

ESTTA Tracking number: **ESTTA88058**

Filing date: **06/30/2006**

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

Proceeding	91171026
Party	Defendant Soapbox Communications, Inc. Soapbox Communications, Inc. 2128 Westlake Ave. Seattle, WA 98121
Correspondence Address	ROBERT C CUMBOW GRAHAM & DUNN PC 2801 ALASKAN WAY STE 300 SEATTLE, WA 98121
Submission	Answer
Filer's Name	Michael G. Atkins
Filer's e-mail	matkins@grahamdunn.com, krichards@grahamdunn.com
Signature	/Michael G. Atkins/
Date	06/30/2006
Attachments	Soapbox Answer.pdf (2 pages)(64907 bytes)

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

In the matter of Trademark Application Serial No. 78/542,051
Filed January 4, 2005
For the Mark SOAPBOX COMMUNICATIONS

Soapbox, LLC d/b/a Soapbox Consulting, LLC,)	Opposition No. 91171026
)	
Opposer,)	ANSWER
)	
vs.)	
)	
Soapbox Communications, Inc.,)	
)	
Applicant.)	

Applicant Soapbox Communications, Inc. (“Applicant”), answers opposer Soapbox, LLC’s Notice of Opposition as follows:

1. Applicant admits the allegations contained in Paragraph 1 of the Notice of Opposition.
2. Applicant denies the allegations contained in Paragraph 2 of the Notice of Opposition.
3. Applicant lacks knowledge of the truth or falsity of the allegations contained in Paragraphs 3-6 of the Notice of Opposition and, therefore, denies same.
4. Applicant denies the allegations contained in Paragraphs 7-11 of the Notice of Opposition.

AFFIRMATIVE DEFENSES

1. Opposer’s notice of opposition fails to state a claim upon which relief can be granted.
2. Opposer’s notice of opposition is barred by waiver, laches, or estoppel.

In light of the foregoing, Applicant prays that the opposition proceeding be dismissed and that the subject application be allowed for registration.

Respectfully submitted,

GRAHAM & DUNN PC



Michael G. Atkins
Robert C. Cumbow
Attorneys for Applicant
Soapbox Communications, Inc.

Dated: June 30, 2006

Graham & Dunn PC
Pier 70
2801 Alaskan Way, Suite 300
Seattle, WA 98121-1128
Telephone: (206) 624-8300
Fax: (206) 340-9599

CERTIFICATE OF SERVICE

I hereby certify that on June 30, 2006, a copy of the foregoing was served on Soapbox, LLC, via First Class Mail as follows:

Sarah Anne Keefe
Kathryn M. Eyster
Womble Carlyle Sandridge & Rice, PLLC
150 Fayetteville Street Mall, Suite 2100
P.O. Box 831
Raleigh, NC 27602



Michael G. Atkins