

ESTTA Tracking number: **ESTTA123652**

Filing date: **02/06/2007**

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

Proceeding	91174897
Party	Defendant LINX SA LINX SA 2A RUE DES CAPUCINS , LU L-1313
Correspondence Address	IRA S. DORMAN LAW OFFICE OF IRA S. DORMAN 330 ROBERTS STREET SUITE 200 EAST HARTFORD, CT 06108 UNITED STATES
Submission	Answer
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Date	02/06/2007
Attachments	g204 answ intuit_20070206192139.pdf (4 pages)(91294 bytes)

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

INTUIT, INC.,	X	
	:	
Opposer,	:	
	:	
V.	:	Opposition No. 911/74897
	:	
	:	Mark: INTUIX
	:	
LINX S.A.,	:	
	:	Serial No. 76/554068
	:	
Applicant.	:	
	X	

ANSWER TO NOTICE OF OPPOSITION

Applicant hereby answers the Notice of Opposition as follows:

1. Applicant admits the allegations in paragraph 1 of the Notice of Opposition.

2. Applicant lacks sufficient information or belief with regard to the allegations of paragraph 2 of the Notice of Opposition, and therefore, denies the allegations of paragraph 2 of the Notice of Opposition.

3. Applicant lacks sufficient information or belief with regard to the allegations of paragraph 3 of the Notice of Opposition, and therefore, denies the allegations of paragraph 3 of the Notice of Opposition.

AFFIRMATIVE DEFENSES

1. Laches.

2. Acquiescence.

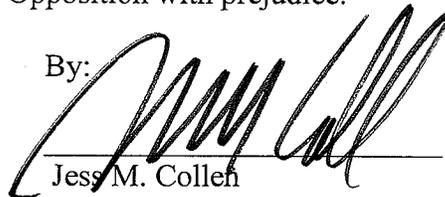
3. Waiver.

4. Estoppel.

5. Lacks sufficient allegations to support a claim.
6. The Notice of Opposition fails to set forth a basis for the Opposition sufficient to deny registration of Applicant's mark.
7. Equitable doctrine of unclean hands.
8. Applicant's use of the mark is not likely to cause confusion with Opposer's marks.
9. Opposer's mark is not capable of dilution.
10. Applicant's goods bearing the INTUIX mark are not similar to Plaintiff's goods sold under its mark.
11. Plaintiff's INTUIT mark is merely descriptive as it is defined as "to know, sense or understand by intuition" which is descriptive of the capabilities of the Plaintiff's goods and/or services.
12. Plaintiff's claims are barred because they have not acquired secondary meaning in the word INTUIT to identify or distinguish their goods or services.

Wherefore, the Applicant respectfully moves the Board to grant judgment in its favor and to dismiss the Notice of Opposition with prejudice.

By:



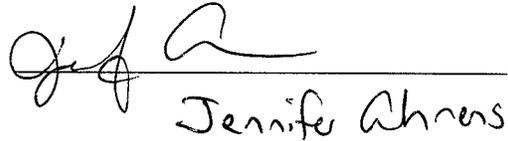
Jess M. Colleen
Thomas P. Gulick
COLLEN IP
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80 South Highland Avenue
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(914) 941-5668
Attorney for Applicant

Dated: February 6, 2007

SHOULD ANY OTHER FEE BE REQUIRED, THE PATENT AND TRADEMARK OFFICE IS HEREBY REQUESTED TO CHARGE SUCH FEE TO OUR DEPOSIT ACCOUNT 03-2465.

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING FILED ELECTRONICALLY WITH THE UNITED STATES PATENT AND TRADEMARK OFFICE.

Date: February 6, 2007


Jenife Ahrens

CERTIFICATE OF SERVICE

I, Jennifer Arons, hereby certify I caused a true copy of the foregoing
"Answer to Notice of Opposition" to be served upon Sally M. Abel and Linda G. Henry
of Fenwick & West LLP, Silicon Valley Center, 801 California Street, Mountain View,
CA 91041 via First Class Mail, postage prepaid on February 6, 2007