

ESTTA Tracking number: **ESTTA376485**

Filing date: **11/02/2010**

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

Proceeding	92053109
Party	Defendant Sprinkles Cupcakes, Inc.
Correspondence Address	SPRINKLES CUPCAKES, INC. 9635 LITTLE SANTA MONICA BLVD. BEVERLY HILLS, CA 90210 UNITED STATES
Submission	Answer
Filer's Name	Hollis Beth Hire
Filer's e-mail	hhire@wsgr.com, trademarks@wsgr.com
Signature	/Hollis Beth Hire/
Date	11/02/2010
Attachments	Answer -- Sprinkles Cancellation -- Classs 30 35.pdf ( 3 pages )(85271 bytes )



Fourth Affirmative Defense

6. As between the parties, Registrant has superior rights to the SPRINKLES mark and variations thereof. *See, e.g.*, Reg. Nos. 2938800 and 3004757.

Dated: November 2, 2010

WILSON SONSINI GOODRICH & ROSATI  
Professional Corporation

By:   
John L. Slafsky  
Hollis Beth Hire

Attorneys for Registrant  
Sprinkles Cupcakes, Inc.

Please address all communications concerning this proceeding to:

John L. Slafsky  
Hollis Beth Hire  
Wilson Sonsini Goodrich & Rosati  
650 Page Mill Road  
Palo Alto, California 94304-1050  
Telephone: (650) 493-9300  
Fax: (650) 493-6811  
trademarks@wsgr.com

**CERTIFICATE OF SERVICE BY MAIL**

I, Jo Ann Hylton, declare:

I am employed in Santa Clara County. I am over the age of 18 years and not a party to the within action. My business address is Wilson Sonsini Goodrich & Rosati, 650 Page Mill Road, Palo Alto, California 94304-1050.

I am readily familiar with Wilson Sonsini Goodrich & Rosati's practice for collection and processing of correspondence for mailing with the United States Postal Service. In the ordinary course of business, correspondence would be deposited with the United States Postal Service on this date.

On this date, I served **REGISTRANT'S ANSWER TO PETITION FOR CANCELLATION** on each person listed below, by placing the document described above in an envelope addressed as indicated below, which I sealed. I placed the envelope for collection and mailing with the United States Postal Service on this day, following ordinary business practices at Wilson Sonsini Goodrich & Rosati.

Thomas J. Vande Sande  
Hall & Vande Sande, LLC  
10220 River Road, Suite 200  
Potomac, Maryland 20854

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed at Palo Alto, California on November 2, 2010.

  
\_\_\_\_\_  
Jo Ann Hylton