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

Proceeding	92059382
Party	Defendant Local Clothes, LLC
Correspondence Address	LOCAL CLOTHES LLC 6760 CAMBRIA PINES ROAD CAMBRIA, CA 93428 UNITED STATES
Submission	Answer
Filer's Name	Mark R. Leonard
Filer's e-mail	mleonard@davisandleonard.com
Signature	/Mark R. Leonard/
Date	07/28/2014
Attachments	lc cancellation answer.pdf(17249 bytes)

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

T.H.Y. & ASSOCIATES, INC. Petitioner, v. LOCAL CLOTHES, LLC Registrant	Cancellation No.: 92,059,382 Registration No. 3,828,657 Mark: LOCAL & Design Registration No. 4,217,618 Mark: LOCAL
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ANSWER TO PETITION TO CANCEL

In response to the Petition to Cancel filed on June 13, 2014, the Registrant, Local Clothes, LLC (“Registrant”), answers the Petition to Cancel identified above as follows:

1. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 1 of the Petition to Cancel, and therefore denies them.
2. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 2 of the Petition to Cancel, and therefore denies them.
3. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 3 of the Petition to Cancel, and therefore denies them.

4. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 4 of the Petition to Cancel, and therefore denies them.
5. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 5 of the Petition to Cancel, and therefore denies them.
6. Registrant admits the allegations of paragraph 6 of the Petition to Cancel.
7. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 7 of the Petition to Cancel, and therefore denies them.
8. Registrant incorporates the responses contained in paragraphs 1 through 7 above as though fully set forth herein.
9. Registrant admits it markets and distributes its products through its website located at localclothes.com. Except as so admitted, Registrant denies the remaining allegations of paragraph 9 of the Petition to Cancel.
10. Registrant denies the allegations of paragraph 10 of the Petition to Cancel.
11. Registrant incorporates the responses contained in paragraphs 1 through 10 above as though fully set forth herein.
12. Registrant denies the allegations of paragraph 12 of the Petition to Cancel.

First Affirmative Defense

(Laches)

1. As a first separate and distinct affirmative defense, Registrant asserts that, due to the Petitioner's delay in bringing the Petition to Cancel, Petitioner's claims are barred by the doctrine of laches.

WHEREFORE, having fully answered the Petition to Cancel, Registrant respectfully requests that this proceeding be dismissed and that it be granted such other relief as the Board deems just and proper.

Please direct all correspondence to the law firm of Davis & Leonard, LLP, 8880 Cal Center Drive, Suite 180 Sacramento, CA 95826, Attention: Mark R. Leonard.

Registrant herein appoints Mark R. Leonard as its attorney to transact all business in the United States Patent and Trademark Office relating to this matter with full power of substitution.

Respectfully submitted,

LOCAL CLOTHES, LLC

By its attorneys,

Date: July 28, 2014

By: /Mark R. Leonard/
Mark R. Leonard
DAVIS & LEONARD, LLP
8880 Cal Center Dr., Suite 180
Sacramento, CA 95826
Telephone: (916) 362-9000

Certificate of Service

I hereby certify that a true and complete copy of the foregoing Answer to Petition to Cancel has been served on T.H.Y. & Associates, Inc., via its attorney of record Seth M. Reiss, by mailing said copy on July 28, 2014 via first class U.S. mail, postage prepaid, to: Seth M Reiss, AAL, ALLLC, 3770 Lurline Drive, Honolulu, HI 96816

/Victoria Kulbidyuk/
Victoria Kulbidyuk