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

Proceeding	92078181
Party	Defendant Rhinosystems, Inc.
Correspondence Address	RHINOSYSTEMS, INC. SUITE 1100 1 AMERICAN ROAD BROOKLYN, OH 44144 UNITED STATES Primary Email: ipdocket@thompsonhine.com No phone number provided.
Submission	Answer
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Date	11/16/2021
Attachments	Answer to Petition for Cancellation 4877-6239-1042 v.1.pdf(6638 bytes)

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

NEILMED PHARMACEUTICALS, INC.	:	
	:	
Petitioner,	:	
	:	
v.	:	Cancellation No. 92078181
	:	
RHINOSYSTEMS, INC.,	:	Registration No. 6,471,245
	:	
Registrant	:	
	:	

ANSWER TO PETITION TO CANCEL

Pursuant to Fed. R. Civ. P. 13 and Trademark Rule 2.114, Registrant Rhinosystems, Inc. (“Registrant”) submits the following Answer to Petitioner Neilmed Pharmaceuticals, Inc.’s (“Petitioner”) Petition to Cancel.

Preamble: Registrant admits that Petitioner seeks cancellation of Registration No. 6,471,245, which document speaks for itself. Registrant denies that Petitioner has been or will be damaged, or is entitled to the relief it seeks. Registrant lacks sufficient information to either admit or deny the remaining allegations set forth in the preamble paragraph, and therefore denies same. Except as expressly admitted, denied.

1. Registrant lacks sufficient information to either admit or deny the allegations set forth in paragraph 1, and therefore denies same.

2. Registrant lacks sufficient information to either admit or deny the allegations set forth in paragraph 2, and therefore denies same.

3. Registrant admits that Petitioner is identified as the owner of United States Application Serial No. 88/193,486, which registration speaks for itself in terms of the filing date and recitation of goods and services. Except as expressly admitted, denied.

4. Registrant lacks sufficient information to either admit or deny the allegations set forth in paragraph 4, and therefore denies same.

5. Registrant lacks sufficient information to either admit or deny the allegations set forth in paragraph 5, and therefore denies same.

6. Registrant lacks sufficient information to either admit or deny the allegations set forth in paragraph 6, and therefore denies same.

7. Registrant lacks sufficient information to either admit or deny the allegations set forth in paragraph 7, and therefore denies same.

8. Registrant admits that it filed U.S. Application No. 87/724,592 on December 18, 2017 for the goods identified therein that matured into U.S. Registration No. 6,471,245, which document speaks for itself. Registrant denies the remaining allegations set forth in paragraph 8.

9. Registrant lacks sufficient information to either admit or deny the allegations set forth in paragraph 9, and therefore denies same.

10. Registrant lacks sufficient information to either admit or deny the allegations set forth in paragraph 10, and therefore denies same.

11. Registrant lacks sufficient information to either admit or deny the allegations set forth in paragraph 11, and therefore denies same.

12. Registrant denies the allegations set forth in Paragraph 12.

13. Registrant denies the allegations set forth in Paragraph 13.

14. Registrant denies the allegations set forth in Paragraph 14.

Wherefore, Registrant denies that Petitioner is entitled to the relief it seeks, and prays that Cancellation No. 92078181 be refused.

Date: November 16, 2021

Respectfully submitted,

/s/ Carrie A. Shufflebarger

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Attorneys for Registrant

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing is being served via electronic mail on the following, on this 16th of November, 2021:

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/s/ Carrie A. Shufflebarger

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