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

Proceeding	92053444
Party	Defendant S.A. de Vera
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Submission	Answer
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Date	02/02/2011
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By: PAOLO SRINO

Date: February 2, 2011

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

In re Registration No.: 2,924,141
For the Trademark: SAVERA and design
Registered on: February 1, 2005

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Savaria Concord Lifts Inc.	:
	:
Petitioner,	:
	:
v.	:
	:
S.A. De Vera Corporation	:
	:
Registrant.	:
	:
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Opposition No. 92053444

ANSWER

Honorable Commissioner for Trademarks
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Sir:

Registrant, S.A. De Vera Corporation, by its attorneys, responds as follows to the Petition to Cancel the registration of the trademark SAVERA and design in U.S. Reg. No. 2,924,141:

1. Answering Paragraph 1 of the Petition to Cancel, Registrant admits the allegations contained therein.
2. Answering Paragraph 2 of the Petition to Cancel, Registrant admits the allegations contained therein.

3. Answering Paragraph 3 of the Petition to Cancel, Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations therein and therefore denies the same, leaving Petitioner to its strict proof at trial.

4. Answering Paragraph 4 of the Petition to Cancel, Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations therein and therefore denies the same, leaving Petitioner to its strict proof at trial.

5. Answering Paragraph 5 of the Petition to Cancel, Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations therein and therefore denies the same, leaving Petitioner to its strict proof at trial.

6. Answering Paragraph 6 of the Petition to Cancel, Applicant denies the allegations contained therein.

7. Answering Paragraph 7 of the Petition to Cancel, Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations therein and therefore denies the same, leaving Petitioner to its strict proof at trial.

8. Answering Paragraph 8 of the Petition to Cancel, Applicant denies the allegations contained therein.

AFFIRMATIVE DEFENSES

In further answer to the Petition to Cancel, Registrant asserts as separate and affirmative defenses that:

FIRST AFFIRMATIVE DEFENSE

1. Opposer lacks standing to oppose the Applications in that Opposer is not likely to be damaged or injured by Applicant's use or registration of the Marks.

SECOND AFFIRMATIVE DEFENSE

2. Opposer's Notice of Opposition fails to state legally sufficient grounds for sustaining the opposition.

In view of the foregoing, Registrant contends that this cancellation is groundless and baseless in fact; that Petitioner has not shown wherein it will be, or is likely to be, damaged by the registration of Applicant's mark; that Registrant has failed to state legally sufficient grounds for sustaining the cancellation and Registrant prays that this cancellation be dismissed with prejudice to Petitioner's position.

Respectfully Submitted,

Dated: February 2, 2011

By: 
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ATTORNEYS FOR REGISTRANT

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing REGISTRANT'S ANSWER TO PETITION TO CANCEL has been served on Petitioner, by mailing said copy on February 2, 2011, via express courier, postage prepaid to Petitioner's attorney of record, Ms. Jennifer V. Whiting, of Lewis Brisbois Bisgaard & Smith LLP, at 221 N Figueroa Street, Suite 1200, Los Angeles, CA 90012, U.S.A.



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