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

Proceeding no.	91283301
Party	Defendant Shenzhen Kaka Intelligent Technology Co., Ltd.
Correspondence address	WEITAO CHEN 60 CUTTER MILL RD, SUITE 100C GREAT NECK, NY 11021 UNITED STATES Primary email: chen@faan.com Secondary email(s): info@faan.com 7187662567
Submission	Answer
Filer's name	Weitao Chen
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Signature	/Weitao Chen/
Date	03/18/2023
Attachments	Answer-TurtleCell.pdf(71367 bytes )

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

In the matter of Application Serial No.: 90907547  
Applicant's Mark: TurtleCell (Class 009)

Voyetra Turtle Beach, Inc.,	)	
	)	
Opposer,	)	
v.	)	Opposition No. 91283301
	)	
Shenzhen Kaka Intelligent Technology Co., Ltd.,	)	
	)	
Applicant.	)	

**ANSWER TO NOTICE OF OPPOSITION**

Shenzhen Kaka Intelligent Technology Co., Ltd. ("Applicant"), by its attorney, hereby answers the Notice of Opposition of Voyetra Turtle Beach, Inc. ("Opposer") and admits, denies, and alleges as follows:

1. Applicant is without knowledge sufficient to form a belief as to the allegations of Opposer's Paragraph No. 1 and therefore denies the same and leaves Opposer to its proofs with respect thereto.
2. Applicant is without knowledge sufficient to form a belief as to the allegations of Opposer's Paragraph No. 2 and therefore denies the same and leaves Opposer to its proofs with respect thereto.
3. Applicant is without knowledge sufficient to form a belief as to the allegations of Opposer's Paragraph No. 3 and therefore denies the same and leaves Opposer to its proofs with respect thereto.
4. Applicant is without knowledge sufficient to form a belief as to the allegations of Opposer's Paragraph No. 4 and therefore denies the same and leaves Opposer to its proofs with respect thereto.
5. Applicant is without knowledge sufficient to form a belief as to the allegations of Opposer's Paragraph No. 5 and therefore denies the same and leaves Opposer to its proofs with respect thereto.

6. Applicant is without knowledge sufficient to form a belief as to the allegations of Opposer's Paragraph No. 6 and therefore denies the same and leaves Opposer to its proofs with respect thereto.
7. Applicant is without knowledge sufficient to form a belief as to the allegations of Opposer's Paragraph No. 7 and therefore denies the same and leaves Opposer to its proofs with respect thereto.
8. Applicant is without knowledge sufficient to form a belief as to the allegations of Opposer's Paragraph No. 8 and therefore denies the same and leaves Opposer to its proofs with respect thereto.
9. Applicant is without knowledge sufficient to form a belief as to the allegations of Opposer's Paragraph No. 9 and therefore denies the same and leaves Opposer to its proofs with respect thereto.
10. Applicant is without knowledge sufficient to form a belief as to the allegations of Opposer's Paragraph No. 10 and therefore denies the same and leaves Opposer to its proofs with respect thereto.
11. Applicant is without knowledge sufficient to form a belief as to the allegations of Opposer's Paragraph No. 11 and therefore denies the same and leaves Opposer to its proofs with respect thereto.
12. Applicant admits the allegations of Opposer's Paragraph 12, except that the Applicant has an date of use in commerce earlier than 05/22/2021, and has common law rights in connection with the TURTLECELL mark.
13. Applicant admits the allegations of Opposer's Paragraph 13.
14. Applicant admits the allegations of Opposer's Paragraph 14.
15. Applicant incorporates the responses contained in its Paragraphs 1 to 14 herein.
16. Opposer's Paragraph No. 16 represents determinations of facts and/or conclusions of law to which no answer is required. To the extent that an answer is required, Applicant is without knowledge sufficient to form a belief as to the allegations and therefore denies the same and leaves Opposer to its proofs with respect thereto.
17. Opposer's Paragraph No. 17 represents determinations of facts and/or conclusions of law to which no answer is required. To the extent that an answer is required, Applicant is without knowledge sufficient to form a belief as to the allegations and therefore denies the same and leaves Opposer to its proofs with respect thereto.

