

ESTTA Tracking number: **ESTTA1365168**

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

Proceeding no.	91291348
Party	Defendant Ecolab USA Inc.
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Submission	Answer
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Signature	/Elizabeth M. Stafki/
Date	06/14/2024
Attachments	Answer to Notice of Opposition.pdf(139527 bytes )



2. Admitted to the extent the records described in Exhibit A incorporated within paragraph 2 purport to be true and correct copies of USPTO records, which records speak for themselves. Applicant lacks knowledge or information sufficient to form a belief about the truth of any remaining allegations in paragraph 2 beyond what is reflected in USPTO records, and therefore denies the same.

3. Applicant lacks knowledge or information sufficient to form a belief about the truth of the allegations in paragraph 3, and therefore denies the same.

4. Applicant lacks knowledge or information sufficient to form a belief about the truth of the allegations in paragraph 4, and therefore denies the same.

5. Admitted that Applicant filed the Application for Applicant's Mark on October 26, 2020 on an in-use basis and the Applicant's claimed date of first use and first use in commerce is October 31, 2019 for the services quoted in paragraph 5. Applicant lacks knowledge or information sufficient to form a belief about the truth of the allegation that Opposer owns prior rights in the SURETREND Marks, and therefore denies the same.

6. Paragraph 6 of the Opposition merely incorporates by reference the matters alleged by Opposer in paragraphs 1 through 5 of the Opposition. To the extent that a response is required, Applicant reincorporates its responses to Opposer's allegations in paragraphs 1 through 5.

7. Denied.

8. Denied.

9. Denied.

10. Denied.

**PRAYER**

Applicant denies that Opposer is entitled to any of the requested relief. Applicant requests that the Board dismiss the Opposition, enter judgment for Applicant, and allow the opposed Application to proceed to registration.

Dated: June 14, 2024

Respectfully submitted,

/Elizabeth M. Stafki /  
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*Counsel for Applicant*

**CERTIFICATE OF SERVICE**

Under Trademark Rule 2.119, I certify that on June 14, 2024, I served a copy of this document by email on counsel for Opposer listed below:

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