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

Proceeding	91183342
Party	Defendant Adcuent, Inc.
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Citrix Online, LLC,

Opposer,

v.

Adcuent, Inc.

Applicant.
_____ /

Opposition No. 91183342

In the Matter of Application:

Serial No.: 77/206,700

Filed: June 14, 2007

Mark: GOTOYOURSITE

Published in the Official Gazette of

December 4, 2007

APPLICANT’S ANSWER TO OPPOSITION AND AFFIRMATIVE DEFENSES

Applicant, Adcuent, Inc. (hereinafter “Adcuent”), the owner of the trademark application for GOTOYOURSITE, Serial No. 77/206,700, in response to the Notice of Opposition (hereinafter “Opposition”) dated April 2, 2008 and pursuant to TBMP §318.01, 37 C.F.R. §2.116 and Fed.R.Civ.P. §8 respectfully answers the Opposition as follows:

ANSWER

1. Applicant lacks sufficient knowledge to form a belief as to the truth of allegation of Paragraph 1 of the Opposition, and therefore denies the same.
2. Applicant admits the allegations of Paragraph 2.
3. Applicant lacks sufficient knowledge to form a belief as to the truth of allegation of Paragraph 3 of the Opposition, and therefore denies the same.
4. Applicant lacks sufficient knowledge to form a belief as to the truth of allegation of Paragraph 4 of the Opposition, and therefore denies the same.
5. Applicant lacks sufficient knowledge to form a belief as to the truth of allegation of Paragraph 5 of the Opposition, and therefore denies the same.

6. Applicant lacks sufficient knowledge to form a belief as to the truth of allegation of Paragraph 6 of the Opposition, and therefore denies the same.
7. Applicant lacks sufficient knowledge to form a belief as to the truth of allegation of Paragraph 7 of the Opposition, and therefore denies the same.
8. Applicant denies the allegations of Paragraph 8.
9. Applicant admits the allegations of Paragraph 9.
10. Applicant denies the allegations of Paragraph 10.
11. Applicant denies the allegations of Paragraph 11.
12. Applicant denies the allegations of Paragraph 12.
13. Applicant denies the allegations of Paragraph 13.

AFFIRMATIVE DEFENSES

1. As a first, separate and distinct affirmative defense, Applicant asserts that Opposer has not been and will not be damaged by the registration of the mark GOTOYOURSITE, Serial No. 77/206,700.
2. As a second, separate and distinct affirmative defense, Applicant asserts that no likelihood of confusion exists between the mark GOTOYOURSITE and the marks, GOTOMYPC, Reg. No. 2772971, GOTOMEETING Reg. No. 3172020, GOTOASSIST Reg. No. 3213853 and GOTOWEBINAR Serial No. 78795848 (hereinafter the “CITRIX marks”).
3. As a third, separate and distinct affirmative defense, Applicant asserts that there is no likelihood of confusion because the mark GOTOYOURSITE and the CITRIX marks.
4. As a fourth, separate and distinct affirmative defense, Applicant asserts that there is no likelihood of confusion because the services associated with the mark

GOTOYOURISTE are not similar to the goods and services associated with the Citrix marks.

5. As a fifth, separate and distinct affirmative defense, Applicant asserts that Opposer's rights in its CITRIX marks are of a narrow or limited scope because the marks are highly descriptive of the goods sold by Opposer thereunder.
6. As a sixth, separate and distinct affirmative defense, Applicant asserts that Opposer's rights in its Citrix marks are of a narrow or limited scope because there are numerous third party users that incorporate "GOTO" in their mark.
7. As a seventh, separate and distinct affirmative defense, Applicant asserts that the Citrix marks have not acquired secondary meaning.
8. As an eight, separate and distinct affirmative defense, Applicant asserts that the Citrix marks are not inherently distinctive.
9. As a ninth, separate and affirmative defense, Applicant asserts that the GOTOYOURSITE trademark is distinctive as applied to Applicant's services.
10. As a tenth, separate and distinct affirmative defense, Applicant asserts that Opposer's claim is barred because Opposer does not have priority of use of any mark containing "GOTO".
11. As an eleventh, separate and distinct affirmative defense, Applicant asserts that the Opposer's claims are barred by waiver.
12. As a twelfth, separate and distinct affirmative defense, Applicant asserts that Opposer's claim is barred, in whole or in part, by the doctrine of unclean hands.

Date: May 12, 2008

Respectfully submitted,

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s/Jacqueline Tadros
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CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that on this 12th day of May, 2008, the foregoing APPLICANT'S ANSWER TO OPPOSITION AND AFFIRMATIVE DEFENSES is being deposited with the United States Patent and Trademark Office, Trademark Trial and Appeal Board via electronic filing through their website located at <http://estta.uspto.gov> and served upon Opposer by delivering a true and correct copy of same to counsel for Opposer as follows:

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Via U.S. Mail on May 12, 2008

s/Jacqueline Tadros
Jacqueline Tadros