

ESTTA Tracking number: **ESTTA274712**

Filing date: **03/27/2009**

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

Proceeding	91188904
Party	Defendant Markhovsky, Russ
Correspondence Address	RUSS MARKHOVSKY 2928 EDGEWATER DR EDGEWATER, MD 21037-1305 rmark@invisitrack.com
Submission	Answer
Filer's Name	Russ Markhovsky
Filer's e-mail	rmark@invisitrack.com
Signature	/Russ Markhovsky/
Date	03/27/2009
Attachments	answer.pdf (3 pages)(10928 bytes)

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

TeleTracking Technologies, Inc.,
Opposer,
v.
Russ Markhovsky
Applicant.

Opposition number 91188904.

ANSWER

1. Russ Markhovsky (the “Applicant”) intends in good faith to controvert all of the allegations contained in the Notice of Opposition filed by the TeleTracking Technologies, Inc. (“Opposer”) , and therefore the Applicant denies any and all claims contained in the Notice of Opposition.

2. Without limitation to the general denial of all claims contained in the Notice of Opposition, the Applicant specifically denies the following claims set forth in the Notice of Opposition. The Applicant is listing the claims made in the Notice of Opposition, followed by an answer because there are no numbered paragraphs in the Notice of Opposition:

3. The application for the mark is void.

Deny.

4. The applicant is not the owner of the mark sought to be registered and the application therefore is void.

Deny.

5. Upon information and belief, the application for the mark is void as the mark was assigned in violation of 15 U.S.C. § 1060.

Deny.

Opposition number 91188904.

AFFIRMATIVE DEFENSES APPLICABLE TO ALL COUNTS

First Affirmative Defense: Applicant states that Opponent's Notice of Opposition fail to state a claim upon which relief may be granted.

Respectfully Submitted,
By: /Russ Markhovsky/
Russ Markhovsky

Dated: March 23, 2009
Russ Markhovsky
2928 Edgewater Drive
Edgewater, MD 21037
Applicant

CERTIFICATE OF MAILING VIA ELECTRONIC TRANSMISSION

I hereby certify that this correspondence is being filed with the United States Patent and Trademark Office via the Electronic System for Trademark Trials and Appeals on March 27, 2009 at:

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

and that the forgoing ANSWER is being served by Express Mail, postage pre-paid, to:

Stanley Ference
FERENCE & ASSOCIATES LLC
409 Broad Street
Pittsburgh, PA 15143
Correspondent for Opposer

this 27th day of March, 2009.

/Russ Markhovsky/
Russ Markhovsky