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

Proceeding	91252133
Party	Defendant Gant, Viola, M
Correspondence Address	GANT, VIOLA, M 2439 N. PALO HACHA DR. TUCSON, AZ 85745 vgant09@yahoo.com no phone number provided
Submission	Answer
Filer's Name	Viola Gant
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Signature	/Viola Gant/
Date	12/16/2019
Attachments	Trademark .pdf(31662 bytes)

Viola Gant
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UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board

Re: Opposition No. 91252133
Application Serial No(s). 88364341

12-16-19

Algorhythm Fitness defends the likelihood that confusion in the consuming public's mind exists with that of Rhythm Holding Limited. As a brand our intent is to promote fitness and we firmly believe that we are a completely different entity than that of the opposition. Our request for trademark would not interfere with the opposer as our brand would never reflect simply the word "Rhythm" in any capacity.

Algorhythm when defined and advertised seeks to influence the consuming public's mind that fitness is a process that requires calculated steps or an equation like the mathematical term "Algorithm". Our trademark is "Algorhythm Fitness" which in itself presents no similarities to that of the opposition. In fact, at no point in our existence would we ever not use our entire trademark as a whole which is again "Algorhythm Fitness."

The good/services we offer are different. There is minute basis for confusion within the consuming public's mind at best as our trademark would not seek to infringe on that of the opposer by ever using the word "Rhythm" to either promote or advertise to potential clients.

We are asking for a Co-Existence agreement where both parties agree that their trademarks, good/services, and trade channels differ to the extent that consumer confusion is highly unlikely if even perceived to be the same entity at all. We hope that this issue can be resolved in a

timely manner where both sides can agree that neither trademark is confused with the other nor assumed to be a common source.

Sincerely,

A handwritten signature in cursive script, appearing to read "Viola Gant". The letters are fluid and connected, with a prominent initial "V" and "G".

Viola Gant