

ESTTA Tracking number: **ESTTA56091**

Filing date: **12/05/2005**

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

<b>Proceeding</b>	91166346
<b>Party</b>	Defendant TOMTOM LICENSING GMBH TOMTOM LICENSING GMBH NEULERCHENFELDERSTRASSE 12 ATX 1160 VIENNA,
<b>Correspondence Address</b>	JOHN CLARKE HOLMAN JACOBSON HOLMAN PLLC 400 SEVENTH STREET, N.W. WASHIINGTON, D, DC 20004  trademark@jhip.com, rpierce@jhip.com, jholman@jhip.com
<b>Submission</b>	Answer
<b>Filer's Name</b>	John Clarke Holman
<b>Filer's e-mail</b>	trademark@jhip.com, rpierce@jhip.com, jholman@jhip.com
<b>Signature</b>	/John Clarke Holman/
<b>Date</b>	12/05/2005
<b>Attachments</b>	I05334 answer.pdf ( 5 pages )

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

TOMTOM B.V.,	)	
	)	
Opposer,	)	
	)	Opposition No. 91166346
v.	)	
	)	
TOMTOM LICENSING GMBH,	)	
	)	
Applicant.	)	

**ANSWER**

Applicant, TomTom Licensing GmbH, answers Opposer's Amended Notice of Opposition as follows:

1. Applicant lacks sufficient knowledge or information upon which to form a belief as to the truth of the allegations contained in Paragraph 1 of the Amended Notice of Opposition and therefore denies the same.
2. Applicant admits the allegations contained in Paragraph 2 except that Applicant is Tomtom Licensing GmbH.
3. Applicant lacks sufficient knowledge or information upon which to form a belief as to the truth of the allegations contained in Paragraph 3 of the Amended Notice of Opposition and therefore denies the same.
4. Applicant lacks sufficient knowledge or information upon which to form a belief as to the truth of the allegations contained in Paragraph 4 of the Amended Notice of Opposition and therefore denies the same.

5. Applicant lacks sufficient knowledge or information upon which to form a belief as to the truth of the allegations contained in Paragraph 5 of the Amended Notice of Opposition and therefore denies the same.

6. Applicant lacks sufficient knowledge or information upon which to form a belief as to the truth of the allegations contained in Paragraph 6 of the Amended Notice of Opposition and therefore denies the same.

7. Applicant lacks sufficient knowledge or information upon which to form a belief as to the truth of the allegations contained in Paragraph 7 of the Amended Notice of Opposition and therefore denies the same.

8. Applicant denies the allegations contained in Paragraph 8 of the Amended Notice of Opposition.

9. Applicant denies the allegations contained in Paragraph 9 of the Amended Notice of Opposition.

10. Applicant denies the allegations contained in Paragraph 10 of the Amended Notice of Opposition.

11. Applicant admits the allegation contained in Paragraph 11 of the Amended Notice of Opposition to the extent that Ser. No. 76/125,536 identifies goods in International Classes 9 and 24. Applicant denies that Ser. No. 76/125,536 identifies goods and services in International Classes 30, 38, and 39. Applicant denies the remainder of the allegations contained in Paragraph 11 of the Amended Notice of Opposition.

12. Applicant admits the allegations contained in Paragraph 12 of the Amended Notice of Opposition.

13. Applicant admits the allegations contained in Paragraph 13 of the Amended Notice of Opposition.

14. Applicant denies the allegations contained in Paragraph 14 of the Amended Notice of Opposition.

15. Applicant denies the allegations contained in Paragraph 15 of the Amended Notice of Opposition.

16. Applicant admits the allegations to the extent that Applicant filed an amendment on August 18, 2005, but denies the remaining allegations contained in Paragraph 16 of the Amended Notice of Opposition.

17. Applicant lacks sufficient knowledge or information upon which to form a belief as to the truth of the allegations contained in Paragraph 17 of the Amended Notice of Opposition regarding harm to Opposer and therefore denies the same. Applicant denies the remaining allegations contained in Paragraph 17 of the Amended Notice of Opposition.

18. Applicant denies the allegations contained in Paragraph 18 of the Amended Notice of Opposition.

19. Applicant lacks sufficient knowledge or information upon which to form a belief as to the truth of the allegations contained in Paragraph 19 of the Amended Notice of Opposition and therefore denies the same.

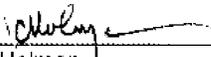
20. Applicant denies the allegations contained in Paragraph 20 of the Amended Notice of Opposition.

21. Applicant denies the allegations contained in Paragraph 21 of the Amended Notice of Opposition.

22. Applicant denies the allegations contained in Paragraph 22 of the Amended Notice of Opposition.

WHEREFORE, Applicant requests that judgment be entered in favor of the Applicant and the Notice of Opposition be dismissed in its entirety with prejudice and that judgment be entered in favor of the Applicant.

Respectfully submitted,

By:   
John C. Holman  
Robert S. Pierce  
Attorneys for the Applicant  
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(202) 638-6666

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing **Answer** was served on this 5<sup>th</sup> day of December, 2005, by first class mail, postage prepaid, addressed to Jess M. Collen, Collen IP, The Holyoke-Manhattan Building, 80 South Highland Avenue, Ossining, New York 10562. Attorney for the Opposer.

Janet Amber