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

Proceeding	91158578
Party	Defendant ForeScout Technologies, Inc. ForeScout Technologies, Inc. 2755 Campus Drive Suite 115 San Mateo, CA 94403
Correspondence Address	RONALD D. COLEMAN, ESQ. COLEMAN & WEINSTEIN 410 PARK AVENUE - 15TH FLOOR NEW YORK, NY 10022
Submission	Answer
Filer's Name	Ronald D. Coleman
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Signature	/rdc/
Date	12/14/2004
Attachments	Answer.pdf (4 pages)

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

In the matter of trademark application Serial Nos. 78/126,968 and
78/126,971

For the marks ACTIVESCOUT and FORESCOUT

Published in the Official Gazette on November 12, 2002

NETSCOUT SYSTEMS, INC.,

Opposer,

v.

Opposition No. 91158578

FORESCOUT TECHNOLOGIES, INC.,

Applicant.

Box TTAB
Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

ANSWER TO OPPOSITION

Applicant ForeScout Technologies, Inc. ("Applicant"), by its undersigned attorneys, for its Answer to the Opposition of Netscout Systems, Inc. ("Opposer"), responds as follows:

1. Applicant lacks knowledge and information sufficient to admit or deny.

2. Admitted.

3. Applicant lacks knowledge and information sufficient to admit or deny.

4. Applicant lacks knowledge and information sufficient to admit or deny.

5. Applicant lacks knowledge and information sufficient to admit or deny, except as to the allegation that "'scout'

formatives . . . form a family of 'SCOUT' marks," which is denied.

6. Admitted, except denied to the extent of the implication that Opposer has any rights.

7. Admitted, except denied to the extent of the implication that Opposer has any rights.

8. Denied.

9. Denied.

10. Denied.

11. Neither admission nor denial is an appropriate response to this paragraph, which does not contain a legally cognizable allegation.

12. Denied.

13. Denied.

14. Denied.

15. Denied.

16. Denied.

17. Applicant lacks knowledge and information sufficient to admit or deny, except denied that registration of Applicant's trademarks would cause confusion, mistake, or deception.

WHEREFORE, Applicant respectfully requests that the Trademark Trial and Appeal Board reject the Opposition and register the marks that are the subjects hereof, Serial Nos. 78/126,968 and 78/126,971.

Applicant hereby appoints Ronald D. Coleman of the Coleman Law Firm, a member of the bars of the states of New York and New Jersey, to act as attorney for Applicant herein, with full power to prosecute the defense of this Opposition, to transact all relevant business with the Patent and Trademark Office and in the United States Courts, and to receive all official communication in connection with this matter.

COLEMAN LAW FIRM
A Professional Corporation



Ronald D. Coleman

410 Park Avenue - 15th Floor
New York, NY 10022
(212) 752-9500

Dated: December 14, 2004

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PROOF OF SERVICE

The undersigned hereby certifies that on this date, a true and correct copy of the Answer to Opposition of ForeScout Technologies, Inc., was served by First Class mail addressed to the following:

Jennifer K. Lawson, Esq.
Testa, Hurwitz & Thibeault, LLP
High Street Tower
125 High Street
Boston, MA 02110

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.



Ronald D. Coleman

Dated: December 14, 2004