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

LESTER LAMPERT, INC., Petitioner, v. CONTINENTAL JEWELRY (USA) INC. Registrant.	**ANSWER TO PETITION FOR CANCELLATION** Cancellation No.92042574 Reg. No. 2742520,

For its Answer to Petitioner's Notice of Petition to Cancel, Registrant states the following.

1. Registrant admits paragraph 1 of Petitioner's Notice.

2. Registrant denies Paragraph 2 of Petitioner's Notice, except to admit Registrant sells jewelry at wholesale.

3. Registrant is without knowledge or information sufficient to form a belief as to the truth of paragraph 3 of Petitioner's Notice, and therefore denies the same.

4. Registrant is without knowledge or information sufficient to form a belief as to the truth of paragraph 4 of Petitioner's Notice, and therefore denies the same.

5. Registrant is without knowledge or information sufficient to form a belief as to the truth of paragraph 5 of Petitioner's Notice, and therefore denies the same except to the extent of admitting it has a registration for PIROUETTE.

6. Registrant denies paragraph 6 of Petitioner's Notice.

7. Registrant denies paragraph 7 of Petitioner's Notice.

8. Registrant denies paragraph 8 of Petitioner's Notice.

9. Registrant denies paragraph 9 of Petitioner's Notice.

10. Registrant denies paragraph 10 of Petitioner's Notice.

11. Registrant denies paragraph 11 of Petitioner's Notice.

DEFENSES

As part of its Defenses, Registrant enumerates and states the following.

I. Laches, Petitioner having delayed and slept on its alleged rights for an excessive period of time, after having notice, actual or constructive, of Registrant's use and intended use of the mark, caused prejudice to Registrant.

II. Estoppel.

III. Acquiescence, in failing to oppose or petition to cancel Registrant's registration in the past.

IV. Abandonment, in Petitioner's failing to use the mark it claims for the purpose of source identification, and otherwise.

V. Absence of confusion, Petitioner's actual use of the mark it claims is noncompetitive with nor sufficiently related to Registrant's use to cause confusion among their customers.

WHEREFORE, Registrant prays that the Petition shall be denied in its entirety, and that any application the Petitioner may have pending to register the mark Pirouette shall also be rejected.

Respectfully submitted,

STEPHEN E. FELDMAN, P.C.

Dated: December 5, 2003

By: _____
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Attorneys for Registrant

"I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS AND IN AN ENVELOPE ADDRESSED TO: ASSISTANT COMMISSIONER OF PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450
ON Dec 5, 2003
M Feldman