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

Proceeding	92077934
Party	Defendant GLYD, INC
Correspondence Address	GLYD INC 6260 W 3RD ST UNIT # 438 LOS ANGELES, CA 90036 UNITED STATES Primary Email: monika@glydapp.com 908-616-1010
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

<b>Glydways, Inc.,</b>	)	
	)	<b>Cancellation No. 92077934</b>
<b>Petitioner,</b>	)	
	)	<b>Mark: GLYD</b>
	)	<b>Registration No. 5503597</b>
<b>GLYD, Inc.,</b>	)	
	)	
<b>Respondent</b>	)	
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**ANSWER TO PETITION FOR CANCELLATION**

Respondent, GLYD, Inc. (hereinafter "Respondent"), by and through counsel, hereby submits the following Answer to Petitioner Glydways, Inc. (hereinafter "Petitioner") Petition for Cancellation in the above-referenced proceeding.

Respondent denies all such allegations and claims and denies that Petitioner has been or will be damaged by the continued registration of Respondent's GLYD mark.

Respondent denies each and every allegation contained in the Petition to Cancel unless otherwise expressly admitted or responded to herein as follows:

1. Respondent admits the allegations contained in Paragraph 1 that according to the publicly available records of the U.S. Patent and Trademark Office (hereinafter "USPTO"), Petitioner is the owner of US Applications Serial Nos. 90/318,308 and 90/318,317 for the marks GLYDWAYS and GLYDWAYS (Stylized) respectively filed on November 13, 2020.
2. Respondent admits the allegations contained in Paragraph 2 and admits that according to the publicly available records of the USPTO, the GLYD Registration

has been cited as a conflict to the registration of the GLYDWAYS Applications in Office Actions dated April 25, 2021.

3. Upon information and belief, Respondent denies the allegations contained in Paragraph 3.
4. Upon information and belief, Respondent denies the allegations contained in Paragraph 4.
5. Upon information and belief, Respondent denies the allegations contained in Paragraph 5.
6. Upon information and belief, Respondent denies the allegations contained in Paragraph 6.
7. Upon information and belief, Respondent denies the allegations contained in Paragraph 7.
8. Respondent is the owner of GLYD US Trademark Registration No. 5,503,597 for “Electronic data interchange; Electronic message sending; Electronic message transmission; Electronic messaging; Electronic messaging system, namely, electronic queuing services; Electronic order transmission services; Electronic transmission of messages; Providing electronic telecommunication connections” in International Class 38 and “Transport and delivery of goods; Transport and storage of goods; Transport of persons and goods; Transport reservation; Arranging transport for travelers; Organizing transport for travelers; Passenger transport; Providing transport for guided tours by individual preference” in International Class 39.

9. Upon information and belief, the GLYD mark is not used solely in association with a mobile application that allows locals to create travel itineraries for out-of-town visitors. The GLYD mark offers transportation services. Moreover, the GLYD website is active and has provided business.
10. Upon information and belief, the GLYD mark has been in use and continues to be in use in connection with the listed services for “Electronic data interchange; Electronic message sending; Electronic message transmission; Electronic messaging; Electronic messaging system, namely, electronic queuing services; Electronic order transmission services; Electronic transmission of messages; Providing electronic telecommunication connections” in International Class 38 and “Transport and delivery of goods; Transport and storage of goods; Transport of persons and goods; Transport reservation; Arranging transport for travelers; Organizing transport for travelers; Passenger transport; Providing transport for guided tours by individual preference” in International Class 39.
11. Upon information and belief, the GLYD mark was never abandoned, and therefore cannot be cancelled pursuant to 15 U.S.C. § 1064(3).
12. Upon information and belief, the GLYD mark has been in use since May 13, 2013 and in use in commerce since April 13, 2015, and continues to be in use. Therefore, the Petitioner has not established prima facie case of abandonment under 15 U.S.C. § 1127
13. Upon information and belief, Respondent has not abandoned its mark and Respondent will be damaged if the mark is cancelled.

## **AFFIRMATIVE DEFENSES**

Respondent states as follows for its affirmative defenses:

1. Petitioner does not have standing to bring this cancellation because it cannot establish senior rights to Respondent in its GLYD mark.

Respondent reserves the right to assert additional affirmative defenses as they may become known through the process of discovery.

## **PRAYER FOR RELIEF**

WHEREFORE, GLYD, Inc. prays that:

- A. This Cancellation proceeding be dismissed in its entirety with prejudice; and
- B. That Respondent has such other and further relief as the Board may deem just and proper.

Date: November 9, 2021

Respectfully submitted,

/pejman yedidsion/

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GLYD, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Answer to Petition for Cancellation has been served upon Brian M Davis of VLP LAW GROUP LLP by electronic mail this 9th day of November, 2021 at the following email addresses: bdavis@vlplawgroup.com, trademarks@vlplawgroup.com.

/pejman yedidsion/

Pejman Yedidsion, Esq.