

ESTTA Tracking number: **ESTTA48172**

Filing date: **10/11/2005**

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

Proceeding	92044880
Party	Defendant Jarrow Formulas, Inc. Jarrow Formulas, Inc. 1824 South Robertson Blvd Los Angeles, CA 90035
Correspondence Address	Jarrow Formulas, Inc. 1824 South Robertson Blvd Los Angeles, CA 90035
Submission	Answer
Filer's Name	Alexandra B. Stevens, Esq.
Filer's e-mail	astevens@mccarter.com, mgiarratana@mccarter.com, jwhitney@mccarter.com
Signature	/abs/
Date	10/11/2005
Attachments	JointAnswer.pdf (6 pages)

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

SPECIALTY NUTRITION PRODUCTS, LLC,)	
)	
Petitioner)	
)	CANCELLATION NO. 92/044,880
v.)	
)	Registration No. 2,735,038
JARROW FORMULAS, INC.)	
)	
Registrant)	OCTOBER 11, 2005

REGISTRANT'S ANSWER TO PETITION TO CANCEL

Registrant Jarrow Formulas, Inc. ("JFI" or "Registrant"), a corporation of the state of California, having a place of business at 1824 S. Robertson Blvd., Los Angeles, California, by and through its attorneys answers the Petition to Cancel in connection with the above-referenced matter. With respect to the grounds for the Petition to Cancel, Registrant responds as follows:

Grounds for Cancellation

Count I:

Registrant denies the allegations of Paragraph 1. Registrant has used and continues to use the JOINT SUSTAIN mark of Trademark Registration No. 2,735,038 (the "Mark") in commerce in connection with its goods. See Exhibits 1 and 2, attached hereto, as demonstrating continuous use by Registrant of its Mark.

Count II:

Registrant denies the allegations of Paragraph 2. Registrant has used and continues to use the Mark in commerce in connection with its goods. See Exhibits 1 and 2, attached hereto, demonstrating continuous use by Registrant of its Mark.

Count III

Registrant denies the allegations of Paragraph 3. Registrant has used and continues to use the Mark in commerce in connection with its goods. See Exhibits 1 and 2, attached hereto, demonstrating continuous use by Registrant of its Mark.

Count IV:

Registrant refers to its Motion to Dismiss pursuant to Federal Rule of Civil Procedure 9(b), filed herewith.

Statement of Facts

1. Registrant admits the allegations of Paragraph 1.
2. Registrant admits the allegations of Paragraph 2.
3. Registrant admits the allegations of Paragraph 3.
4. Registrant admits the allegations of Paragraph 4.
5. Registrant admits the allegations of Paragraph 5.
6. Registrant admits the allegations of Paragraph 6.
7. Registrant admits the allegations of Paragraph 7.
8. Registrant admits the allegations of Paragraph 8.
9. Registrant admits the allegations of Paragraph 9.
10. Registrant admits the allegations of Paragraph 10.
11. Registrant admits the allegations of Paragraph 11.
12. Registrant denies the allegations of Paragraph 12.
13. Registrant denies the allegations of Paragraph 13.
14. Registrant denies the allegations of Paragraph 14.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing REGISTRANT'S ANSWER TO PETITION TO CANCEL was sent via first-class mail, postage prepaid, on this 11th day of October, 2005, to:

Matthew H. Swyers, Esq.
THE SWYERS LAW FIRM
344 Maple Avenue West, Suite 389
Vienna, VA 22180

/abs/
ALEXANDRA B. STEVENS

Jarrow Formulas®

GLUCOSAMINE SULFATE 1000

SODIUM FREE

Supports Healthy Joints and Connective Tissue

100 Quik-Solv™ Tablets
Dietary Supplement

Supplement Facts

Serving Size 1 Tablet

	Amount Per Tablet	% DV
Glucosamine Sulfate • 2KCl	1340 mg	*
Yielding:		
Glucosamine Sulfate	1000 mg	
Potassium Chloride	340 mg	
(Net Potassium)	178 mg	5%

* Daily Value not established.

These statements have not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, cure, mitigate, treat, or prevent any disease.



Lot # 19011-19012-7

Jarrow Formulas, Inc. • 10155 Wilshire Blvd., Suite 1000 • Los Angeles, CA 90024 • (800) 521-6263 • www.jarrow.com

Glucosamine Sulfate 1000 mg • 100 Quik-Solv™ Tablets • Net Potassium 178 mg • 5% DV

Jarrow FORMULAS®

Established 1976

About | Online Retailers | A-Z Product

Product Categories

- Amino Acids
- Antioxidants
- Athletic Formulas
- Basic Vitamins
- Bone Formulations
- Brain, Eye, Gum & Dental
- Co-Q10 Products
- Digesting Enzymes
- Garlic & Fibers
- Germanium
- Green, Fruit, Super Foods
- Herbal Formulas
- Joint Nutrition
- Lecithin & Vinegar
- Lipid Fatty Acids
- Minerals
- Multi Vitamins
- Optimizers
- Probiotics
- Protein, Diet & Food
- Specialty Products
- Women's Products

Zip Code Store Locator
enter zip code below

Site Tools

- Job Opportunities
- Press Releases
- Legal Disclaimer
- Contact Us



Joint Sustain™ Supports Cartilage & Joint Function*

Dosage: n/a
Size: 60 Sustained Release Tablets
Category: Joint Nutrition
Product Number: 19008
Product Code: JNTSUS

Usage: Take 2 to 4 tablets daily or as directed by your qualified health consultant. **Warning:** Do NOT use if allergic to shellfish.

Joint Sustain™ uses a pharmaceutical matrix to create a sustained-release form of glucosamine, which is a clinically studied nutrient required for the synthesis of connective tissue subunits (glycosaminoglycans). Glucosamine is an essential building block of proteoglycans, hyaluronic acid (a component of joint lubrication) and glycolipids, and it is essential for the proper formation of tendons, ligaments, synovial fluid, bones, skin, nails and blood vessels.*

Joint Sustain™ offers a solution to the typically rapid absorption and clearance by the body of glucosamine due to its water-solubility and low molecular weight.

For best results Joint Sustain™ sodium-free formula should be taken with Jarrow Formulas BioSil™, the Biologically Active Silicon. Silicon enhances cartilage integrity.*

Keep out of the reach of children.

***These statements have not been evaluated by the Food and Drug Administration. This product is not intended to diagnose, treat, cure, or prevent any disease.**

Other Ingredients: Polyacrylate, calcium phosphate, cellulose, stearic acid and magnesium stearate.

Supplement Facts

Serving Size 2 Tablets
 Servings Per Container 30

	Amount Per 2 Tablets	% DV
Vitamin C	250 mg	417%
Vitamin D3	100 IU	25%
Manganese	1 mg	50%
Glucosamine Sulfate (from 1334 Glucosamine Sulfate * 2KCl)	1000 mg	*

* Daily Value not established.

Click below for more



True CMO™
Dosage: 380 mg
Size: 60 Capsule
Product Number:
[click here for more](#)



WinFlex™
Dosage: n/a
Size: 3.39 oz (95 capsules)
Product Number:
[click here for more](#)