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

Proceeding	91249169
Party	Defendant Evolve Awareness Apparel, LLC
Correspondence Address	KAELA JOYNER, NY BAR MEMBER REG. NO. 541 LEGALZOOM LEGAL SERVICES, LTD. 101 N. BRAND BLVD., 11TH FLOOR GLENDALE, CA 91203 tm@lzlegalservices.com no phone number provided
Submission	Answer
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Date	08/06/2019
Attachments	Answer to Notice of Opposition_91249169_LIMITBREAKER_Limitbreaker vs. Evolve Awareness Apparel, LLC.pdf(63479 bytes)

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

Limitbreaker,

Opposer,

v.

Evolve Awareness Apparel,
LLC,

Applicant.

Opposition No. 91,249,169

Serial No. 88,236,664

Trademark: LIMITBREAKER

ANSWER TO NOTICE OF OPPOSITION

Applicant, Evolve Awareness Apparel, LLC, ("Applicant") by and through its counsel, Sturman Law, LLC, by way of Answer to Opposer Limitbreaker's ("Opposer") Notice of Opposition to Serial No. 88236664 states as follows:

1. Applicant admits that US Serial Number 88,236,664 seeks registration of the trademark LIMITBREAKER in connection with Bottoms as clothing; Headbands for clothing; Headwear; Hoodies; Leggings; Sports bra; T-shirts; Tops as clothing in International Class 025.
2. Applicant admits that US Serial Number 88,236,664, was filed by Evolve Awareness Apparel, LLC on December 20, 2018, under Section 1(b) of 'The Trademark Act' 15 U.S. Code § 1051.
3. Applicant is without sufficient information to form a belief about the allegations of Paragraph 3 and therefore, denies Opposer's allegations.

4. Applicant admits that according to the Trademark Electronic Search System (TESS), an application has been filed by Limitbreaker, in connection with Hats; Jackets; Shirts; Tank tops in International Class 025, resulting in the issuance of US Serial Number 88471791 by the United States Patent Trademark Office (USPTO). Applicant is without sufficient information to form a belief about the remaining allegations of Paragraph 4 and therefore, denies Opposer's allegations.
5. Applicant is without sufficient information to form a belief about the allegations of Paragraph 5 and therefore, denies Opposer's allegations.
6. Applicant admits that according to the Trademark Electronic Search System (TESS), an application has been filed by Evolve Awareness Apparel, LLC, in connection with Bottoms as clothing; Headbands for clothing; Headwear; Hoodies; Leggings; Sports bra; T-shirts; Tops as clothing in International Class 025, resulting in the issuance of US Serial Number 88,236,664. Applicant admits that according to the Trademark Electronic Search System (TESS), an application has been filed by Limitbreaker, in connection with Hats; Jackets; Shirts; Tank tops in International Class 025, resulting in the issuance of US Serial Number 88471791 by the United States Patent Trademark Office (USPTO). Applicant is without sufficient information to form a belief about the remaining allegations of Paragraph 6 and therefore, denies Opposer's allegations.
7. Applicant is without sufficient information to form a belief about the allegations of Paragraph 7 and therefore, denies Opposer's allegations.

8. Applicant is without sufficient information to form a belief about the allegations of Paragraph 8 and therefore, denies Opposer's allegations.
9. Applicant is without sufficient information to form a belief about the allegations of Paragraph 9 and therefore, denies Opposer's allegations.

WHEREFORE, Applicant asks that the Trademark Trial and Appeal Board dismiss Opposer's opposition, and allow Applicant's trademark to proceed toward registration in due course.

Dated: August 6, 2019

Respectfully submitted,

/Jeffrey Sturman/
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CERTIFICATE OF SERVICE

I, Jeffrey Sturman, as attorney for Applicant Evolve Awareness Apparel, LLC hereby certify that a true and complete copy of Applicant's Answer to Notice of Opposition has been served upon Steven Abreu by sending the filed documents on August 6, 2019 to: sabreu@sunsteinlaw.com, ksoule@sunsteinlaw.com

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