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

Proceeding	91244593
Party	Defendant JH Biotech, Inc.
Correspondence Address	RALPH D CHABOT LAW OFFICE OF RALPH D. CHABOT 2310 E. PONDEROSA DR., STE 4 CAMARILLO, CA 93010-4747 rdc@chabotlaw.com no phone number provided
Submission	Answer
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Date	12/14/2018
Attachments	Answer.pdf(98400 bytes)

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

In the Matter of:

Mark: SEEDUP
Application No.: 87/953,971

Cytozyme Laboratories, Inc.)	
)	
Opposer,)	Opposition No.: 91244593
)	
vs.)	
)	
JH Biotech, Inc.)	
)	
Applicant.)	
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APPLICANT’S ANSWER

In response to the Notice of Opposition filed by Cytozyme Laboratories, Inc. against the application by JH Biotech, Inc. to register the mark SEEDUP, Applicant answers as follows:

1. Applicant admits to the allegation regarding its principal place of business; however, JHB is a corporation organized under the laws of the State of Delaware.
2. Applicant admits the allegations of paragraph 2.
3. Applicant denies the allegations of paragraph 3. Applicant admits that the SEEDUP mark was used in commerce at least as early as June 7, 2018.
4. Applicant has insufficient knowledge and information to admit or deny and

therefore denies the allegations of paragraph 4.

5. Applicant has insufficient knowledge and information to admit or deny and therefore denies the allegations of paragraph 5.

6. Applicant has insufficient knowledge and information to admit or deny and therefore denies the allegations of paragraph 6.

7. Applicant denies the allegations of paragraph 7.

8. Applicant denies the allegations of paragraph 8.

9. Applicant denies the allegations of paragraph 9.

10. Applicant denies the allegations of paragraph 10.

FIRST AFFIRMATIVE DEFENSE
Opposer's SEED+ Mark is Weak

11. The term "SEED" is part of numerous registrations in class 001 owned by multiple unrelated companies, such that Opposer's mark is weak and entitled to limited protection.

Respectfully submitted,

Date: December 14, 2018

/s/ Ralph D. Chabot

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Attorney for Applicant
JH BIOTECH, INC.

PROOF OF SERVICE

I hereby certify that a true and complete copy of the foregoing **ANSWER** has been served on Peter M. de Jonge of Thorpe North & Western, LLP, counsel for Opposer, by forwarding said copy on December 14, 2018 via email to: dejonge@tnw.com; jillaine.chaston@tnw.com; kaelynn.moultrie@tnw.com; aimee.kaderabek@tnw.com; litigation@tnw.com.

/s/ Ralph D. Chabot

Ralph D. Chabot
Attorney for Applicant
JH Biotech, Inc.

Date: December 14, 2018