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

Proceeding	91224573
Party	Defendant Smile Expressions P.A.
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Submission	Answer
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Date	12/03/2015
Attachments	Smile Expressions Answer to Opposition.pdf(218610 bytes)

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

ADG, LLC,

Opposer,

v.

SMILE EXPRESSIONS P.A.,

Applicant,

Opposition No.: 91224573
Mark: SMILE EXPRESSIONS

ANSWER TO NOTICE OF OPPOSITION

Applicant, Smile Expressions P.A., ("Applicant"), by and through its undersigned counsel, hereby answers and asserts affirmative defenses to the Notice of Opposition filed by Opposer, the ADG, LLC ("Opposer") and given Opposition No. 91224573 by the United States Patent and Trademark Office (the "Opposition"), as follows:

GENERAL DENIAL

Applicant denies each and every allegation, matter, or thing contained in the Opposition which is not expressly admitted, qualified, or answered herein.

INTRODUCTORY PARAGRAPH

Applicant denies the allegation in the introductory unnumbered paragraph of the Opposition that Opposer will be damaged by the registration of the SMILE EXPRESSIONS mark, App. No. 85/658,932 ("Applicant's Application") as Opposer has no legitimate basis for the claim that it owns exclusive rights in the words SMILE or EXPRESSION. For the remaining allegations, Application is without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations.

INDIVIDUAL ALLEGATIONS

Applicant hereby responds, solely for the purpose of this proceeding, to each of the grounds set forth in the Opposition, as follows:

1. Applicant is without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations in paragraph 1 of the Opposition and therefore denies each and every allegation set forth therein.

2. Applicant is without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations in paragraph 2 of the Opposition and therefore denies each and every allegation set forth therein.

3. Applicant is without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations in paragraph 3 of the Opposition and therefore denies each and every allegation set forth therein.

4. Applicant is without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations in paragraph 4 of the Opposition and therefore denies each and every allegation set forth therein.

5. Applicant admits that it filed Applicant's Application with the USPTO and denies the remaining allegations in paragraph 5 of the Opposition.

6. Applicant is without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations in paragraph 6 of the Opposition and therefore denies each and every allegation set forth therein.

7. Applicant denies the allegations made in Paragraph 7 of the Opposition.

As for Affirmative Defenses, Applicant states as following:

AFFIRMATIVE DEFENSES

8. Applicant reserves the right to rely on such other and further defenses as may be supported by facts to be determined through full and complete discovery and to amend its Answer to assert such defenses.

WHEREFORE, Applicant prays that the Trademark Trial and Appeal Board deny the Notice of Opposition and permit the registration of the Applicant's Application.

Respectfully submitted,




By:
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CERTIFICATE OF SERVICE

I hereby certify that true copies of the Answer to Notice of Opposition were deposited as Priority Mail with the United States Postal Service on December 3, 2015 to the Attorney for Opposer at the following address:

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