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

Proceeding	91254921
Party	Defendant Don Distro, Inc.
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Date	05/05/2020
Attachments	ANSWER AND AFFIRMATIVE DEFENSES.pdf(14739 bytes)

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

App. Serial No: 88/752,749
Mark: REY
Publication Date: March 10, 2020

REPUBLIC TECNOLOGIES (N.A.), LLC,)	
)	
Opposer,)	
)	OPPOSITION NO: 91254921
v.)	
)	
DON BISTRO, INC.,)	
)	
Applicant)	
)	
)	

ANSWER

Applicant Don Bistro, Inc. (“Applicant”), by and through its undersigned attorney, answers the Opposition filed against Application Serial No. 88/752,749 (“Applicant’s Mark”) by Republic Technologies (N.A.), LLC. (“Opposer”) on March 27, 2020 (the “Opposition”), as follows:

1. Applicant is without sufficient knowledge or information to form a belief as to the truth of the allegations in Paragraph 1 and, therefore, denies the same.
2. Applicant is without sufficient knowledge or information to form a belief as to the truth of the allegations in Paragraph 2 and, therefore, denies the same.

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

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

5. Applicant admits the allegations in Paragraph 5.

6. Applicant denies the allegations in Paragraph 6.

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

AFFIRMATIVE DEFENSES

1. Opposer has failed to state a claim upon which relief may be granted.

2. Opposer's claims are barred by the doctrine of estoppel.

3. Opposer's claims are barred by the doctrine of laches.

4. Opposer's claims are barred by the doctrine of unclean hands.

5. Applicant has insufficient information upon which to form a belief as to whether it may have additional unstated Affirmative Defenses. Applicant reserves the right to assert additional Affirmative Defenses in the event discovery indicates that they are appropriate.

WHEREFORE, Applicant requests that the Opposition be denied in all respects.

Respectfully submitted,



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New Age Imports, Inc.

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