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

Proceeding	91224992
Party	Defendant Sobral Invicta S.A.
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of Application No. 86/378,683

Mark: INVICTA

INVICTA WATCH COMPANY OF AMERICA,  
INC.

Opposer,

v.

SOBRAL INVICTA S.A.

Applicant.

Opposition No.: 91224992

**ANSWER TO NOTICE OF OPPOSITION AND AFFIRMATIVE DEFENSES**

Pursuant to 37 CFR 2.106(b), Applicant Sobral Invicta S.A. ("Sobral" or "Applicant") submits the following Answer to the Notice of Opposition. In response to the correspondingly numbered paragraphs in the Notice of Opposition, Applicant responds as follows:

1. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 1 and they are therefore denied.
2. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 2 and they are therefore denied.
3. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 3 and they are therefore denied.
4. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 4 and they are therefore denied.
5. Applicant admits the allegations of paragraph 5.
6. Applicant is without knowledge or information sufficient to form a belief as to the truth of the

allegations of paragraph 6 and they are therefore denied.

7. Applicant denies the allegations of paragraph 7.

8. Applicant admits the allegations of paragraph 8.

9. Based on information and belief, the allegations of paragraph 9 are denied.

10. Based on information and belief, the allegations of paragraph 10 are denied.

11. Applicant denies the allegations of paragraph 11.

12. Applicant denies the allegations of paragraph 12.

13. Applicant denies the allegations of paragraph 13.

14. Applicant denies the allegations of paragraph 14.

15. Applicant denies the allegations of paragraph 15.

16. Applicant denies the allegations of paragraph 16.

### **AFFIRMATIVE DEFENSES**

#### **First Affirmative Defense**

##### **Failure to State a Claim for Relief**

The Notice of Opposition fails to state a claim upon which relief may be granted.

#### **Second Affirmative Defense**

##### **Additional Affirmative Defenses**

Applicant reserves the right to assert additional affirmative defenses in the event that discovery indicates that such additional affirmative defenses are available.

Wherefore, Applicant requests that the Opposition be dismissed and that a Notice of Allowance be issued for Application No. 86/378,683.

Respectfully submitted,  
PEARNE & GORDON LLP

Date: June 28, 2016

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Certificate of Service

I hereby certify that on June 28, 2016, a copy of the foregoing Answer was mailed by U.S. First Class mail to the attorney for Opposer as follows:

HOWARD NATTER  
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501 5TH AVENUE, SUITE 808  
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John P. Murtaugh  
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