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

Proceeding	91173189
Party	Defendant Logniko, Igor Logniko, Igor Apt. 2a, Brooklyn 7115 3rd Ave. , NY 11209
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Submission	Answer
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Date	12/20/2006
Attachments	opp2.il.pdf ( 3 pages )(32261 bytes )

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

In the matter of application Serial No. 78/612,360    TEMPLATEMONSTER

MONSTERCOMMERCE, LLC

Opposer,

v

Opposition No. 91173189

IGOR LOGNIKOV

Applicant.

\_\_\_\_\_/

**APPLICANT’S ANSWER AND AFFIRMATIVE DEFENSES TO AMENDED NOTICE  
OF OPPOSITION**

COMES NOW, the Applicant, IGOR LOGNIKOV (“Lognikov”), by and through his undersigned counsel, who respectfully answers the Amended Notice of Opposition of Opposer, MONSTERCOMMERCE, LLC (“MC”), and states as follows:

1.     Lognikov does not have sufficient information to admit or deny the allegations of MC as they relate to this paragraph, and therefore denies the same.
2.     Lognikov does not have sufficient information to admit or deny the allegations of MC as they relate to this paragraph, and therefore denies the same.
3.     Lognikov does not have sufficient information to admit or deny the allegations of MC as they relate to this paragraph, and therefore denies the same.
4.     (First Occurrence). Lognikov does not have sufficient information to admit or deny the allegations of MC as they relate to this paragraph, and therefore denies the same.
4.     (Second Occurrence). Lognikov does not have sufficient information to admit or deny the allegations of MC as they relate to this paragraph, and therefore denies the same.

5. Lognikov does not have sufficient information to admit or deny the allegations of MC as they relate to this paragraph, and therefore denies the same.
6. Admit.
7. Denied.
8. Denied as dismissed.
9. Denied.

### **AFFIRMATIVE DEFENSES**

1. The Amended Notice of Opposition fails to state a claim upon which relief can be granted.
2. MC is barred from filing or prosecuting the Amended Notice of Opposition pursuant to the defense of laches.
3. MC is barred from filing or prosecuting the Amended Notice of Opposition pursuant to the defense of unclean hands.
4. MC is barred from filing or prosecuting the Amended Notice of Opposition pursuant to the defense of equitable estoppel.
5. MC is barred from filing or prosecuting the Amended Notice of Opposition pursuant to the defense of legal estoppel.
6. The TTAB lacks subject matter jurisdiction over the Amended Notice of Opposition.

Respectfully submitted,

s/Richard S. Ross, Esq.  
RICHARD S. ROSS, ESQ.  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served by United States Postal Service first class regular mail, and addressed to counsel for the Opposer:

Brian J. Winterfeldt  
Tricia McDermott Thompkins  
Ballard Spahr Andrews & Ingersoll, LLP  
601 13<sup>th</sup> Street, NW,  
Suite 1000 South  
Washington, DC 20005

this 20<sup>th</sup> day of December, 2006.

s/Richard S. Ross, Esq.  
Richard S. Ross, Esq.