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

Proceeding	91176065
Party	Plaintiff Lenovo (Singapore) Pte. Ltd
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Date	08/17/2010
Attachments	Opposers answer august 2010.pdf (7 pages)(172697 bytes)

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

In the matter of trademark application Serial No. 78/636,480
For the mark THINKCP
Published in the Official Gazette on November 7, 2006

Lenovo (Singapore) PTE Ltd. Opposer, vs. H. Co. Computer Products Applicant.	Opposition No. 91176065
H. Co. Computer Products Counterclaimant, vs. Lenovo (Singapore) PTE Ltd. Respondent.	

OPPOSER'S ANSWER TO APPLICANT'S SECOND AMENDED COUNTERCLAIM (DOCKET # 24)

Opposer, Lenovo (Singapore) PTE Ltd., by and through its undersigned counsel, hereby submits the following Answer to H. Co. Computer Products ("H. Co.") Second Amended Counterclaim (Docket #24), and in support offers the following:

1. Admitted.

2. Admitted.

3. Admitted.

4. Admitted.

5. Admitted.

6. Admitted.

FIRST CLAIM (PRIORITY AND LIKELIHOOD OF CONFUSION)

7. Paragraphs 1-6, inclusive, are incorporated herein by reference.

8. After reasonable investigation Opposer is without sufficient information to form a belief as the truth of these allegations, thus the same are denied with strict proof demanded at the time of trial.

9. After reasonable investigation Opposer is without sufficient information to form a belief as the truth of these allegations, thus the same are denied with strict proof demanded at the time of trial.

10. After reasonable investigation Opposer is without sufficient information to form a belief as the truth of these allegations, thus the same are denied with strict proof demanded at the time of trial.

11. After reasonable investigation Opposer is without sufficient information to form a belief as the truth of these allegations, thus the same are denied with strict proof demanded at the time of trial.

12. After reasonable investigation Opposer is without sufficient information to form a belief as the truth of these allegations, thus the same are denied with strict proof demanded at the time of trial.

13. After reasonable investigation Opposer is without sufficient information to form a belief as the truth of these allegations, thus the same are denied with strict proof demanded at the time of trial.

14. After reasonable investigation Opposer is without sufficient information to form a belief as the truth of these allegations, thus the same are denied with strict proof demanded at the time of trial.

15. After reasonable investigation Opposer is without sufficient information to form a belief as the truth of these allegations, thus the same are denied with strict proof demanded at the time of trial.

16. After reasonable investigation Opposer is without sufficient information to form a belief as the truth of these allegations, thus the same are denied with strict proof demanded at the time of trial.

17. After reasonable investigation Opposer is without sufficient information to form a belief as the truth of these allegations, thus the same are denied with strict proof demanded at the time of trial. Further, the allegations of this paragraph and the conclusions set forth therein, represents legal conclusions to which no response is required and the same are generally and specifically denied.

18. After reasonable investigation Opposer is without sufficient information to form a belief as the truth of these allegations, thus the same are denied with strict proof demanded at the time of trial. Further, the allegations of this paragraph and the conclusions set forth therein, represents legal conclusions to which no response is required and the same are generally and specifically denied.

19. After reasonable investigation Opposer is without sufficient information to form a belief as the truth of these allegations, thus the same are denied with strict proof demanded at the time of trial. Further, the allegations of this paragraph and the conclusions set forth therein, represents legal conclusions to which no response is required and the same are generally and specifically denied.

20. After reasonable investigation Opposer is without sufficient information to form a belief as the truth of these allegations, thus the same are denied with strict proof demanded at the time of trial. Further, the allegations of this paragraph and the conclusions set forth therein, represents legal conclusions to which no response is required and the same are generally and specifically denied.

21. After reasonable investigation Opposer is without sufficient information to form a belief as the truth of these allegations, thus the same are denied with strict proof demanded at the time of trial. Further, the allegations of this paragraph and the conclusions set forth therein, represents legal conclusions to which no response is required and the same are generally and specifically denied.

22. After reasonable investigation Opposer is without sufficient information to form a belief as the truth of these allegations, thus the same are denied with strict proof

demanded at the time of trial. Further, the allegations of this paragraph and the conclusions set forth therein, represents legal conclusions to which no response is required and the same are generally and specifically denied.

23. Denied as a legal conclusion.

WHEREFORE, Opposer respectfully requests that this Honorable Board dismiss Applicant's Second Amended Counterclaim (Docket #24), and further sustain the Opposition of Trademark Application Serial No. 78/636,480 and refuse the registration thereof.

SECOND CLAIM (FRAUD ON THE USPTO)

24. Paragraphs 1-23, inclusive, are incorporate herein by reference.

25-29. By Order of the TTAB (Docket #33), paragraphs 24-29 have been stricken from Applicant's Second Amended Counterclaim and the same require no response. To the extent any response is later deemed necessary, the allegations of these paragraphs are generally and specifically denied.

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WHEREFORE, Opposer respectfully requests that this Honorable Board dismiss Applicant's Second Amended Counterclaim (and Docket #24), and further sustain the Opposition of Trademark Application Serial No. 78/636,480 and refuse the registration thereof.

Respectfully submitted,

FERENCE & ASSOCIATES LLC

Dated: August 17, 2010

By: _____
Stanley D. Ference III
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CERTIFICATE OF TRANSMISSION AND SERVICE

I hereby certify that the foregoing is being electronically filed with:

Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, Virginia 22313-1451

and is being served by first-class mail, postage pre-paid, upon:

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this 17th day of August, 2010.

Stanley D. Ference III