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

Proceeding no.	92081122
Party	Defendant FRANKTEX, INC.
Correspondence address	FRANKTEX, INC. 1683 GALVEZ AVENUE SAN FRANCISCO, CA 94124 UNITED STATES Primary email: tmoffice@knobbe.com No phone number provided
Submission	Answer
Filer's name	Jeffrey L. Van Hoosear
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Date	02/10/2023
Attachments	Answer to Petition for Cancellation.pdf(125707 bytes)

FTEX.007N

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

IENJOY VENTURES, LLC,

Petitioner,

v.

FRANKTEX, INC.,

Respondent.

Cancellation No. 92081122

Registration No. 6072759

RESPONDENT'S ANSWER TO PETITION FOR CANCELLATION

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

Dear Sir or Madam:

Respondent, FRANKTEX, INC., a California corporation, having a business at 1683 Galvez Avenue, San Francisco, California 94124 hereby answers the Petition for Cancellation instituted in the name of Petitioner, iEnjoy Ventures, LLC, against Respondent's U.S. Registration No. 6072759 ("Registration") for the CASUAL COMFORT trademark as set forth below

1. Answering Paragraph 1 of the Petition for Cancellation, Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 1 of the Petition for Cancellation and therefore, on that basis, denies these allegations.

2. Answering Paragraph 2 of the Petition for Cancellation, Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 2 of the Petition for Cancellation and therefore, on that basis, denies these allegations.

3. Answering Paragraph 3 of the Petition for Cancellation, Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in

Paragraph 3 of the Petition for Cancellation and therefore, on that basis, denies these allegations.

4. Answering Paragraph 4 of the Petition for Cancellation, Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 4 of the Petition for Cancellation and therefore, on that basis, denies these allegations.

5. Answering Paragraph 5 of the Petition for Cancellation, Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 5 of the Petition for Cancellation and therefore, on that basis, denies these allegations.

6. Answering Paragraph 6 of the Petition for Cancellation, Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 6 of the Petition for Cancellation and therefore, on that basis, denies these allegations.

7. Answering Paragraph 7 of the Petition for Cancellation, Respondent admits that Registration '759 is registered on the Principal Register.

8. Answering Paragraph 8 of the Petition for Cancellation, Respondent admits the allegations contained in Paragraph 8 of the Petition for Cancellation.

9. Answering Paragraph 5 [sic] of the Petition for Cancellation, Respondent admits the allegations contained in Paragraph 5 [sic] of the Petition for Cancellation.

10. Respondent denies the allegations contained in Paragraph 6 [sic] of the Petition for Cancellation.

11. Respondent denies the allegations contained in Paragraph 7 [sic] of the Petition for Cancellation.

12. Answering Paragraph 8 [sic] of the Petition for Cancellation, Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 8 [sic] of the Petition for Cancellation and therefore, on that basis, denies these allegations.

13. Respondent denies the allegations continued in Paragraph 9 [sic] of the Petition for Cancellation.

14. Answering Paragraph 10 [sic] of the Petition for Cancellation, Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 10 [sic] of the Petition for Cancellation and therefore, on that basis, denies these allegations.

15. Respondent denies the allegations in Paragraph 11 [sic] of the Petition for Cancellation.

16. Answering Paragraph 12 [sic] of the Petition for Cancellation, Respondent hereby again responds to “paragraphs one (1) through eleven (11)” [sic] as it has responded above as if fully set forth herein.

17. Answering Paragraph 13 [sic] of the Petition for Cancellation, Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 13 [sic] of the Petition for Cancellation and therefore, on that basis, denies these allegations.

18. Answering Paragraph 14 [sic] of the Petition for Cancellation, Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 14 [sic] of the Petition for Cancellation and therefore, on that basis, denies these allegations.

19. Answering Paragraph 15 [sic] of the Petition for Cancellation, Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 15 [sic] of the Petition for Cancellation and therefore, on that basis, denies these allegations.

20. Answering Paragraph 16 [sic] of the Petition for Cancellation, Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 16 [sic] of the Petition for Cancellation and therefore, on that basis, denies these allegations.

21. Answering Paragraph 17 [sic] of the Petition for Cancellation, Respondent is

without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 17 [sic] of the Petition for Cancellation and therefore, on that basis, denies these allegations.

22. Answering Paragraph 18 [sic] of the Petition for Cancellation, Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 18 [sic] of the Petition for Cancellation and therefore, on that basis, denies these allegations.

23. Answering Paragraph 19 [sic] of the Petition for Cancellation, Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 19 [sic] of the Petition for Cancellation and therefore, on that basis, denies these allegations.

24. Answering Paragraph 20 [sic] of the Petition for Cancellation, Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 20 [sic] of the Petition for Cancellation and therefore, on that basis, denies these allegations.

25. Answering Paragraph 21 [sic] of the Petition for Cancellation, Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 21 [sic] of the Petition for Cancellation and therefore, on that basis, denies these allegations.

