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

Proceeding	91222131
Party	Defendant Xyngular Corporation
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Submission	Answer
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

GLOBAL NUTRITION GROUP, INC.

Opposer,

v.

XYNGULAR CORPORATION,

Applicant.

Opposition No. 91222131

Serial No.: 86/460,708

Mark: XR2 (stylized)

**ANSWER**

Xyngular Corporation (“Applicant”) submits the following Answer to the Notice of Opposition (“Opposition”) filed by Global Nutrition Group, Inc. (“Opposer”) against the above-referenced application as follows:

1. Applicant admits that the USPTO’s TESS database shows that Global Nutrition Group, Inc. owns Reg. No. 4,358,666. Applicant is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations contained in Paragraph 1 of the Opposition and on that basis denies each and every such allegation.

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

3. Admitted.

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

5. Denied.

6. Denied.

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

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

9. Denied.

10. Denied.

11. Denied.

#### **AFFIRMATIVE DEFENSES**

1. Opposer has failed to state a claim upon which relief can be granted.

2. Applicant reserves the right to assert additional affirmative defenses and to supplement those asserted herein upon discovery of further information and investigation into the Opposer's claims.

WHEREFORE, Applicant respectfully requests that Opposer's Notice of Opposition be dismissed with prejudice, and that a Notice of Allowance be issued with respect to Serial No. 86/460,708.

Date: July 7, 2015

Respectfully submitted,

/s/Brett Ekins  
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