

ESTTA Tracking number: **ESTTA35135**

Filing date: **06/08/2005**

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

Proceeding	92044477
Party	Defendant Edward & Sons Trading Company, Inc. Edward & Sons Trading Company, Inc. 4420 Via Real, Suite C Carpinteria, CA 93013
Correspondence Address	Edward & Sons Trading Company, Inc. 4420 Via Real, Suite C Carpinteria, CA 93013
Submission	Answer
Filer's Name	VICTORIA CARVER
Filer's e-mail	VC@ETMLAW.COM
Signature	/VCARVER/
Date	06/08/2005
Attachments	ANSWER.pdf (2 pages)

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

Jarrow Formulas, Inc.)
)
 Petitioner,)
)
 v.)
)
 Edward & Sons Trading Company, Inc.)
)
 Respondent.)

Cancellation No. 9204447

RESPONDENT'S ANSWER TO PETITION FOR CANCELLATION

COMES NOW Respondent, Edward & Sons Trading Company, Inc., by and through its below listed counsel of record and hereby responds as follows:

1. In answer to Paragraph 1, the same is admitted.
2. In answer to Paragraph 2, Respondent is without sufficient information or facts to form a belief and therefore the same is denied.
3. In answer to Paragraph 3, Respondent is without sufficient information or facts to form a belief and therefore the same is denied.
4. In answer to Paragraph 4, the same is denied.
5. In answer to Paragraph 5, the same is denied.
6. Respondent states affirmatively that it has been unable to satisfy its obligations pursuant to FRCP 11 in order to file compulsory cancellation counterclaims or to affirmatively assert

applicable affirmative defenses per FRCP 8, but expressly reserves its right to do so if additional facts to support such cancellation counterclaims are subsequently discovered.

WHEREFORE, Respondent respectfully prays that this Cancellation be dismissed.

Respectfully submitted,
Attorney for Respondent

By: /VCarver/
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Dated: June 8, 2005

CERTIFICATE OF SERVICE

Counsel for Respondent hereby certifies that a copy of this ANSWER TO CANCELLATION and the accompanying enclosures, if any, were mailed first class postage prepaid to Attorney for and the accompanying enclosures, if any, were mailed first class postage prepaid to Attorneys for Petitioner as follows:

Ericka K. Dewey, Mark D. Giarratana, McCarter & English, LLP, City Place I, 185 Asylum Street, Hartford, CT 06103 on June 8, 2005.

/VCarver/

Victoria A. Carver, Atty.

Date of Signature: June 8, 2005

CERTIFICATE OF TRANSMISSION

Counsel for Respondent hereby certifies that this correspondence was transmitted electronically using the Electronic System for Trademark Trials and Appeals (ESTTA) to the Trademark Trials and Appeals Board on the date shown below.

/VCarver/

Victoria A. Carver, Atty.

Date of Signature: June 8, 2005