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

Proceeding	92058984
Party	Defendant JMH Education Marketing, Inc.
Correspondence Address	JMH EDUCATION MARKETING INC 75 BROAD STREET NEW YORK, NY 10004 UNITED STATES
Submission	Answer
Filer's Name	Marsha G. Ajhar
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Date	05/19/2014
Attachments	ANSWER to Petition to Cancel.pdf(1148801 bytes )

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

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Carrot Creative, LLC,

Petitioner,

v.

JMH Education Marketing, Inc.,

Registrant.

Cancellation №. 92058984

Mark: CARROTNEWYORK

Registration №. 4388598

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REGISTRANT'S ANSWER TO PETITION TO CANCEL

Registrant, JMH Education Marketing, Inc. ("Registrant"), by and through its counsel, for its Answer to the Petition to Cancel, responds and alleges as follows:

1. Registrant lacks sufficient knowledge and information to form a belief as to the truth of the allegations contained in paragraph 1 of the Petition to Cancel and therefore denies them.

2. Admitted.

3. Denied.

4. Registrant states that Application Serial No. 85345808 and the subject registration which issued therefrom speak for themselves.

5. Registrant states that Application Serial No. 85345808 and the subject registration which issued therefrom speak for themselves.

6. Registrant states that Application Serial No. 85345808 and the subject registration which issued therefrom speak for themselves.

7. Registrant lacks sufficient knowledge and information to form a belief as to the truth of the allegations contained in paragraph 7 of the Petition to Cancel pertaining to Petitioner's claim of priority of use and therefore denies them and denies the remainder of the allegations contained in paragraph 7 of the Petition to Cancel.

8. Registrant lacks sufficient knowledge and information to form a belief as to the truth of the allegations contained in paragraph 8 of the Petition to Cancel and therefore denies them.

9. Registrant lacks sufficient knowledge and information to form a belief as to the truth of the allegations contained in paragraph 9 of the Petition to Cancel and therefore denies them.

10. Registrant lacks sufficient knowledge and information to form a belief as to the truth of the allegations contained in paragraph 10 of the Petition to Cancel and therefore denies them.

11. Registrant lacks sufficient knowledge and information to form a belief as to the truth of the allegations contained in paragraph 11 of the Petition to Cancel as to whether Petitioner currently "holds" the registrations identified therein and further states that Registration Nos. 4429071 and 4295877 speak for themselves with respect to the services recited therein.

12. Registrant lacks sufficient knowledge and information to form a belief as to the truth of the allegations contained in paragraph 12 of the Petition to Cancel as to whether Petitioner currently "holds" the registration identified therein and further states that Registration No. 4454893 speak for itself with respect to the services recited therein.

13. Denied.

14. Registrant admits that it uses the descriptive geographic designation "New York" as a part of its mark and that its office is located in New York City but lacks sufficient

knowledge and information to form a belief as to the truth of the remaining allegations contained in paragraph 14 of the Petition to Cancel and therefore denies them.

15. Registrant lacks sufficient knowledge and information to form a belief as to the truth of the allegations contained in paragraph 15 of the Petition to Cancel and therefore denies them.

16. Registrant admits that Exhibit C contains a selection of screen shots from Registrant's website and that pages of those screen shots contain the phrases "education marketing programs" and "education marketing specialists" but denies the remainder of the allegations contained in paragraph 16 of the Petition to Cancel.

17. Denied.

18. Denied.

19. Denied.

20. Denied.

21. Denied.

22. Registrant lacks sufficient knowledge and information to form a belief as to the truth of the allegations contained in paragraph 22 of the Petition to Cancel and therefore denies them.

23. Admitted.

24. Registrant lacks sufficient knowledge and information to form a belief as to the truth of the allegations contained in paragraph 24 of the Petition to Cancel and therefore denies them.

25. Registrant lacks sufficient knowledge and information to form a belief as to the truth of the allegations contained in paragraph 25 of the Petition to Cancel and therefore denies them.

26. Registrant lacks sufficient knowledge and information to form a belief as to the truth of the allegations contained in paragraph 26 of the Petition to Cancel and therefore denies them.

27. Registrant lacks sufficient knowledge and information to form a belief as to the truth of the allegations contained in paragraph 27 of the Petition to Cancel and therefore denies them.

28. Registrant lacks sufficient knowledge and information to form a belief as to the truth of the allegations contained in paragraph 28 of the Petition to Cancel pertaining to Petitioner's use of its asserted trademarks and therefore denies them and denies the remaining allegations contained in paragraph 28 of the Petition to Cancel.

WHEREFORE, Applicant respectfully requests that the Board dismiss this cancellation proceeding and allow the subject registration to continue to subsist on the Principal Trademark Register with full force and effect.

Respectfully submitted,

Dated: May 19, 2014

By:   
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**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the foregoing REGISTRANT'S ANSWER TO PETITION TO CANCEL was served by first class mail, postage prepaid, this 19<sup>th</sup> day of May, 2014, upon the following:

John M. Trani, Esq.  
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Marsha G. Ajhar