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Filing date: **03/15/2016**

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

Proceeding	92062578
Party	Defendant VERSACE 19.69 ABBIGLIAMENTO SPORTIVO S.R .L.
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Date	03/15/2016
Attachments	answer to petition to cancel.pdf(144922 bytes )

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

In the matter of U.S. Trademark Registration No. 4626645  
Mark: V 19 69 ITALIA & Design  
Registration Date: October 28, 2014

Gap (Apparel) LLC,	)	
	)	
Petitioner,	)	
	)	
v.	)	Cancellation No. 92062578
	)	
Versace 19.69 Abbigliamento Sportivo Srl,	)	
	)	
Registrant.	)	

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**ANSWER TO PETITION TO CANCEL**

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Versace 19.69 Abbigliamento Sportivo Srl ("Registrant"), by and through its attorneys, Dorsey & Whitney LLP, hereby answers the Petition to Cancel (the "Petition") of Gap (Apparel) LLC. ("Petitioner"), as follows:

1. Registrant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 1 and therefore denies them.
2. Registrant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 2 and therefore denies them.
3. Registrant admits that according to the United States Patent and Trademark Office database, Petitioner is listed as the registrant of the registrations identified in paragraph 3. All other allegations are denied. Specifically, Registrant lacks knowledge as to whether the facts stated in the registrations are accurate. Further, Registrant lacks knowledge as to whether the registrations are otherwise valid or enforceable.
4. Registrant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 4 and therefore denies them.
5. Registrant admits the allegations of paragraph 5 of the Petition.

6. Registrant admits the allegations of paragraph 6 of the Petition.
7. Registrant admits the allegations of paragraph 7 of the Petition.
8. Registrant repeats and reiterates its denial of the allegations of paragraphs 1 through 4 and admission of the allegations of paragraphs 5 through 7 of the Petition.
9. Registrant denies the allegations of paragraph 9 of the Petition.
10. Registrant admits that although the V 19 69 ITALIA & Design mark has been used in U.S. commerce in connection with Class 9 goods, it has been in use for a period shorter than three years.
11. Registrant denies the allegations of paragraph 11 of the Petition.
12. Registrant denies the allegations of paragraph 12 of the Petition.
13. Registrant denies the allegations of paragraph 13 of the Petition.
14. Registrant repeats and reiterates its denial of the allegations of paragraphs 1 through 4 and paragraphs 9 through 13 of the Petition; Registrant repeats and reiterates its admission of the allegations of paragraphs 5 through 7 of the Petition.
15. Registrant denies the allegations of paragraph 15 of the Petition.
16. Registrant admits that although the V 19 69 ITALIA & Design mark has been used in U.S. commerce in connection with Class 14 goods, it has been in use for a period shorter than three years.
17. Registrant denies the allegations of paragraph 17 of the Petition.
18. Registrant denies the allegations of paragraph 18 of the Petition.
19. Registrant denies the allegations of paragraph 19 of the Petition.
20. Registrant repeats and reiterates its denial of the allegations of paragraphs 1 through 4 and paragraphs 9 through 19 of the Petition; Registrant repeats and reiterates its admission of the allegations of paragraphs 5 through 7 of the Petition.
21. Registrant denies the allegations of paragraph 21 of the Petition.

22. Registrant admits that although the V 19 69 ITALIA & Design mark has been used in U.S. commerce in connection with Class 25 goods, it has been in use for a period shorter than three years.

23. Registrant denies the allegations of paragraph 23 of the Petition.

24. Registrant denies the allegations of paragraph 24 of the Petition.

25. Registrant denies the allegations of paragraph 25 of the Petition.

26. Registrant repeats and reiterates its denial of the allegations of paragraphs 1 through 4 and paragraphs 9 through 25 of the Petition; Registrant repeats and reiterates its admission of the allegations of paragraphs 5 through 7 of the Petition.

27. Registrant denies the allegations of paragraph 27 of the Petition.

28. Registrant denies the allegations of paragraph 28 of the Petition.

29. Registrant denies the allegations of paragraph 29 of the Petition.

30. Registrant denies the allegations of paragraph 25 of the Petition.

31. Registrant denies the allegations of paragraph 25 of the Petition.

#### AFFIRMATIVE DEFENSES

1. Petitioner's claims are barred by the doctrines of unclean hands, estoppel, laches and/or acquiescence.

2. Petitioner lacks standing to bring this proceeding.

3. Petitioner has failed to state a claim for which relief can be granted.

Registrant reserves the right to amend its Answer to add additional or other defenses that cannot now be articulated due to Petitioner's failure to particularize its claims and/or the need for further discovery regarding Petitioner's claims.

WHEREFORE, Registrant requests this cancellation proceeding be denied.

Dated: March 15, 2016

Respectfully submitted,

DORSEY & WHITNEY LLP

By: 

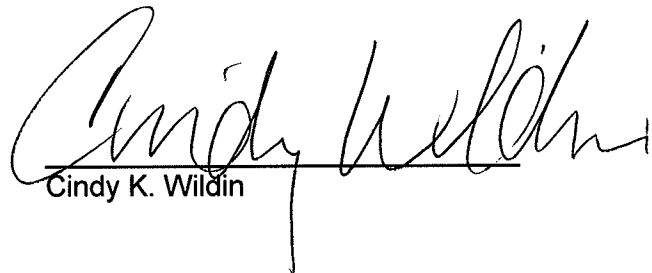
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**ATTORNEYS FOR REGISTRANT VERSACE  
19.69 ABBIGLIAMENTO SPORTIVO SRL**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and complete copy of the foregoing **Answer to Petition to Cancel** is being served upon Petitioner Gap (Apparel) LLC by mailing said copy on March 15 2016, via first-class mail, postage prepaid, addressed to:

James D. Weinberger  
Fross Zelman Lehrman & Zissu, P.C.  
866 United Nations Plaza 6th Floor  
New York, NY 10017

  
Cindy K. Wildin