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

Proceeding	91183905
Party	Defendant Eric Watson
Correspondence Address	MICHAEL F. HUGHES HUGHES LAW FIRM, PLLC 4164 MERIDIAN ST STE 302 BELLINGHAM, WA 98226-5583 carole@inventionlaw.com
Submission	Answer
Filer's Name	Michael F. Hughes
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Signature	/Michael F. Hughes/
Date	06/16/2008
Attachments	2008-06-16-Response-to-Opposition.pdf (4 pages)(326074 bytes)

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

GOOGLE INC.,)	
)	
Opposer)	
)	
v.)	Opposition No.: 91183905
)	
ERIC WATSON,)	
)	
Applicant)	
)	
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APPLICANT’S ANSWER TO OPPOSITION

Applicant, Eric Watson, by his attorney, hereby answers the allegations set forth in the Notice of Opposition as follows:

1. Applicant has insufficient knowledge or information as to the truth of the allegations set forth in Paragraph 1 of the Notice of Opposition and, therefore, denies said allegations.
2. Applicant admits the allegations set forth in Paragraph 2 of the Notice of Opposition.
3. Applicant has not thoroughly researched the ownership of the Application Serial No. 78/802, 261 and 78/802,278 and, therefore, denies said allegations.
4. Applicant admits the allegations set forth in Paragraph 4 of the Notice of Opposition.
5. Opposer's allegation in Paragraph 5 is vague and requires further analysis, and therefore Applicant denies said allegation.
6. Applicant has insufficient knowledge or information as to the truth of the allegations set forth in Paragraph 6 of the Notice of Opposition and, therefore, denies said allegations.

7. Applicant admits the allegations set forth in Paragraph 4 of the Notice of Opposition.
8. Applicant admits the allegations set forth in Paragraph 8 of the Notice of Opposition.
9. Applicant admits the allegations set forth in Paragraph 9 of the Notice of Opposition.
10. Applicant admits the allegations set forth in Paragraph 10 of the Notice of Opposition.
11. The Applicant had acquired the domain name "www.gootube.com" prior to October 12, 2006 with the intent to eventually provide digital content related to small children and the parents thereof. Present analysis indicates that there was not sufficient use to classify as use in commerce, and therefore the Applicant admits the allegation as set forth in Paragraph 11 of the Notice of Opposition.
12. Applicant admits the allegations set forth in Paragraph 12 of the Notice of Opposition.
13. Applicant admits the allegations set forth in Paragraph 13 of the Notice of Opposition.
14. Applicant admits the allegations set forth in Paragraph 14 of the Notice of Opposition.
15. Applicant denies the allegations set forth in Paragraph 15 of the Notice of Opposition.
16. Applicant has insufficient knowledge or information as to the truth of the allegations set forth in Paragraph 16 of the Notice of Opposition and, therefore, denies said allegations.
17. Applicant has insufficient knowledge or information as to the truth of the allegations set forth in Paragraph 17 of the Notice of Opposition and, therefore, denies said allegations.
18. Applicant admits the allegations set forth in Paragraph 18 of the Notice of Opposition.

19. Applicant has insufficient knowledge or information as to the truth of the allegations set forth in Paragraph 19 of the Notice of Opposition and, therefore, denies said allegations.
20. Applicant admits the allegations set forth in Paragraph 20 of the Notice of Opposition.
21. Applicant admits the allegations set forth in Paragraph 21 of the Notice of Opposition.
22. Applicant admits the allegations set forth in Paragraph 22 of the Notice of Opposition.
23. Applicant is not aware of the meaning of the Opposer's statement that emphasis is placed equally on each of the two syllables of Applicant's mark, and therefore denies said allegations in Paragraph 23 of the Notice of Opposition.
24. Applicant does not agree that the "same emphasis pattern" is present between the terms YOUTUBE and GOOTUBE, and is not clear as to the connotations within Paragraph 24 of the Notice of Opposition, and, therefore, denies said allegations.
25. Applicant denies the allegations set forth in Paragraph 25 of the Notice of Opposition.
26. Opposer's use of the term "related" in Paragraph 26 of the Notice of Opposition is vague, and Applicant therefore denies the allegations set forth in Paragraph 26 of the Notice of Opposition.
27. Applicant denies the allegations set forth in Paragraph 27 of the Notice of Opposition.
28. Applicant denies the allegations set forth in Paragraph 28 of the Notice of Opposition.
29. Applicant denies the allegations set forth in Paragraph 29 of the Notice of Opposition.

Respectfully submitted,

Certificate of Service

I hereby certify that this document (along with any document referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as First Class Mail on June 16, 2008 in an envelope addressed to James L. Vana, attorney for Opposer, at Perkins Coie LLP, 1201 third Avenue, 40th Floor, Seattle, Washington 98101-3099.

Signature: 

Printed Name: Stephanie J. Brown

HUGHES LAW FIRM, PLLC

By 

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