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

Proceeding no.	92082327
Party	Defendant Gregory Hotel, Inc.
Correspondence address	GREGORY HOTEL, INC. 900 SHORE ROAD SOMERS POINT, NJ 08244 UNITED STATES No email provided No phone number provided
Submission	Answer
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Date	06/23/2023
Attachments	Cover Page for Answer.pdf(61587 bytes) 06232023 GREGORYS ANSWER TO COMPLAINT.pdf(150666 bytes)

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

Proceeding	92082327
Party	Defendant GREGORY HOTEL, INC.
Correspondence Address	GREORY HOTEL, INC. 900 Shore Road Somers Point, NJ 08244 United States
Submission	Answer
Filer's Name	Stephen Altamuro, Esq.
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Date	06/23/2023
Attachments	Registrants_Answer_to_Petition_for_Cancellation.pdf

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

TACO BELL IP HOLDER, LLC	:	
	:	
Petitioner,	:	
	:	Cancellation No. 92082327
vs.	:	
	:	Mark: Taco Bell IP Holder, LLC
GREGORY HOTEL, INC.	:	
	:	Registration NO.: 3621366
Registrants	:	

ANSWER TO PETITION FOR CANCELLATION

COMES NOW, Registrant Gregory Hotel, Inc. (“Registrant”) in the above-captioned matter and submits this answer to the petition for cancellation filed by Taco Bell IP Holder LLC (“Petitioner”) with respect to the Mark at Registration Number 3621366 (“the registration Mark”) by generally denying all the allegations in the Petition for Cancellation, except as may be specifically admitted or denied as follows, and denying that Petitioner is presently or will in the future be damaged by the continued registration of the Registrants’ Mark.

PREFACE

- A. Denied. Registrants lack knowledge or information sufficient to form a belief as to the allegations contained in this paragraph of the Petition for Cancellation and on this basis denies the same. By way of further answer the allegation contains conclusions of law to which no responsive pleading is required, and they are denied.

- B. Denied. Registrants lack knowledge or information sufficient to form a belief as to the allegations contained in this paragraph of the Petition for Cancellation and on this basis denies the same. By way of further answer the allegation contains conclusions of law to which no responsive pleading is required, and they are denied.
- C. Denied. Registrants lack knowledge or information sufficient to form a belief as to the allegations contained in this paragraph of the Petition for Cancellation and on this basis denies the same. By way of further answer the allegation contains conclusions of law to which no responsive pleading is required, and they are denied.
- D. Denied. Registrants lack knowledge or information sufficient to form a belief as to the allegations contained in this paragraph of the Petition for Cancellation and on this basis denies the same. By way of further answer the allegation contains conclusions of law to which no responsive pleading is required, and they are denied.
- E. Denied. Registrants lack knowledge or information sufficient to form a belief as to the allegations contained in this paragraph of the Petition for Cancellation and on this basis denies the same. By way of further answer the allegation contains conclusions of law to which no responsive pleading is required, and they are denied.
- F. Denied. Registrants lack knowledge or information sufficient to form a belief as to the allegations contained in this paragraph of the Petition for Cancellation and on this basis denies the same. By way of further answer the allegation contains conclusions of law to which no responsive pleading is required, and they are denied.
- G. Denied. Registrants lack knowledge or information sufficient to form a belief as to the allegations contained in this paragraph of the Petition for Cancellation and on this basis

denies the same. By way of further answer the allegation contains conclusions of law to which no responsive pleading is required, and they are denied.

H. Denied. Registrants lack knowledge or information sufficient to form a belief as to the allegations contained in this paragraph of the Petition for Cancellation and on this basis denies the same. By way of further answer the allegation contains conclusions of law to which no responsive pleading is required, and they are denied.

I. Denied. Registrants lack knowledge or information sufficient to form a belief as to the allegations contained in this paragraph of the Petition for Cancellation and on this basis denies the same. By way of further answer the allegation contains conclusions of law to which no responsive pleading is required, and they are denied.

ALLEGATIONS

1. Denied. Registrants lack knowledge or information sufficient to form a belief as to the allegations contained in this paragraph of the Petition for Cancellation and on this basis denies the same. By way of further answer the allegation contains conclusions of law to which no responsive pleading is required, and they are denied.

2. Denied. Registrants lack knowledge or information sufficient to form a belief as to the allegations contained in this paragraph of the Petition for Cancellation and on this basis denies the same. By way of further answer the allegation contains conclusions of law to which no responsive pleading is required, and they are denied.

3. Denied. Registrants lack knowledge or information sufficient to form a belief as to the allegations contained in this paragraph of the Petition for Cancellation and on this basis

denies the same. By way of further answer the allegation contains conclusions of law to which no responsive pleading is required, and they are denied.

