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Filing date: **06/07/2018**

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

Proceeding	91241270
Party	Defendant Christos Dovas New York Corp.
Correspondence Address	CHRISTOS DOVAS NEW YORK CORP. CHRISTOS DOVAS NEW YORK CORP. 445 PARK AVENUE 9TH FL NEW YORK, NY 10022 Email: info@christosdovas.com
Submission	Answer
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Date	06/07/2018
Attachments	Answer to Opposition_91241270 Christos Dovas.pdf(133598 bytes )



business, and Applicant denies knowledge or information sufficient to form a belief as to the truth of the remaining allegations in such unnumbered paragraph.

1. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 1 of the Notice of Opposition.
2. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 2 of the Notice of Opposition.
3. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 3 of the Notice of Opposition.
4. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 4 of the Notice of Opposition.
5. Applicant denies the allegation in Paragraph 5 of the Notice of Opposition that Opposer's CHRISTOS trademark has become a famous trademark. Applicant is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 5 of the Notice of Opposition.
6. To the extent that Opposer's Registration for Opposer's CHRISTOS mark, only lists: "wedding gowns, bridal veils and headpieces" as goods, Applicant denies the allegations set forth in Paragraph 6 of the Notice of Opposition, insofar as they relate to claims of ownership of the mark for "related goods and accessories, as well as retail store services for the same".
7. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 7 of the Notice of Opposition.
8. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 8 of the Notice of Opposition.

9. Applicant denies the allegation that Opposer's CHRISTOS mark has become famous, set forth in Paragraph 9 of the Notice of Opposition. Applicant is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations set forth in Paragraph 9 of the Notice of Opposition.
10. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 10 of the Notice of Opposition. Applicant admits that a print-out of Opposer's registration from the electronic database records of the United States Patent and Trademark Office is attached to the Notice of Opposition as Exhibit A.
11. Applicant admits the allegations set forth in Paragraph 11 of the Notice of Opposition.
12. Applicant denies the allegations set forth in Paragraph 12 of the Notice of Opposition.
13. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 13 of the Notice of Opposition.
14. Applicant denies the allegations set forth in Paragraph 14 of the Notice of Opposition.

**COUNT ONE**

**(Likelihood of Confusion)**

15. No response is required as to the allegations contained in Paragraph 15 of the Notice of Opposition. To the extent that a response is required, Applicant denies the allegations set forth in Paragraph 15 of the Notice of Opposition.
16. Applicant admits that Opposer's CHRISTOS mark is identical to the first word of Applicant's CHRISTOS DOVAS NEW YORK mark in sound, appearance and meaning. Applicant denies the remaining allegations set forth in Paragraph 16 of the Notice of Opposition.
17. Applicant denies the allegations set forth in Paragraph 17 of the Notice of Opposition.

18. Applicant denies the allegations set forth in Paragraph 18 of the Notice of Opposition.
19. Applicant denies the allegations set forth in Paragraph 19 of the Notice of Opposition.
20. Applicant denies the allegations set forth in Paragraph 20 of the Notice of Opposition.

## **COUNT TWO**

### **(Dilution)**

21. No response is required as to the allegations contained in Paragraph 21 of the Notice of Opposition. To the extent that a response is required, Applicant denies the allegations set forth in Paragraph 21 of the Notice of Opposition.
22. Applicant denies the allegation that Opposer's CHRISTOS mark has become famous. Applicant is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations set forth in Paragraph 22 of the Notice of Opposition.
23. Applicant denies the allegations set forth in Paragraph 23 of the Notice of Opposition.

## **AFFIRMATIVE DEFENSES**

24. Applicant alleges that the Notice of Opposition fails to allege facts sufficient to entitle Opposer to the remedy sought.
25. Applicant alleges that Opposer fails to state a claim upon which relief can be granted.
26. Applicant alleges that there is no likelihood of confusion between Opposer's CHRISTOS mark and Applicant's CHRISTOS DOVAS NEW YORK mark.
27. Applicant has a prior registration for the mark CHRISTOS DOVAS for similar goods.

28. Applicant expressly reserves its rights to affirmatively assert any and all applicable affirmative defenses per FRCP 8, if additional facts to support such Opposition counterclaims are subsequently discovered.

WHEREFORE, Applicant requests that the Notice of Opposition filed in the above-styled proceeding be dismissed.

Dated: June 7, 2018

Electronically filed via ESTTA

Respectfully submitted,

**PARDALIS & NOHAVICKA, LLP**

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## CERTIFICATE OF SERVICE

I hereby certify that on this 7<sup>th</sup> day of June, 2018 I caused a copy of the foregoing Applicant's Answer to Notice of Opposition to be served by email to:

Robert L. Epstein

*Attorney for Opposer*

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