

ESTTA Tracking number: **ESTTA276339**

Filing date: **04/06/2009**

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

Proceeding	91188993
Party	Defendant AFP Imaging Corporation
Correspondence Address	NORMAN H. ZIVIN COOPER & DUNHAM LLP 1185 AVENUE OF THE AMERICAS STE 2300 NEW YORK, NY 10036-2601  nzivin@cooperdunham.com
Submission	Answer
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Date	04/06/2009
Attachments	answer to opposition.pdf ( 2 pages )(13965 bytes )

Applicant, AFP IMAGING CORPORATION, hereby responds to the Notice of Opposition by ROLEX WATCH U.S.A., INC., as follows:

1. Admitted.
2. Admitted, except Applicant has no knowledge or information concerning whether the registration pleaded is incontestable, as pleaded in paragraph 2, and therefore denies same.
3. Applicant has no knowledge concerning the allegations pleaded in paragraph 3, and therefore denies same.
4. Applicant has no knowledge concerning the allegations pleaded in paragraph 4, and therefore denies same.
5. Applicant has no knowledge concerning the allegations pleaded in paragraph 5, and therefore denies same.
6. Admitted.
7. Applicant has no knowledge concerning the allegations pleaded in paragraph 7, and therefore denies same.
8. Denied.
9. Denied.
10. Applicant has no knowledge concerning the allegations pleaded in paragraph 10, and therefore denies same.
11. Admitted.
12. Denied.
13. Denied.
14. Denied.

15. Denied.

16. Denied.

17. Denied.

18. Applicant has no knowledge concerning the allegations pleaded in paragraph 18, and therefore denies same.

WHEREFORE, it is respectfully requested that the Opposition be dismissed with prejudice and a registration issued to Applicant.

**PROOF OF SERVICE**

I hereby certify that a true copy of the foregoing ANSWER TO OPPOSITION was served on this 6<sup>th</sup> day of April 2009 by First Class Mail, postage prepaid, addressed to the following counsel of record for the Opposer:

Peter Cousins  
Gibney, Anthony & Flaherty, LLP  
665 Fifth Avenue  
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          /norman h. zivin/            
Norman H. Zivin