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Filing date: **01/19/2021**

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

Proceeding	91252954
Party	Defendant WellBeings, LLC
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Signature	/Robert H. Newman/
Date	01/19/2021
Attachments	Answer re Trilogy Opposition to W WELL BEINGS and Design Application. pdf(276161 bytes )

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

Trilogy I/P, LLC	)	Opposition No. 91252954
	)	
Opposer,	)	
	)	
vs.	)	Mark: 
	)	
WellBeings, LLC,	)	Serial No.: 88/296,588
	)	
Applicant.	)	Filing Date: February 11, 2019
	)	

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**ANSWER TO NOTICE OF OPPOSITION**

WellBeings, LLC (“Applicant”) hereby answers the Notice of Opposition (“Opposition”) filed by Trilogy I/P, LLC (“Opposer”).

Applicant does not believe that any response to the introductory paragraphs of the Opposition is required; however, to the extent that the Board determines that the introductory paragraph contains factual allegations, Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations and therefore denies those allegations.

1. Applicant admits that Applicant applied to register the mark reflected in U.S. Trademark Application No. 88/296,588 and states that the USPTO records for U.S. Trademark Application No. 88/296,588 speak for themselves.

2. Applicant admits that Applicant applied to register the mark reflected in U.S. Trademark Application No. 88/296,588 and states that the USPTO records for U.S. Trademark Application No. 88/296,588 speak for themselves.

3. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 3 and therefore denies those allegations.

4. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 4 and therefore denies those allegations.

5. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 5 and therefore denies those allegations.

6. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 6 and therefore denies those allegations.

7. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 7 and therefore denies those allegations.

8. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 8 and therefore denies those allegations.

9. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 9 and therefore denies those allegations.

10. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 10 and therefore denies those allegations.

11. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 11 and therefore denies those allegations.

12. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 12 and therefore denies those allegations.

13. Applicant states that the USPTO records for U.S. Trademark Application No. 88/296,588 speak for themselves and Applicant further states that Paragraph 13 calls for a legal conclusion to which no answer is required. To the extent Paragraph 13 is determined to contain any factual allegations beyond those set forth in the USPTO records for U.S. Trademark Application No. 88/296,588, Applicant denies those allegations.

14. Applicant denies the allegations contained in Paragraph 14.
15. Applicant denies the allegations contained in Paragraph 15.
16. Applicant denies the allegations contained in Paragraph 16.
17. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 17 and therefore denies those allegations.
18. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 18 and therefore denies those allegations.
19. Applicant denies the allegations contained in Paragraph 19.
20. Applicant denies the allegations contained in Paragraph 20.
21. Applicant denies the allegations contained in Paragraph 21.
22. Applicant denies the allegations contained in Paragraph 22.
23. Applicant admits that if Applicant is granted a registration for U.S. Trademark Application No. 88/296,588, Applicant would obtain certain statutory rights. Applicant denies the remaining allegations contained in Paragraph 23.
24. The “WHEREFORE” paragraph contains requests for relief, to which no response is required. To the extent a response is required, Applicant denies the allegations therein.

WHEREFORE, Applicant respectfully requests that this Opposition be dismissed in its entirety, with prejudice, and that Application Serial No. 88/296,588 be permitted to register. Applicant further respectfully requests that Applicant be granted such additional relief as the Trademark Trial and Appeal Board deems proper and just.

Dated: January 19, 2021

Respectfully submitted,

LOEB & LOEB LLP

By: /Robert H. Newman/

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Attorneys for Applicant,  
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**CERTIFICATE OF SERVICE**

I, Robert H. Newman, hereby certify that a true and complete copy of this **ANSWER TO NOTICE OF OPPOSITION** has been served upon:

Christina D. Frangiosa  
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via the email addresses identified above, on January 19, 2021.

/s/ Robert H. Newman  
Robert H. Newman