26. Answering Paragraph 22 [sic] of the Petition for Cancellation, Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 22 [sic] of the Petition for Cancellation and therefore, on that basis, denies these allegations.

27. Respondent denies the allegations in Paragraph 23 [sic] of the Petition for Cancellation.

28. Answering Paragraph 24 [sic] of the Petition for Cancellation, Respondent is

without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 24 [sic] of the Petition for Cancellation and therefore, on that basis, denies these allegations.

29. Respondent denies the allegations of Paragraph 25 [sic] of the Petition for Cancellation.

30. Answering Paragraph 26 [sic] of the Petition for Cancellation, Respondent hereby again responds to “paragraphs one (1) through eleven (11)” [sic] as it has responded above as if fully set forth herein.

31. Answering Paragraph 27 [sic] of the Petition for Cancellation, Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 27 [sic] of the Petition for Cancellation and therefore, on that basis, denies these allegations.

32. Answering Paragraph 28 [sic] of the Petition for Cancellation, Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 28 of the Petition for Cancellation and therefore, on that basis, denies these allegations.

33. Answering Paragraph 29 [sic] of the Petition for Cancellation, Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 29 [sic] of the Petition for Cancellation and therefore, on that basis, denies these allegations.

34. Answering Paragraph 30 [sic] of the Petition for Cancellation, Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 30 [sic] of the Petition for Cancellation and therefore, on that basis, denies these allegations.

35. Answering Paragraph 31 [sic] of the Petition for Cancellation, Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations

contained in Paragraph 31 [sic] of the Petition for Cancellation and therefore, on that basis, denies these allegations.

36. Answering Paragraph 32 [sic] of the Petition for Cancellation, Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 32 [sic] of the Petition for Cancellation and therefore, on that basis, denies these allegations.

37. Respondent denies the allegations in Paragraph 33 [sic] of the Petition for Cancellation.

38. Answering Paragraph 34 [sic] of the Petition for Cancellation, Respondent hereby again responds to “paragraphs one (1) through eleven (11)” [sic] as it has responded above as if fully set forth herein.

39. Answering Paragraph 35 [sic] of the Petition for Cancellation, Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 35 [sic] of the Petition for Cancellation and therefore, on that basis, denies these allegations.

40. Answering Paragraph 36 [sic] of the Petition for Cancellation, Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 36 [sic] of the Petition for Cancellation and therefore, on that basis, denies these allegations.

41. Answering Paragraph 37 [sic] of the Petition for Cancellation, Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 37 [sic] of the Petition for Cancellation and therefore, on that basis, denies these allegations.

42. Answering Paragraph 38 [sic] of the Petition for Cancellation, Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 38 [sic] of the Petition for Cancellation and therefore, on that basis, denies

these allegations.

43. Answering Paragraph 39 [sic] of the Petition for Cancellation, Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 39 [sic] of the Petition for Cancellation and therefore, on that basis, denies these allegations.

44. Answering Paragraph 40 [sic] of the Petition for Cancellation, Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 40 [sic] of the Petition for Cancellation and therefore, on that basis, denies these allegations.

45. Answering Paragraph 41 [sic] of the Petition for Cancellation, Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 41 [sic] of the Petition for Cancellation and therefore, on that basis, denies these allegations.

46. Answering Paragraph 42 [sic] of the Petition for Cancellation, Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 42 [sic] of the Petition for Cancellation and therefore, on that basis, denies these allegations.

47. Answering Paragraph 43 [sic] of the Petition for Cancellation, Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 43 [sic] of the Petition for Cancellation and therefore, on that basis, denies these allegations.

48. Answering Paragraph 44 [sic] of the Petition for Cancellation, Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 44 [sic] of the Petition for Cancellation and therefore, on that basis, denies these allegations.

49. Answering Paragraph 45 [sic] of the Petition for Cancellation, Respondent is

without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 45 [sic] of the Petition for Cancellation and therefore, on that basis, denies these allegations.

50. Respondent denies the allegations in Paragraph 46 [sic] of the Petition for Cancellation.

Unless specifically admitted herein, all allegations in the Petition for Cancellation are denied. Respondent further denies that Petitioner is entitled to any relief, including the relief requested in the Petition for Cancellation.

There may be defenses to the claims alleged by Petitioner that are currently unknown to Respondent. Therefore, Respondent reserves the right to amend its Answer to allege any defenses currently unknown to Respondent, in the event that discovery of additional information indicates that they are appropriate.

WHEREFORE, in view of the foregoing, Respondent contends that this Cancellation Action is groundless and baseless in fact; that Petitioner cannot show it will be or is likely to be damaged by the registration of Respondent's CASUAL COMFORT trademark; and Respondent prays that this Cancellation Action be dismissed.

Respectfully submitted,
KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: February 10, 2023

By: /JVH/
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