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

Proceeding no.	91287935
Party	Defendant Chalk Warrior, LLC
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

GENESCO BRANDS, LLC,

Opposer,

v.

CHALK WARRIOR, LLC,

Applicant.

Opposition No. 91287935

Serial No. 97/338,936

Mark:



ANSWER & AFFIRMATIVE DEFENSES TO NOTICE OF OPPOSITION

Applicant Chalk Warrior, LLC (“Applicant”) submits this Answer and Affirmative Defenses to the Notice of Opposition filed by Opposer Genesco Brands, LLC. (“Opposer”). Unless expressly admitted herein, each allegation in the Notice of Opposition is denied.

In response to the unnumbered paragraph in the Notice of Opposition, Applicant admits that its application Serial No. 97/338,936 was filed on March 30, 2022, was first published on for opposition in the *Official Gazette* on May 2, 2023, and Opposer timely filed its Notice of Opposition. Applicant denies the remaining allegations in this paragraph.

1. Applicant lacks knowledge or information sufficient to form a belief about the truth of the allegations in Paragraph 1 of the Notice of Opposition.

2. Applicant lacks knowledge or information sufficient to form a belief about the truth of the allegations in Paragraph 2 of the Notice of Opposition.

3. Applicant lacks knowledge or information sufficient to form a belief about the truth of the allegations in Paragraph 3 of the Notice of Opposition.

4. Applicant admits that Opposer is the record owner in the USPTO of Reg. Nos. 2,054,259 for shoes and clothing, namely, shirts, T-shirts, sweatshirts, jackets, socks and hats; and

3,232,063 for retail store services in the fields of footwear, apparel, backpacks, sports bags, jewelry and fashion accessories, both for the single hand image shown below. Applicant admits that Reg. No. 3,232,063 has a Notice of Acknowledgement under Section 15 in the record at the U.S. Patent & Trademark Office. Applicant lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations in Paragraph 4 of the Notice of Opposition.



5. Applicant lacks knowledge or information sufficient to form a belief about the truth of the allegations in Paragraph 5 of the Notice of Opposition.

6. Applicant lacks knowledge or information sufficient to form a belief about the truth of the allegations in Paragraph 6 of the Notice of Opposition.

7. Applicant admits that on March 30, 2022, Applicant filed application Serial No. 97/338,936 for the trademark depicted below (“Applicant’s Mark”) for use in connection with, “Providing personal websites for gymnasts showcasing their gymnastic career; athletic apparel, namely, leotards, hooded sweatshirts, sweatpants, leggings, shirts; blankets; water bottles.” Applicant denies the remaining allegations in Paragraph 7 of the Notice of Opposition.



8. Applicant lacks knowledge or information sufficient to form a belief about the truth of the allegations in Paragraph 8 of the Notice of Opposition.

9. Applicant denies the allegations in Paragraph 9 of the Notice of Opposition.

10. Applicant denies the allegations in Paragraph 10 of the Notice of Opposition.

11. Applicant denies the allegations in Paragraph 11 of the Notice of Opposition.

AFFIRMATIVE DEFENSES

1. Opposer fails to state a claim on which relief may be granted.

Respectfully submitted,

Date: Feb 7, 2024

By: /John H. Platt/

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing Applicant's Answer & Affirmative Defenses to Opposition and Counterclaim to Cancel Opposer's Pleadings Registrations was served on Opposer by emailing a copy to its counsel of record at the address below:

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