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

Proceeding	91267205
Party	Defendant Peeknest Inc
Correspondence Address	IDRIS MOTIWALA 10900 RESEARCH BLVD. STE. 160C-84 AUSTIN, TX 78759 UNITED STATES Primary Email: idris@motiwala.law 832-786-1853
Submission	Answer
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Date	03/03/2021
Attachments	21.03.03 Response to Notice of Opposition.pdf(111920 bytes)

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

Nest Egg Labs, Inc.

Opposer,

v.

Peeknest, Inc.

Applicant

Opposition Proceeding No. 91267205

Application Serial No.: 88746125

Mark: NEST

ANSWER TO NOTICE OF OPPOSITION

Applicant Peeknest, Inc. (“Applicant”) hereby answers the notice of opposition of Nest Egg Labs, Inc. (“Opposer”) as following. All allegations not specifically admitted herein are denied.

1. Applicant admits to Opposer’s identity as outlined in the first numbered paragraph.
2. The allegations in Paragraph 2 contain legal conclusions to which no answer is required. To the extent an answer is required, applicant is without sufficient knowledge or information to admit or deny the publicity around Opposer’s product.
3. Applicant admits that Opposer is the owner of Registration No. 6,236,897.
4. Applicant is without sufficient knowledge to admit or deny the allegations in Paragraph 4, and therefore, denies the same.
5. Applicant admits that the mark subject to opposition is Serial No. 88/746,125 (the “Applicant’s Mark”).
6. Applicant admits the allegations in Paragraph 6.
7. The allegations in Paragraph 7 contain legal conclusions to which no answer is

required. To the extent an answer is required Applicant denies the allegations.

8. The allegations in Paragraph 8 contain legal conclusions to which no answer is required. To the extent an answer is required Applicant denies the allegations.

9. The allegations in Paragraph 9 contain legal conclusions to which no answer is required. To the extent an answer is required Applicant denies the allegations.

10. The allegations in Paragraph 10 contain legal conclusions to which no answer is required. To the extent an answer is required Applicant denies the allegations.

11. Applicant admits the allegations in Paragraph 11. Applicant maintains that no authorization from Opposer was required for Applicant to use Applicant's Mark.

12. Applicant denies the allegations in Paragraph 12.

13. The allegations in Paragraph 13 contain legal conclusions to which no answer is required. To the extent an answer is required Applicant denies the allegations.

14. The allegations in Paragraph 14 contain legal conclusions to which no answer is required. To the extent an answer is required Applicant denies the allegations.

15. The allegations in Paragraph 15 contain legal conclusions to which no answer is required. To the extent an answer is required Applicant denies the allegations.

AFFIRMATIVE DEFENSES

16. No likelihood of confusion exists between Applicant's use of its NEST mark and Opposer's use of its alleged NEST EGG Marks.

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

18. The requested relief is barred by the equitable doctrine of laches, estoppel, and/or acquiescence.

Signature Page Follows

Dated: March 3, 2021

Respectfully Submitted,

By: /Idris Motiwala/

Idris Motiwala

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