4. Admitted
5. Denied. Registrants lack knowledge or information sufficient to form a belief as to the allegations contained in this paragraph of the Petition for Cancellation and on this basis denies the same. By way of further answer the allegation contains conclusions of law to which no responsive pleading is required, and they are denied.
6. Denied. Registrants lack knowledge or information sufficient to form a belief as to the allegations contained in this paragraph of the Petition for Cancellation and on this basis denies the same. By way of further answer the allegation contains conclusions of law to which no responsive pleading is required, and they are denied.
7. Denied. Registrants lack knowledge or information sufficient to form a belief as to the allegations contained in this paragraph of the Petition for Cancellation and on this basis denies the same. By way of further answer the allegation contains conclusions of law to which no responsive pleading is required, and they are denied.
8. Denied. Registrants lack knowledge or information sufficient to form a belief as to the allegations contained in this paragraph of the Petition for Cancellation and on this basis denies the same. By way of further answer the allegation contains conclusions of law to which no responsive pleading is required, and they are denied.
9. Denied. Registrants lack knowledge or information sufficient to form a belief as to the allegations contained in this paragraph of the Petition for Cancellation and on this basis denies the same. By way of further answer the allegation contains conclusions of law to which no responsive pleading is required, and they are denied.

10. Denied. Registrants lack knowledge or information sufficient to form a belief as to the allegations contained in this paragraph of the Petition for Cancellation and on this basis denies the same. By way of further answer the allegation contains conclusions of law to which no responsive pleading is required, and they are denied.
11. Denied. Registrants lack knowledge or information sufficient to form a belief as to the allegations contained in this paragraph of the Petition for Cancellation and on this basis denies the same. By way of further answer the allegation contains conclusions of law to which no responsive pleading is required, and they are denied.
12. Denied. Registrants lack knowledge or information sufficient to form a belief as to the allegations contained in this paragraph of the Petition for Cancellation and on this basis denies the same. By way of further answer the allegation contains conclusions of law to which no responsive pleading is required, and they are denied.
13. Denied. Registrants lack knowledge or information sufficient to form a belief as to the allegations contained in this paragraph of the Petition for Cancellation and on this basis denies the same. By way of further answer the allegation contains conclusions of law to which no responsive pleading is required, and they are denied.
14. Denied. Registrants lack knowledge or information sufficient to form a belief as to the allegations contained in this paragraph of the Petition for Cancellation and on this basis denies the same. By way of further answer the allegation contains conclusions of law to which no responsive pleading is required, and they are denied.
15. Denied. Registrants lack knowledge or information sufficient to form a belief as to the allegations contained in this paragraph of the Petition for Cancellation and on this basis

denies the same. By way of further answer the allegation contains conclusions of law to which no responsive pleading is required, and they are denied.

16. Denied. Registrants lack knowledge or information sufficient to form a belief as to the allegations contained in this paragraph of the Petition for Cancellation and on this basis denies the same. By way of further answer the allegation contains conclusions of law to which no responsive pleading is required, and they are denied.

CLAIM 1

17. Answering Registrants' reports and restates the foregoing paragraphs of their answer as fully as set forth herein at length.
18. Denied. Registrants lack knowledge or information sufficient to form a belief as to the allegations contained in this paragraph of the Petition for Cancellation and on this basis denies the same. By way of further answer the allegation contains conclusions of law to which no responsive pleading is required, and they are denied.

CLAIM 2

19. Answering Registrants' reports and restates the foregoing paragraphs of their answer as fully as set forth herein at length.
20. Denied. Registrants lack knowledge or information sufficient to form a belief as to the allegations contained in this paragraph of the Petition for Cancellation and on this basis denies the same. By way of further answer the allegation contains conclusions of law to which no responsive pleading is required, and they are denied.

WHEREFOR, Registrant respectfully request that Petitioner's Cancellation be denied.

AFFIRMATIVE DEFENSES

1. Petitioner fails to state a claim upon which relief can be Granted.
2. The action is barred by the Statute of Limitations
3. The action is barred by the Doctrine of Laches
4. Petitioners are not entitled as a matter of Law to the Relief Sought.
5. Petitioners' claims are barred in whole or part by the Doctrine of Equitable Estoppel.
6. Petitioners' claims are barred, in whole or part by the Doctrine of Collateral Estoppel.
7. Petitioners' claims are barred by the Doctrine of Laches.
8. Registrant reserves the right to amend its answer to assert additional defenses that may become applicable as a result of discovery and further investigation.

PRAYER FOR RELIEF

WHEREFOR, Respondent, GREGORY HOTEL, INC. prays:

- A. That this action be dismissed in its entirety with prejudice; and
- B. That Respondent, GREGORY HOTEL INC., have such other and further relief as the board may deem just and proper.

Respectfully submitted,

/stephen altamuro/

Date: June 23, 2023

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT ON June 23, 2023, a true and correct copy of the foregoing documents was delivered via electronic mail to:

Attorneys for Petitioner:

Alexandra H. Bistline abistline@pirkeybarber.com
Pirkey Barber PLLC
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(512) 322-5200

By: /debra agzigian/

Debra Agzigian