

ESTTA Tracking number: **ESTTA1137796**

Filing date: **06/02/2021**

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

Proceeding	91268942
Party	Defendant Starface World, Inc.
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Date	06/02/2021
Attachments	Answer Opposition No. 91268942.PDF(207875 bytes)

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

SHANGHAI REYOUNGEL MEDICAL
TECHNOLOGY COMPANY LIMITED,
Opposer,

v.

STARFACE WORLD, INC.,
Applicant.

Opposition No. 91268942

Application Ser. No. 88510158

Mark: STARFACE

APPLICANT’S ANSWER TO NOTICE OF OPPOSITION

Applicant Starface World, Inc. (“Starface”), owner of Application Serial No. 88510158 for the STARFACE mark in International Class 3 and International Class 5, by and through counsel, Lowenstein Sandler LLP, submits this Answer to the Notice of Opposition of its Application Serial No. 88510158 for International Class 3 filed by Shanghai Reyoungel Medical Technology Company Limited (“Opposer”).

Applicant responds, solely for this proceeding, to each of the grounds set forth in the Notice of Opposition as follows:

1. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 1, and therefore denies same.
2. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 2, and therefore denies same.
3. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 3, and therefore denies same.
4. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 4, and therefore denies same.

5. Applicant admits the allegations in Paragraph 5.
6. Applicant admits the allegations in Paragraph 6.
7. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 7, and therefore denies same.
8. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 8, and therefore denies same.
9. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 9, and therefore denies same.
10. Applicant denies the allegations set forth in Paragraph 10.
11. Applicant denies the allegations set forth in Paragraph 11.
12. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 12, and therefore denies same.
13. Applicant denies the allegations set forth in Paragraph 13.
14. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 14, and therefore denies same.
15. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 15, and therefore denies same.
16. Applicant denies the allegations set forth in Paragraph 16.
17. Applicant denies the allegations set forth in Paragraph 17.
18. Applicant denies the allegations set forth in Paragraph 18.
19. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 19, and therefore denies same.

20. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 20 and therefore denies same.

21. Applicant denies the allegations set forth in Paragraph 21.

22. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 22, and therefore denies same.

23. Applicant denies the allegations set forth in Paragraph 23.

24. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 24, and therefore denies same.

25. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 25, and therefore denies same.

26. Applicant admits that it is the owner of Application Serial No. 88510158, but denies all other allegations set forth in Paragraph 26.

AFFIRMATIVE DEFENSES

Starface alleges and asserts the following in support of its defense:

1. Opposer fails to state a claim in the Notice of Opposition for which relief can be granted.

2. Opposer's claims in the Notice of Opposition are barred by the doctrine of unclean hands, including but not limited to, false statements made by Opposer in the Notice of Opposition and in the filing of its Application Ser. No. 90654109 for the STARFACE mark.

3. Opposer's claims are barred based on Applicant's prior use in commerce and/or use analogous to trademark use of Applicant's STARFACE mark.

4. Opposer's claims are barred due to Opposer's lack of use in interstate commerce.

5. Opposer's claims in the Notice of Opposition are barred as Opposer is not likely to be damaged by Applicant's use and registration of Application Serial No. 88510158 for the STARFACE mark in International Class 3.

6. Applicant's mark and Opposer's alleged mark are not likely to cause confusion, mistake, or deception among purchasers as to the source of Opposer's and Applicant's respective goods.

7. Opposer's claims in the Notice of Opposition are barred by the doctrine of laches, acquiescence, waiver, and/or estoppel.

8. Opposer's claim of fraud is unsubstantiated.

9. Applicant reserves the right to assert any and all other affirmative defenses of which Applicant becomes aware during the pendency of this matter.

WHEREFORE, Applicant request that the Notice of Opposition be dismissed with prejudice and that the Board grant further relief as it shall deem appropriate.

Respectfully submitted,

June 2, 2021

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ATTORNEYS FOR STARFACE WORLD, INC.

CERTIFICATE OF SERVICE

The undersigned certifies that a true and complete copy of the foregoing was served on
Opposer's counsel of record at yangao@ipspeedy.com:

YAN GAO
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10223 BROADWAY STREET, SUITE P424
PEARLAND, TX 77584

June 2, 2021

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