



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

In the matter of Registration No. 2,984,449

TTAB

Mark:CAPUTO

Registered: August 16, 2005

 Wiscon Corp.,)
)
 Petitioner,)
)
 v.)
)
 Cantine Caputo, S.p.A.,)
)
 Registrant.)

Cancellation No. 92045271

ANSWER

The Registrant, Cantine Caputo S.p.A. ("Registrant") responds to Petitioner's, Wiscon Corp. ("Petitioner") Petition for Cancellation ("Petition") as follows:

1. The Registrant has insufficient information to admit or deny the facts alleged in Paragraph 1 of the Petition and therefore the allegations are denied.
2. The Registrant has insufficient information to admit or deny the facts alleged in Paragraph 2 of the Petition and therefore the allegations are denied.
3. The Registrant has insufficient information to admit or deny the facts alleged in Paragraph 3 of the Petition and therefore the allegations are denied.
4. The Registrant has insufficient information to admit or deny the facts alleged in Paragraph 4 of the Petition and therefore the allegations are denied.



5. The Registrant has insufficient information to admit or deny the facts alleged in Paragraph 5 of the Petition and therefore the allegations are denied.

6. The Registrant has insufficient information to admit or deny the facts alleged in Paragraph 6 of the Petition and therefore the allegations are denied.

7. The Registrant has insufficient information to admit or deny the facts alleged in Paragraph 7 of the Petition and therefore the allegations are denied.

8. The Registrant has insufficient information to admit or deny the facts alleged in Paragraph 8 of the Petition and therefore the allegations are denied.

9. Denied.

AFFIRMATIVE DEFENSES

1. The petitioner's claim is barred by laches, acquiescence, estoppel and waiver.

Wherefore the Petition for Cancellation should be dismissed.

Respectfully submitted,



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Attorneys for
Applicant Cantine Caputo, S.p.A

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Answer was sent via first class mail, postage prepaid, to the following on the date indicated below:

JoAnne M. Denison
Denison & Associates, P.C.
212 West Washington Street, #2004
Chicago, Illinois 60606

January 30, 2006
Date


Andrew C. Aitken

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