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

Proceeding	91255014
Party	Defendant Trade Partner USA LLC
Correspondence Address	TRADE PARTNER USA LLC 14285 NW SCIENCE PARK DR PORTLAND, OR 97229 UNITED STATES jason.dong@tradepartnerschina.com, roman.shvarts@tradepartnerschina.com no phone number provided
Submission	Motion to Amend/Amended Answer or Counterclaim
Filer's Name	Roman Shvarts
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Signature	/Roman Shvarts/
Date	06/02/2020
Attachments	YSL Amended Responses.pdf(118119 bytes)

Amended Responses to YSL:

1. Admit. But, how is that grounds for opposition related to the TM?
2. Don't know. Most likely, don't have any idea as to how they distribute their eau de toilette or how well it's known
3. Don't know
4. Admit
5. Don't know. I cannot speak to it being high-quality or not
6. Admit. "Yvresse" is quite arbitrary.
7. Admit, they spent money and time building up Yvresse brand.
8. Admit.
9. Admit.
10. Don't know. "Yvresse" has been used since registration to my limited knowledge.
11. Deny. This is the only point that should be looked at when considering this matter. Yvresse and L'ivresse are inherently different in sight, sound and meaning. Visually they are different. Yvresse is 7 characters. L'ivresse is 8 characters and includes an ' . One starts with a Y the other with an L, inherently different. When pronounced out loud they sound differently distinct. I have even had the words tested out loud in French. As far as meaning goes, I am not sure Yvresse actually has a meaning. To my knowledge it's not even a word and has no meaning. Based on my understanding it is a play on the name of the brand YSL, where they took the Y and made up a word that doesn't exist and has no meaning. In fact, googling Yvresse only shows the perfume and nothing else at all. Whereas googling "L'ivresse" produces completely different results and 0 links or connection to Yvresse. Googling L'ivresse does not even link to 1 site offering Yvresse (YSL products). It would be highly unlikely for a common person to get confused between the two.
12. Don't know. Same category of cosmetics but, makes an assumption that there will be a L'ivresse perfume
13. Admit
14. Don't know. While the future is uncertain, I don't believe we will have same channels or audience.
15. Deny. As mentioned under point 11, there should be no confusion to a common person and there is no interest to link to Yvresse, or hurt their brand in anyway.
16. Admit.
17. Deny. As of this amendment on 6/1/20 the LLC is current with the State of Oregon.
18. Admit. This was an oversight and has been resolved. Everything is current.
19. Deny. Currently, this is irrelevant. All issues with State of Oregon registration are resolved and should not be used at this point for assessment of the trademark.
20. Deny. Was an oversight.
21. Deny. Active

22. Deny. The last 6 points have all focus on an issue that has been resolved and no longer applicable to decide if the trademarks are similar or not. This was just added to attempt to strengthen their claim. The most important aspect to consider is under point 11, if these trademarks are similar in nature or not.