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

Proceeding	91160951
Party	Defendant Nexans Nexans 16, rue de Monceau FRX Paris, TX 75008
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Date	11/23/2005
Attachments	Answer 91160951.pdf (3 pages)

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

Atty Docket: K944-D904

GUARDSMARK, LLC,)	
)	
Opposer,)	
)	
v.)	Opposition No. 91160951
)	Appln. Serial No. 78/243,473
NEXANS,)	Mark: GUARDMARK
)	
Applicant.)	
_____)	

APPLICANT’S ANSWER TO OPPOSITION

Applicant, Nexans, by its attorneys, hereby answers the allegations set forth in the Notice of Opposition as follows:

1. Applicant has insufficient knowledge or information as to the truth of the allegations set forth in Paragraph 1 of the Notice of Opposition and, therefore, denies said allegations.
2. Applicant has insufficient knowledge or information as to the truth of the allegations set forth in Paragraph 2 of the Notice of Opposition and, therefore, denies said allegations.
3. Applicant denies the allegations set forth in Paragraph 3 of the Notice of Opposition.
4. Applicant admits the allegations set forth in Paragraph 4 of the Notice of Opposition.
5. Applicant admits the allegations set forth in Paragraph 5 of the Notice of Opposition.

6. Applicant admits the allegations set forth in Paragraph 6 of the Notice of Opposition.
7. Applicant denies the allegations set forth in Paragraph 7 of the Notice of Opposition.
8. Applicant admits the allegations of the first sentence of Paragraph 8. Applicant denies the allegations of the last sentence of Paragraph 8. Applicant has insufficient knowledge or information as to the truth of the remaining allegations of Paragraph 8 of the Notice of Opposition and, therefore, denies said allegations.
9. Applicant admits the allegations set forth in Paragraph 9 of the Notice of Opposition.
10. Applicant denies the allegations set forth in Paragraph 10 of the Notice of Opposition.
11. Applicant denies the allegations set forth in Paragraph 11 of the Notice of Opposition.
12. Applicant denies the allegations set forth in Paragraph 12 of the Notice of Opposition.
13. Applicant admits the allegations of the first sentence of Paragraph 13. Applicant has insufficient knowledge or information as to the truth of the second sentence of Paragraph 13 of the Notice of Opposition and, therefore, denies said allegations. Applicant denies the remaining allegations of Paragraph 13.
14. Applicant has insufficient knowledge or information as to the truth of the allegations of Paragraph 14 of the Notice of Opposition and, therefore, denies said allegations.
15. Applicant denies the allegations set forth in Paragraph 15 of the Notice of Opposition.
16. Applicant denies the allegations set forth in Paragraph 16 of the Notice of Opposition.
17. Applicant denies the allegations set forth in Paragraph 17 of the Notice of Opposition.
18. Applicant denies the allegations set forth in Paragraph 18 of the Notice of Opposition.

Nexans denies any and all allegations in the Notice of Opposition that are not specifically admitted herein.

WHEREFORE, Applicant prays that the opposition be dismissed.

DEFENSES

1. Opposer cannot meet its burden of showing likelihood of confusion within the relevant marketplace.

2. Opposer cannot meet its burden of showing that its marks are “famous” under section 43(c) of the Lanham Act, 15 U.S.C. § 1125(c).

Dated: November 23, 2005

Respectfully submitted,

/Kathleen A. Skinner/
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