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

Proceeding	91245906
Party	Defendant Grand Brand LLC
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Submission	Answer
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Signature	/s/
Date	02/26/2019
Attachments	Grand Brand LLC - Answer copy.pdf(82232 bytes )

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

Dorel Juvenile Group, Inc., and Cosco  
Management, Inc.

Opposers,

v.

Grand Brand LLC,

Applicant.

U.S. Application Serial No.: **88014127**  
Mark: **1ST BABY SAFETY**  
Opposition No.: **91245906**

**GRAND BRAND, LLC'S ANSWER TO NOTICE OF OPPOSITION**

SD Vending Inc. ("Applicant") by and through its undersigned counsel, hereby submits the following Answer to the Notice of Opposition filed by Dorel Juvenile Group, Inc., and Cosco Management, Inc. ("Opposer").

**Nature of Action**

1. Applicant lacks sufficient information to admit or deny the truth of the allegations contained in Paragraph 1 of the Notice of Opposition.
2. Applicant lacks sufficient information to admit or deny the truth of the allegations contained in Paragraph 2 of the Notice of Opposition.
3. Applicant lacks sufficient information to admit or deny the truth of the allegations contained in Paragraph 3 of the Notice of Opposition. To the extent Opposer refers to documents, Applicant respectfully refers the Board to the referenced documents for their contents.
4. Applicant admits the allegations contained in Paragraph 4 of the Notice of Opposition.
5. Applicant lacks sufficient information to admit or deny the truth of the allegations contained in Paragraph 5 of the Notice of Opposition, or otherwise denies the same.

6. Applicant denies the allegations contained in Paragraph 6.
7. Applicant denies the allegations contained in Paragraph 7.
8. Applicant denies the allegations contained in Paragraph 8.
9. Applicant denies the allegations contained in Paragraph 9.
10. Applicant denies the allegations contained in Paragraph 10.
11. Applicant denies the allegations contained in Paragraph 11.

#### **AFFIRMATIVE DEFENSES**

1. The Notice of Opposition fails to state a claim upon which relief may be granted.
2. Opposer's claims are barred by the doctrine of unclean hands.
3. There is no likelihood of confusion between Opposer's alleged marks and Applicant's mark.
4. Opposer's and Applicant's goods and services are not similar such that a likelihood of confusion between the marks exists.
5. Opposer's and Applicant's customers and channels of trade are not similar such that a likelihood of confusion between the marks exists.
6. Plaintiff's Complaint is barred, in whole or in part, by the equitable doctrines of acquiescence, laches, or estoppel.

**WHEREFORE**, Applicant respectfully requests that the Notice of Opposition be denied in all respects.

DATED: New York, New York  
February 26, 2019

Respectfully submitted,

/s/

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