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Filing date: **04/03/2015**

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

Proceeding	92060982
Party	Defendant Sylvester Fadal
Correspondence Address	SYLVESTER FADAL 3138 HASTINGS WAY SAN RAMON, CA 94582 UNITED STATES sealfadal@yahoo.com
Submission	Answer
Filer's Name	Matthew H. Swyers
Filer's e-mail	admin@thetrademarkcompany.com
Signature	/Matthew H. Swyers/
Date	04/03/2015
Attachments	Answer.pdf(178805 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
The Trademark Trial and Appeal Board

In the matter of U.S. Registration 3,262,882

For the mark 
Registered on the Principal Register on July 10, 2007

SelectNY New York LP,	:	
	:	
Petitioner,	:	
	:	
vs.	:	Cancellation No. 92060982
	:	
Sylvester Fadal,	:	
	:	
Registrant.	:	

ANSWER AND GROUNDS OF DEFENSE

COMES NOW Registrant, Sylvester Fadal (hereinafter “Registrant”), by and through counsel, The Trademark Company, PLLC, and files its Answer and Grounds of Defense to the Petition to Cancel and in response to Petitioner’s allegations states as follows:

ANSWER

Registrant denies the allegations set forth in the Introductory Paragraph of the Petition to Cancel and demands strict proof thereof. In response to the specifically enumerated paragraphs, the Registrant states as follows:

1. Registrant admits the allegations set forth in Paragraph 1 of the Petition to Cancel.
2. Registrant denies the allegations set forth in Paragraph 2 of the Petition to Cancel as phrased and demands strict proof thereof.
3. Registrant is without knowledge of the allegations set forth in the first sentence of Paragraph 3 and therefore denies the same. Registrant denies the allegations set forth in the second sentence of Paragraph 3 of the Petition to Cancel as phrased and demands strict proof

thereof. Registrant denies the allegations set forth in the third sentence of Paragraph 3 of the Petition to Cancel and demands strict proof thereof.

4. Registrant hereby incorporates by reference its responses to the allegations contained in Paragraphs 1 – 3 of the Petition for Cancellation as stated hereinabove.

5. Registrant denies the allegations set forth in Paragraph 5 of the Petition to Cancel and demands strict proof thereof.

6. Registrant denies the allegations set forth in Paragraph 6 of the Petition to Cancel and demands strict proof thereof.

7. Registrant denies the allegations set forth in Paragraph 7 of the Petition to Cancel and demands strict proof thereof.

Registrant further denies all allegations not specifically, actually or constructively, admitted in the foregoing paragraphs of this Answer and Grounds of Defense.

WHEREFORE, Registrant prays that the Petition to Cancel be dismissed.

Respectfully submitted this 3rd day of April, 2015.

THE TRADEMARK COMPANY, PLLC

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The Trademark Trial and Appeal Board**

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SelectNY New York LP,	:	
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Petitioner,	:	
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vs.	:	Cancellation No. 92060982
	:	
Sylvester Fadal,	:	
	:	
Registrant.	:	

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I caused a copy of the foregoing this 3rd day of April, 2015 to
be served, via first class mail, postage prepaid, upon:

Norman P Soloway
Hayes Soloway PC
4640 E Skyline Drive
Tucson, AZ 85718

/Matthew H. Swyers/
Matthew H. Swyers