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

Proceeding	92064951
Party	Defendant I. M. Wilson, Inc.
Correspondence Address	I M WILSON INC 241 KING MANOR DRIVE SUITE D KING OF PRUSSIA, PA 19406 UNITED STATES
Submission	Answer
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Date	01/18/2017
Attachments	2007 GRISHKO Answer.pdf(14248 bytes)

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

GRISHKO, INC.,	:	
	:	
Petitioner,	:	
	:	
v.	:	Cancellation No. 92064951
	:	
I.M. WILSON, INC.,	:	
	:	
Respondent.	:	

ANSWER

I.M. Wilson Inc., a Pennsylvania corporation, having a principal place of business at Suite D, 241 King Manor Drive, King of Prussia, Pennsylvania 19406 (“Respondent”), without waiving any right due to any insufficiency in the statement of the grounds of cancellation, and saving to itself all defenses in law and equity, in answer to the Petition to Cancel, states:

1. Respondent is without sufficient knowledge of the allegations of Paragraph 1 of the Petition to Cancel and, therefore, denies them.
2. Respondent is without sufficient knowledge of the allegations of Paragraph 2 of the Petition to Cancel and, therefore, denies them.
3. Respondent denies that Petitioner has used the trademark “2007” standing alone in United States commerce. Respondent is without sufficient knowledge of the remaining allegations of Paragraph 3 of the Petition to Cancel and, therefore, denies them.
4. Respondent admits that Petitioner is the owner of pending U.S. Application Serial No. 87/218,208 for the mark 2007 in standard character format for “clothing, namely footwear and ballet shoes” in International Class 25. Respondent denies the remaining allegations in Paragraph 4 of the Petition to Cancel.

5. Respondent admits the allegations in Paragraph 5 of the Petition to Cancel.

6. Respondent admits that on March 1, 1992, it entered into a written agreement with Grishko, Inc., a Soviet legal entity. Respondent is without sufficient knowledge of the remaining allegations of Paragraph 6 of the Petition to Cancel and, therefore, denies them.

7. Respondent admits only that it sells certain ballet shoes manufactured by Petitioner bearing Respondent's 2007 GRISHKO mark in the United States. Respondent denies the remaining allegations of Paragraph 7 of the Petition to Cancel.

8. Respondent admits only that it applied for and obtained registration of U.S. Registration No. 4,746,900 – 2007 GRISHKO, and that Respondent has not surrendered that registration. Respondent denies the remaining allegations of Paragraph 8 of the Petition to Cancel.

9. Respondent repeats and restates its answer to foregoing Paragraphs 1-8.

10. Respondent denies the allegations in Paragraph 10 of the Petition to Cancel.

11. Respondent denies the allegations in Paragraph 11 of the Petition to Cancel.

AFFIRMATIVE DEFENSES

12. Petitioner fails to state a claim upon which relief can be granted.

13. Petitioner's claims are barred by the doctrine of laches, estoppel, acquiescence, and/or waiver.

14. Petitioner lacks standing because it has made no bona fide use in United States commerce of the trademark "2007" standing alone.

15. Petitioner lacks standing because the parties' prior agreement(s) grant Respondent ownership of and exclusive rights in the GRISHKO brand in the United States, which extends to sub-brands such as 2007 GRISHKO.

16. Petitioner lacks standing to the extent that title in the 2007 GRISHKO mark and/or the purported 2007 mark was improperly transferred from Petitioner's predecessor.

For the foregoing reasons, Respondent prays that this cancellation proceeding be dismissed with prejudice.

Respectfully submitted,

I.M. WILSON, INC.

/tore t. debella/

By:

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Attorneys for Respondent.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing ANSWER was served on Petitioner at the following address of record, on this 18th day of January 2017, by email and first class mail, postage prepaid.

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