18. Opposer's Paragraph No. 18 represents determinations of facts and/or conclusions of law to which no answer is required. To the extent that an answer is required, Applicant is without knowledge sufficient to form a belief as to the allegations and therefore denies the same and leaves Opposer to its proofs with respect thereto.
19. Opposer's Paragraph No. 19 represents determinations of facts and/or conclusions of law to which no answer is required. To the extent that an answer is required, Applicant is without knowledge sufficient to form a belief as to the allegations and therefore denies the same and leaves Opposer to its proofs with respect thereto.
20. Opposer's Paragraph No. 20 represents determinations of facts and/or conclusions of law to which no answer is required. To the extent that an answer is required, Applicant is without knowledge sufficient to form a belief as to the allegations and therefore denies the same and leaves Opposer to its proofs with respect thereto.
21. Applicant incorporates the responses contained in its Paragraphs 1 to 20 herein.
22. Applicant is without knowledge sufficient to form a belief as to the allegations of Opposer's Paragraph No. 22 and therefore denies the same and leaves Opposer to its proofs with respect thereto.
23. Applicant is without knowledge sufficient to form a belief as to the allegations of Opposer's Paragraph No. 23 and therefore denies the same and leaves Opposer to its proofs with respect thereto.
24. Applicant is without knowledge sufficient to form a belief as to the allegations of Opposer's Paragraph No. 24 and therefore denies the same and leaves Opposer to its proofs with respect thereto.
25. Applicant is without knowledge sufficient to form a belief as to the allegations of Opposer's Paragraph No. 25 and therefore denies the same and leaves Opposer to its proofs with respect thereto.
26. Applicant denies the allegations of Opposer's Paragraph 26, except that Applicant has filed its present application Serial No. 90/907,547 for TURTLECELL & Design for "Headphones; Assistive listening device not for medical purposes; Cell phone cases; Consumer electronic products, namely, audio amplifiers, audio speakers, audio receivers, electrical audio and speaker cables and connectors, audio decoders, video decoders, speakers, power conversion devices, power converters, and power inverters; Earphone accessories, namely, earphone cushions, earphone pads, earphone cases, and earphone

extension cords; Game headphones; Headsets for virtual reality games; Mobile phone cases featuring rechargeable batteries; Mouse mats; Noise cancelling headphones” in International Class 9.

27. Opposer’s Paragraph No. 27 represents determinations of facts and/or conclusions of law to which no answer is required. To the extent that an answer is required, Applicant is without knowledge sufficient to form a belief as to the allegations and therefore denies the same and leaves Opposer to its proofs with respect thereto.
28. Opposer’s Paragraph No. 28 represents determinations of facts and/or conclusions of law to which no answer is required. To the extent that an answer is required, Applicant is without knowledge sufficient to form a belief as to the allegations and therefore denies the same and leaves Opposer to its proofs with respect thereto.
29. Opposer’s Paragraph No. 29 represents determinations of facts and/or conclusions of law to which no answer is required. To the extent that an answer is required, Applicant is without knowledge sufficient to form a belief as to the allegations and therefore denies the same and leaves Opposer to its proofs with respect thereto.
30. Opposer’s Paragraph No. 30 represents determinations of facts and/or conclusions of law to which no answer is required. To the extent that an answer is required, Applicant is without knowledge sufficient to form a belief as to the allegations and therefore denies the same and leaves Opposer to its proofs with respect thereto.

WHEREFORE, having fully answered the Notice of Opposition herein, Applicant respectfully requests that the Trademark Trial and Appeal Board (“Board”):

1. Dismiss the Opposer’s Notice of Opposition in all respects and with prejudice;
2. Award Applicant such other relief that the Board deems justice and equitable.

Dated: 03/18/2023

/Weitao Chen/  
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## CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing NOTICE was served on 03/18/2023 by transmitting an electronic copy of the same with the TTAB on counsel of record for the Opposer, pursuant to 37 C.F.R. § 2.119(b):

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Dated: 03/18/2023

By: /Weitao Chen/  
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