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

Proceeding no.	92086050
Party	Defendant Greggs Beauty Distribution, LLC
Correspondence address	GREGGS BEAUTY DISTRIBUTION, LLC 1107 W ST GEORGES AVE LINDEN, NJ 07036 UNITED STATES Primary email: jumile@greggsbeauty.com 908-925-2500
Submission	Answer
Filer's name	John Umile
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Signature	/John Umile/
Date	12/18/2024
Attachments	Umile Answer to Cancellation.pdf(102288 bytes)

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

OLAPLEX, INC.,

Olaplex,

v.

GREGGS BEAUTY DISTRIBUTION, LLC,

Respondent.

Cancellation No. 92086050

Registration No. 6763607

Mark : Violapex

ANSWER

COMES NOW GREGGS BEAUTY DISTRIBUTION, LLC, (“Respondent”), answers the Petition for Cancellation filed by OLAPLEX, INC. (hereinafter “Olaplex”), and assigned Cancellation No. 92086050. Respondent hereby responds, solely for the purpose of this proceeding, to each of the grounds set forth in the Petition for Cancellation, as follows:

Respondent disagrees with the unnamed paragraph except for the description of the Subject Registration which it agrees in so far that it correctly reflects the information on the USPTO database.

1. Respondent is without information sufficient as to the information in paragraph 1 of the Petition for Cancellation, and therefore denies same.

2. Respondent is without information sufficient as to the information in paragraph 2 of the Petition for Cancellation, and therefore denies same.

3. Respondent is without information sufficient as to the information in paragraph 3 of the Petition for Cancellation, and therefore denies same.

4. Respondent is without information sufficient as to the information in paragraph 4 of the Petition for Cancellation, and therefore denies same.

5. Respondent is without information sufficient as to the information in paragraph 5 of the Petition for Cancellation, and therefore denies same.

6. Respondent agrees with paragraph 6 of the Petition for Cancellation in so far that it correctly reflects the information available on the USPTO database.

7. Respondent agrees with paragraph 7 of the Petition for Cancellation in so far that it correctly reflects the information available on the USPTO database.

8. Respondent denies paragraph 8 of the Petition for Cancellation.

9. Admitted to the extent the records of the USPTO are accurate and corroborate the facts alleged.

10. Admitted to the extent the records of the USPTO are accurate and corroborate the facts alleged.

11. Respondent denies paragraph 11 of the Petition for Cancellation.

12. Respondent denies paragraph 12 of the Petition for Cancellation.

13. Admitted to the extent the records of the USPTO are accurate and corroborate the facts alleged.

14. Respondent denies paragraph 14 of the Petition for Cancellation.

15. Respondent denies paragraph 15 of the Petition for Cancellation.

16. Respondent denies paragraph 16 of the Petition for Cancellation.

17. Respondent denies paragraph 17 of the Petition for Cancellation.

AFFIRMATIVE DEFENSES

FURTHERMORE, Respondent sets forth the following in support of its defense:

18. The dominant feature of Respondent's mark is the 'Viola' part of the trademark.

Consumers are unlikely to be confused nor have they been for the last 4 years.

19. Upon information and belief, consumers of Respondent's goods exercise a high degree of care deciding whether to purchase them.

20. Upon information and belief, consumers of Olaplex's goods exercise a high degree of care deciding whether to purchase them.

21. Upon information and belief, Respondent's customers are sophisticated purchasers.

22. Upon information and belief, Olaplex's customers are sophisticated purchasers.

23. Respondent's mark is not the same as or confusingly similar to any of Olaplex's marks.

24. Respondent's marks and each of Olaplex's pleaded marks have different appearances.

25. Respondent's mark and each of Olaplex's pleaded marks have different meanings.

26. Respondent's mark and each of Olaplex's pleaded marks have different sounds.

27. Respondent's mark and each of Olaplex's pleaded marks have different commercial impressions.

28. Respondent's mark and the pleaded marks of Olaplex are not likely to cause

confusion, mistake or deception among purchasers as to the source of Olaplex's and Respondent's respective goods and services.

29. Olaplex's pleaded marks are not likely to be damaged by continued registration and use of Respondent's mark.

WHEREFORE, Respondent prays that the Trademark Trial and Appeal Board deny the Petition for Cancellation.

DATED : December 17,2024

Respectfully submitted,

Greggs Beauty Distribution, LLC
/John Umile/
John Umile

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on December 18, 2024, the foregoing ANSWER was served via email on Olaplex and Olaplex's attorney at:

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DATED : December 17,2024

Respectfully submitted,

Greggs Beauty Distribution, LLC

/John Umile/

John Umile