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Filing date: **01/03/2018**

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

Proceeding	91237763
Party	Plaintiff Holy City Skin Products, LLC
Correspondence Address	NATALMA M MCKNEW THOMAS W EPTING SMITH MOORE LEATHERWOOD LLP PO BOX 87 GREENVILLE, SC 29602 UNITED STATES Email: tami.mcknew@smithmoorelaw.com, tom.epting@smithmoorelaw.com, barbara.ballew@smithmoorelaw.com
Submission	Answer to Counterclaim
Filer's Name	Natalma M. McKnew
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Signature	/Natalma M. McKnew/
Date	01/03/2018
Attachments	Answer to Counterclaim.pdf(11002 bytes)

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

Holy City Skin Products, LLC,)	Opposition No. 91237763
)	
Opposer)	Trademark App. No. 87/250,354
)	
v.)	Mark: MISCELLANEOUS DESIGN
)	
Secret of the Islands, Inc.,)	Published in the <i>Official Gazette</i> on
)	October 31, 2017.
Applicant.)	

OPPOSER’S REPLY TO APPLICANT’S COUNTERCLAIM

Opposer Holy City Skin Products, LLC replies to the Counterclaim asserted by Applicant Secret of the Islands, Inc. as follows:

Applicant fails to state a claim upon which relief can be granted, as set forth in Rule 12(b)(6), Federal Rules of Civil Procedure, in that, *inter alia*:

1. The asserted counterclaim is not cognizable in a proceeding before the Trademark Trial and Appeals Board; and
2. Holy City Skin Products, LLC’s opposition in this proceeding constitutes reasonable and protected activity consistent with the jurisdiction of this tribunal and applicable legal precepts; and
3. Neither damages nor attorneys’ fees are cognizable in this Proceeding.

Opposer reserves the right to assert additional defenses and objections as appropriate.

Respectfully submitted,

/Natalma M. McKnew/

Natalma M. McKnew, Esq.

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Dated: January 3, 2018

*ATTORNEYS FOR OPPOSER HOLY CITY SKIN
PRODUCTS, LLC*

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_____ Applicant.)	

CERTIFICATE OF MAILING

I hereby certify that a true and complete copy of the foregoing OPPOSER’S REPLY TO APPLICANT’S COUNTERCLAIM has been served on the attorney of record for Holy City Skin Products, LLC on January 3, 2018 via email and U.S. Mail, postage prepaid to:

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