petition.

26. Respondent denies each and every allegation in Paragraph 26 of the Petition.

27. Respondent is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 27 of the Petition, and on that basis denies each and every allegation contained therein

28. Respondent is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 28 of the Petition, and on that basis denies each and every allegation contained therein

29. Respondent is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in Paragraph 29 of the Petition, and on that basis denies each and every allegation contained therein

30. Respondent denies each and every allegation in Paragraph 30 of the Petition.

31. Respondent denies each and every allegation in Paragraph 31 of the Petition

32. Respondent denies each and every allegation in Paragraph 32 of the Petition

Wherefore, Respondent requests that the Petition be dismissed with prejudice.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jay Begler". The signature is written in a cursive style with a large initial "J" and "B".

Jay Begler, Niesar & Vestal LLP

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the attached Answer to Petition for Cancellation is being electronically transmitted to the Trademark Trial and Appeal Board on September 24, 2015 and served by first class mail, postage prepaid, and by email to

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Jay Begler