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

Proceeding	91242732
Party	Defendant God Mami
Correspondence Address	FRANCIS JOHN CIARAMELLA, ESQUIRE RICK RUZ, PLLC 300 SEVILLA AVENUE, SUITE 301 CORAL GABLES, FL 33134 francis@ruzlaw.com, rickruz@ruzlaw.com no phone number provided
Submission	Answer
Filer's Name	Francis John Ciaramella, Esquire
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Date	09/07/2018
Attachments	Answer to Notice of Opposition.pdf(100569 bytes)

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

ISACO INTERNATIONAL CORPORATION,

Opposer,

v. Opposition No. 91242732

GOD MAMI LLC,

Applicant.

APPLICANT'S ANSWER TO NOTICE OF OPPOSITION

In response to the Notice of Opposition (hereafter "Notice") filed by ISACO INTERNATIONAL CORPORATION (hereafter "Opposer") on July 31, 2018, the Applicant, GOD MAMI LLC (hereafter "Applicant"), answers the Notice identified above as follows:

1. In response to the allegations of paragraph 1 of the Notice, the Applicant is without knowledge.
2. In response to the allegations of paragraph 2 of the Notice, the Applicant is without knowledge.
3. In response to the allegations of paragraph 3 of the Notice, the Applicant is without knowledge.
4. In response to the allegations of paragraph 4 of the Notice, the Applicant is without knowledge.
5. In response to the allegations of paragraph 5 of the Notice, the Applicant is without knowledge.

6. In response to the allegations of paragraph 6 of the Notice, the Applicant is without knowledge.
7. In response to the allegations of paragraph 7 of the Notice, the Applicant is without knowledge.
8. Applicant denies the allegations of paragraph 8 of the Notice.
9. In response to the allegations of paragraph 9 of the Notice, the Applicant is without knowledge.
10. Applicant denies the allegations of paragraph 10 of the Notice.
11. In response to the allegations of paragraph 11 of the Notice, the Applicant is without knowledge.
12. Applicant denies the allegations of paragraph 12 of the Notice.
13. Applicant denies the allegations of paragraph 13 of the Notice. Specifically, GODPAPI is one unitary mark, with a distinct meaning apart from any of Opposer's "PAPI" marks.
14. Applicant denies the allegations of paragraph 14 of the Notice.
15. In response to the allegations of paragraph 15 of the Notice, the Applicant is without knowledge.
16. Applicant denies the allegations of paragraph 16 of the Notice.
17. Applicant denies the allegations of paragraph 17 of the Notice.
18. Applicant denies the allegations of paragraph 18 of the Notice.
19. Applicant denies the allegations of paragraph 19 of the Notice.
20. Applicant denies the allegations of paragraph 20 of the Notice.
21. Applicant denies the allegations of paragraph 21 of the Notice.
22. Applicant denies the allegations of paragraph 22 of the Notice.

Affirmative Defenses

In further answer to the Notice, the Applicant asserts that:

First Affirmative Defense

23. Opposer's Notice fails to state a claim upon which relief can be granted, and in particular, fails to state legally sufficient grounds for sustaining the opposition.

Second Affirmative Defense

24. Upon information and belief, Opposer has no priority of use to the GODPAPI mark.

Third Affirmative Defense

25. There is no similarity between Applicant's mark and Opposer's marks as to appearance. Specifically, the Applicant's mark is for the word GODPAPI, whereas the Opposer's marks are for PAPI. Each respective mark is for an entirely different word.

Fourth Affirmative Defense

26. The Opposer's marks do not sound like the Applicant's Mark. Specifically, the Applicant's Mark requires the pronunciation of the additional word prefix "GOD."

Fifth Affirmative Defense

27. The connotation of the respective marks is completely different. Specifically, Applicant's mark for GODPAPI is a portmanteau of the English word "GOD," and the Spanish word "PAPI," which can be translated as father. Accordingly, the Applicant's mark is read and understood as GODFATHER. A godfather is a man who presents a child at baptism, or one who supports or inspires. The Opposer's marks for PAPI, through the Doctrine of Equivalents, are translated into English and read as FATHER or DADDY in English. Accordingly, the marks carry significant differences in overall commercial impression.

Sixth Affirmative Defense

28. Purchasers of goods sold along with the relevant marks are careful and sophisticated, thus making any confusion or mistake amongst potential overlapping consumers highly unlikely.

Seventh Affirmative Defense

29. The respective trademarks, as appears on each party's respective goods and services, do not create the same or overall commercial impression when viewed separately by the ordinary consumer.

Eighth Affirmative Defense

30. Ordinary Consumers would not confuse or conclude that the parties' products share a common source or affiliation or connection.

Ninth Affirmative Defense

31. On information and belief, Opposer's goods are more expensive than that of the Applicant; thus, Consumers are unlikely to purchase Opposer's goods supposing they derive from Applicant or vice versa.

Tenth Affirmative Defense

32. Opposer has no examples of any actual confusion amongst consumers with regards to Applicant's Mark and Opposer's marks.

Applicant reserves the right to amend this Answer to assert any additional affirmative defenses arising from any applicable facts or law that may be revealed during discovery.

Relief Requested

WHEREFORE, the Applicant asks that this Opposition proceeding be dismissed forthwith.

By:____*/Francis John Ciaramella/*_____
Francis John Ciaramella, Esq.
Florida Bar No. 111927

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Dated: September 7, 2018

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing Answer to Notice of Opposition has been served on the following via email:

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By:____*/Francis John Ciaramella/*_____
Francis John Ciaramella, Esq.
Florida Bar No. 111927

Dated: September 7, 2018