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

Proceeding no.	91278430
Party	Defendant The Yardery LLC
Correspondence address	PAUL DITMYER COLLABORATIVEIP 5 WEST MENDENHALL STREET, SUITE 202 202 BOZEMAN, MT 59715 UNITED STATES Primary email: director@collaborativepatents.com Secondary email(s): suzanne@theyardery.com 4074433603
Submission	Answer
Filer's name	Paul J Ditmyer
Filer's email	director@collaborativepatents.com
Signature	/Paul J Ditmyer/
Date	10/17/2022
Attachments	yardery_answer.pdf(75728 bytes)

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

In the Matter of App. Serial No.: 90/290,501
For the mark: THE YARDERY (stylized)
Published in the Official Gazette on: May 10, 2022

YARD HOUSE USA, INC.,)	
)	
Opposer,)	
)	
v.)	Opposition No. 91278430
)	
The Yardery LLC)	
)	
Applicant.)	
)	

ANSWER TO NOTICE OF OPPOSITION

Applicant The Yardery, LLC (“Applicant”) hereby answers the notice of opposition of Opposer Yard House USA, Inc. (“Opposer”) as follows. All allegations not specifically admitted herein are denied.

Applicant denies the allegations in the first, unnumbered paragraph.

1. Applicant is without sufficient knowledge or information to admit or deny whether Opposer is the owner of Registration No. 2,441,608, Registration No. 2,620,238, Registration No. 3,425,708 or any other trademark registrations, and therefore denies the same.

2. The allegations in Paragraph 2 contain legal conclusions to which no answer is required. To the extent an answer is required, Applicant denies the allegations. Further answering, Applicant states that the identified Registration Nos. speak for themselves.

3. Applicant is without sufficient knowledge or information to admit or deny the allegations in Paragraph 3, and therefore, denies the same.

4. Applicant is without sufficient knowledge or information to admit or deny the allegations in Paragraph 4, and therefore, denies the same.

5. Applicant is without sufficient knowledge or information to admit or deny the allegations in Paragraph 5, and therefore, denies the same.

6. Applicant is without sufficient knowledge or information to admit or deny the allegations in Paragraph 6, and therefore, denies the same.

7. Applicant is without sufficient knowledge or information to admit or deny the allegations in Paragraph 7, and therefore, denies the same.

8. Applicant is without sufficient knowledge or information to admit or deny the allegations in Paragraph 8, and therefore, denies the same.

9. Applicant admits the allegations in Paragraph 9, Applicant states that application Serial No. 90/290,501 speaks for itself.

10. Applicant admits the allegations in Paragraph 10. Further answering, Applicant states that application Serial No. 90/290,501 speaks for itself.

11. Applicant admits the allegations in Paragraph 11.

12. Applicant repeats and realleges its answers in its Paragraphs 1-11 above as if fully set forth herein.

13. Applicant is without sufficient knowledge or information to admit or deny the allegations in Paragraph 13, and therefore denies the same.

14. Applicant denies the allegations in Paragraph 14.

15. Applicant denies the allegations in Paragraph 15.

16. Applicant denies the allegations in Paragraph 16.

17. Applicant denies the allegations in Paragraph 17.

18. Applicant denies the allegations in Paragraph 18.

AFFIRMATIVE DEFENSES

19. No likelihood of confusion exists between Applicant's use of The Yardery mark and Opposer's use of the alleged Yardhouse Marks.

Respectfully submitted,

Dated: October 17, 2022

Collaborative IP

By: /Paul J Ditmyer/

Paul J Ditmyer
5 West Mendenhall Street
Suite 202
Tel: (406)662-8228
Email: director@collaborativepatents.com
ATTORNEY FOR APPLICANT

CERTIFICATE OF SERVICE

I hereby certify that on October 17, 2022 a true and correct copy of the foregoing was served via email upon Opposer's counsel at the following via email:

Jami A. Gekas
Foley & Lardner LLP
jgekas@foley.com
cgrunninger@foley.com
jrodriguez@foley.com
smunoz@foley.com
ipdocketing@foley.com

Dated: October 17, 2022

/Paul J Ditmyer/