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

Proceeding no.	91285268
Party	Defendant FOSHANSHI JIAYITE Trading Co., Ltd.
Correspondence address	XIAOFANG ZHONG 244 FIFTH AVENUE, SUITE V284 NEW YORK, NY 10001 UNITED STATES Primary email: domee.zhong1@gmail.com Secondary email(s): wangyl@szuniversal.com.cn 646-785-1788
Submission	Answer
Filer's name	Xiaofang Zhong
Filer's email	xzhong@zhonglaws.com
Signature	/Xiaofang Zhong/
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

NIKKISO CO., LTD.

Opposer,

v.

FOSHANSHI JIAYITE TRADING CO., LTD.

Applicant.

Opposition No.: 91285268

Mark: UKKISO

Serial No. 97180105

ANSWER TO NOTICE OF OPPOSITION

Applicant FOSHANSHI JIAYITE TRADING CO., LTD. (Applicant) hereby answers the notice of opposition of Opposer NIKKISO CO., LTD. as following

1. Answering paragraph 1 of the notice of Opposition, Applicant admits the allegations thereof.
2. Answering paragraph 2 of the notice of Opposition, Applicant did not file intent to use the marks under 1(b), Applicant file the Applications for both Marks under 1(a) and the earliest first use dates are October 2, 2021, and October 11, 2021. Applicant denies the allegations thereof.
3. Answering paragraph 3 of the notice of Opposition, Applicant admits the allegations thereof.
4. Answering paragraph 4 of the notice of Opposition, Applicant does not have sufficient knowledge or information to for a belief as to the allegation contained therein and accordingly denies the allegation.
5. Answering paragraph 5 of the notice of Opposition, Applicant admits the allegations

thereof.

6. Answering paragraph 6 of the notice of Opposition, Applicant does not have sufficient knowledge or information to for a belief as to the allegation contained therein and accordingly denies the allegation.
7. Answering paragraph 7 of the notice of Opposition, Applicant does not have sufficient knowledge or information to for a belief as to the allegation contained therein and accordingly denies the allegation.
8. Answering paragraph 8 of the notice of Opposition, Applicant does not have sufficient knowledge or information to for a belief as to the allegation contained therein and accordingly denies the allegation.
9. Answering paragraph 9 of the notice of Opposition, compared in their entirety as to appearance, sound, and commercial impression. Applicant's UKKISO Mark pronunciation is totally different from Opposer's Mark. The first letter of Applicant's Mark is different from Opposer's Mark. Applicant trademark cannot only be focused on the part of the word "KKISO", because the Applicant's trademark "UKKISO" is a whole, and the integrity of the trademark cannot be ignored, otherwise, it would violate the anti-anatomy in principle. Applicant denies the allegation thereof.
10. Answering paragraph 10 of the notice of Opposition, Applicant does not have sufficient knowledge or information to for a belief as to the allegation contained therein and accordingly denies the allegation.
11. Answering paragraph 11 of the notice of Opposition, Applicant admits the allegations thereof.
12. Answering paragraph 12 of the notice of Opposition, Applicant did not file intent to use

the marks under 1(b), Applicant file the Applications for both Marks under 1(a) and the earliest first use dates are October 2, 2021, and October 11, 2021. Applicant denies the allegations thereof.

13. Answering paragraph 13 of the notice of Opposition, Applicant's UKKISO Marks are not confusingly similar to Opposer's NIKKISO Marks. Consumers are not likely to mistakenly believe that Applicant's products advertised, promoted, offered, sold, or are in some way associated with Opposer's Marks. Applicant denies the allegation thereof.
14. Answering paragraph 14 of the notice of Opposition, because the difference between Opposer and Applicant's Marks, Opposer will not be damaged by Applicant's registration of the UKKISO mark. Applicant denies the allegation thereof.
15. Answering paragraph 15 of the notice of Opposition, Applicant continue uses UKKISO mark in connection with all of the goods listed in the Application Serial No. 97/180105. Applicant denies the allegation thereof.
16. Answering paragraph 16 of the notice of Opposition, Applicant continue uses UKKISO mark in connection with all of the goods listed in the Application Serial No. 97/180109. Applicant denies the allegation thereof.
17. Answering paragraph 17 of the notice of Opposition, Applicant did not need license, authorization or permission from Opposer.
18. Answering paragraph 18 of the notice of Opposition, this paragraph contains legal conclusion to which no response is required, Applicant denies the allegation.

AFFIRMATIVE DEFENSES

19. No likelihood of confusion exists between Applicant's use of UKKISO Marks and Opposer's use of alleged NIKKISO Marks.

20. Applicant reserves the right to rely on such other and further defenses as may be supported by facts to be determined through comprehensive discovery and to amend its Answer accordingly to assert such defenses

WHEREFORE, Applicant respectfully requests that the Trademark Trial and Appeal Board dismiss the Notice of Opposition, dated May 31, 2023, with prejudice and permit Application Serial No. 97180105 and 97180109 to proceed to registration.

Dated: July 9, 2023

Respectfully submitted,

By: /s/Xiaofang Zhong

Xiaofang Zhong

Attorney for Petitioner

Law Office of Xiaofang Zhong, PLLC

244 Fifth Avenue, Suite V284

New York, N.Y. 10001

Tel: 646-785-1788

xzhong@zhonglaws.com