

ESTTA Tracking number: **ESTTA58750**

Filing date: **12/21/2005**

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

Proceeding	91167514
Party	Defendant Intelius Inc. Intelius Inc. 500 108th Avenue NE, Suite 1660 Bellevue, WA 98004
Correspondence Address	STEVEN B. WINTERS LANE POWELL SPEARS LUBERSKY LLP 1420 FIFTH AVENUE STE 4100 SEATTLE, WA 98101-2338
Submission	Answer
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Signature	/simmons/
Date	12/21/2005
Attachments	answer.pdf (3 pages)

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

In the Matter of Trademark Application Serial No.: 78/210,639
Filed: February 4, 2003
For the Mark: INTELIFINDER
Published in the Official Gazette on July 12, 2005

Vantage Technologies Knowledge Assessment,)	
L.L.C.,)	
)	Opposition No. 91167514
Opposer,)	
)	
v.)	APPLICANT'S ANSWER
)	TO NOTICE OF OPPOSITION
Intelius, Inc.,)	AND AFFIRMATIVE DEFENSES
)	
Applicant.)	

ANSWER

Applicant, INTELIOUS, INC., a Delaware corporation ("Intelius"), by and through its attorneys, LANE POWELL PC, answers the notice of opposition filed by Vantage Technologies Knowledge Assessment, L.L.C. ("Opposer") in the above-captioned matter as follows:

1. Intelius neither admits nor denies the allegation contained in Paragraph 1 regarding the USPTO's electronic filing system, since it is not an allegation of fact relevant to this claim.

2. Intelius is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 2, and accordingly denies same.

3. Intelius is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 3, and accordingly denies same.

4. Denied.

5. Denied.

6. Intelius is without knowledge or information sufficient to form a belief as to the

truth of the allegations contained in Paragraph 6, and accordingly denies same.

7. Denied.

AFFIRMATIVE DEFENSES

1. As a first affirmative defense to the opposition, Intelius alleges that the Opposer lacks standing.

2. As a second affirmative defense to the opposition, Intelius alleges that the Opposer fails to state a claim upon which relief may be granted.

3. As a third affirmative defense to the opposition, Intelius alleges that the INTELLIFINDER mark is invalid.

4. As a fourth affirmative defense to the opposition, Intelius alleges that the INTELLIFINDER mark has been abandoned.

5. As a fifth affirmative defense to the opposition, Intelius alleges that Opposer's claims are barred by the equitable doctrine of estoppel.

6. Intelius reserves the right to assert other affirmative defenses, after discovery is completed.

WHEREFORE, Intelius requests that this opposition be dismissed and that its registration issue in the normal course.

DATED this 21st day of December, 2005.

LANE POWELL PC

By 

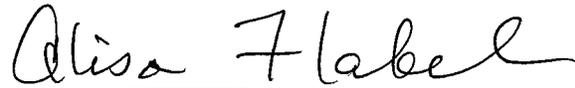
Stephanie J. Simmons, WSBA No. 30154
Steven B. Winters WSBA No. 22393

Attorneys for Applicant
Intelius, Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and complete copy of the foregoing Answer to Notice of Opposition and Affirmative Defenses was served upon the attorneys for Opposer by mailing the same on the 21st day of December, 2005, via First Class Mail, postage prepaid, to:

John J. Simkanich, Esq.
Paul & Paul
Suite 2900
Two Thousand Market Street
Philadelphia, PA 19103

A handwritten signature in cursive script that reads "Alisa Flabel". The signature is written in black ink and is positioned above a horizontal line.

Alisa Flabel