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Filing date: **08/10/2022**

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

Proceeding no.	91277104
Party	Defendant Purfoods, LLC
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Date	08/10/2022
Attachments	Moms Meals Purfoods Company Answer to Notice of Opposition.pdf(136877 bytes)

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

MY OWN MEALS, INC., Opposer, v. PURFOODS, LLC, Applicant.	Opposition No: 91277104 In the matter of: Application No. 90/888,215 Mark: MOM'S MEALS A PURFOODS COMPANY Filing Date: August 17, 2021
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APPLICANT'S ANSWER TO NOTICE OF OPPOSITION

Applicant, Purfoods, LLC, ("Applicant") hereby answers the Notice of Opposition filed by Opposer, My Own Meals, Inc. ("Opposer").

Denied that Opposer will be damaged by Application Serial No. 90/888,215 for the mark MOM'S MEALS A PURFOODS COMPANY filed by Applicant.

With respect to the numbered paragraphs of the Notice, Applicant responds as follows:

LIKELIHOOD OF CONFUSION

1. Admitted that Opposer is listed as the owner of record for United States Trademark Registration No. 1470809, Registration No. 5631463, Registration No. 3964874, Registration No. 1548528, Registration No. 2321074, Registration No. 6067075, and Registration No. 2321074. Applicant is without sufficient knowledge as to the remaining allegations, and on that basis denies the allegations.

2. Admitted that Opposer is listed as the owner of record for United States Trademark Application No. 88/509,153, which stands rejected with the USPTO. Applicant is without sufficient knowledge as to the remaining allegations, and on that basis denies the allegations.

3. Admitted that Opposer is listed as the owner of record for United States Trademark Registration No. 6067075. Registrant is without sufficient knowledge as to the remaining allegations, and on that basis denies the allegations.

4. Denied.

5. Denied.

6. Denied.

7. Applicant is without sufficient knowledge as to the allegations of paragraph 7, and on that basis denies the allegations.

8. Applicant is without sufficient knowledge as to the allegations of paragraph 8, and on that basis denies the allegations.

9. Denied.

10. Applicant is without sufficient knowledge as to the allegations of paragraph 10, and on that basis denies the allegations.

11. Applicant is without sufficient knowledge as to the allegations of paragraph 11, and on that basis denies the allegations.

12. Applicant is without sufficient knowledge as to the allegations of paragraph 12, and on that basis denies the allegations.

13. Applicant is without sufficient knowledge as to the allegations of paragraph 13, and on that basis denies the allegations.

14. Admitted that Applicant filed an application for registration of the mark MOM'S MEALS A PURFOODS COMPANY in International 43 for "food preparation, namely, preparation of home cooked meals and preparation of frozen or shelf-stable meals" and said application was published for opposition on June 28, 2022. The remainder of the allegations of paragraph 14 are denied.

15. Denied.

16. Denied.

17. Applicant is without sufficient knowledge as to the allegations of paragraph 17, and on that basis denies the allegations.

18. Applicant is without sufficient knowledge as to the allegations of paragraph 18, and on that basis denies the allegations.

19. Denied.

20. Admitted that registration of the mark MOM'S MEALS A PURFOODS COMPANY by Applicant could provide Applicant with *prima facie* exclusive rights to use the mark. The remaining allegations of paragraph 20 are denied.

PRAYER FOR RELIEF

The remainder of the Notice constitutes Opposer's request for relief to which no responsive pleading is necessary. To the extent a responsive pleading is required, Applicant denies that Opposer is entitled to the relief sought. All allegations that have not been specifically admitted are hereby denied.

WHEREFORE, Applicant prays that the Notice of Opposition be denied in its entirety with prejudice; and that any such further relief be granted as may be deemed appropriate.

Dated: August 10, 2022

Respectfully submitted,

/wendy k. marsh/

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ATTORNEYS FOR APPLICANT

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Applicant's Answer to the Notice of Opposition was served on this 10th day of August, 2022, by e-mail, addressed to Opposer's attorney of record Michele S. Katz, Advitam IP, LLC, 160 N. Wacker Drive, Chicago, Illinois 60606.

/wendy k. marsh/

Wendy K. Marsh