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

Proceeding	91245801
Party	Defendant Alain LeNotre, Marie LeNotre
Correspondence Address	JOHN C. CAIN FLECKMAN & MCGLYNN, PLLC 8945 LONG POINT RD, SUITE 120 HOUSTON, TX 77055 trademarks@fleckman.com no phone number provided
Submission	Answer
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Date	02/19/2019
Attachments	2019.02.19 Answer to Opposition.pdf(102153 bytes )

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

LENÔTRE S.A.,	§	
	§	
Opposer,	§	Opposition No. 91245801
v.	§	
	§	Application Serial No. 87/105,897
ALAIN LENOTRE and	§	
MARIE LENOTRE	§	Mark: LENOTRE
	§	
Applicant	§	
	§	

**ANSWER TO NOTICE OF OPPOSITION**

Applicants, Alain Lenotre and Marie Lenotre (“The Lenotres” or “Applicants”), by their undersigned attorneys, answer the Notice of Opposition filed by LENÔTRE S.A. (“Opposer”) to The Lenotres’ trademark Application Serial No. 87/105,897 for the mark LENOTRE as follows, with each numbered paragraph corresponding to each numbered paragraph in the “Notice of Opposition”:

1. Applicants are not aware of Opposer offering any of the referenced services or products in the United States. Applicants are aware that the Trademark Office TESS database did show Opposer as the owner of prior U.S. registrations that consisted of or incorporated the word “LeNotre” but that all such registrations have been cancelled because Opposer failed to file the necessary declarations and evidence to show that the marks were actually used in U.S. commerce. Applicants are without knowledge or information sufficient to form a belief as to the truth of the remaining allegations of paragraph 1 of the Notice of Opposition, and therefore deny the same.

2. Applicants have used the LENOTRE mark in connection with consulting services in the culinary arts field in the United States since at least as early as 1984. Applicants are not aware of Opposer offering any of the referenced services in the United States. Applicants are

without knowledge or information sufficient to form a belief as to the truth of the remaining allegations of paragraph 2 of the Notice of Opposition, and therefore deny the same.

3. Applicants have used the LENOTRE mark in connection with education and consulting services in the culinary arts field in the United States since at least as early as 1998. Applicants are not aware of Opposer offering any of the referenced products or services in the United States. Applicants are without knowledge or information sufficient to form a belief as to the truth of the remaining allegations of paragraph 3 of the Notice of Opposition, and therefore deny the same.

4. Applicants admit that prior litigation between the parties resulted in the Consent Judgment attached to the Notice of Opposition and that all of Opposer's U.S. Trademark Registrations referenced in the Consent Judgment as the basis for Opposer's rights in the U.S. have been cancelled because Opposer failed to file the necessary declarations and evidence to show that the marks were actually used in U.S. commerce. Applicants are without knowledge or information sufficient to form a belief as to the truth of the remaining allegations of paragraph 4 of the Notice of Opposition, and therefore deny the same.

5. Admitted.

6. Denied.

7. Denied.

8. Denied.

Wherefore, Applicants respectfully request that this opposition proceeding be dismissed and their application be allowed to proceed to registration.

February 19, 2019

Respectfully submitted,



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ATTORNEY FOR APPLICANTS,  
Alain Lenotre and Marie Lenotre

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Answer to Notice of Opposition was served on Opposer's Counsel, Timothy H. Hiebert, Samuels & Hiebert LLC, Two International Place, Suite 2330, Boston, MA 02110 today, February 19, 2019, via email to hiebert@samuelsTM.com.

