

ESTTA Tracking number: **ESTTA308742**

Filing date: **09/29/2009**

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

Proceeding	91191466
Party	Defendant Hypotenuse, Inc.
Correspondence Address	VANESSA A. IGNACIO, ESQ. LOWENSTEIN SANDLER PC 65 LIVINGSTON AVENUE ROSELAND, NJ 07068-1791 UNITED STATES
Submission	Answer
Filer's Name	Vanessa A. Ignacio, Esq.
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Signature	/Vanessa A. Ignacio/
Date	09/29/2009
Attachments	Answer to Opposition against IBOQX.pdf (3 pages)(47781 bytes)

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

In re:
Trademark: IBOQX
Application Serial No.: 77/624,865
Filing Date: December 12, 2008
Applicant: Hypotenuse, Inc.
Publication Date: June 23, 2009

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IBOPE INSTITUTO BRASILEIRO DE
OPINIÃO PÚBLICA E ESTATÍSTICA
LTDA.,

Opposer

v.

Hypotenuse, Inc.

Applicant
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Opposition No.: 91191466
U.S. Serial No.: 77/624,865
Mark: IBOQX

Trademark Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1451
Alexandria, Virginia 22313-1451

ANSWER

Applicant Hypotenuse, Inc. ("Applicant"), by its counsel, responds as follows to the Notice of Opposition filed therein:

1. Applicant admits that on or about December 2, 2008 it filed an application in the USPTO, Serial No. 77/624,865. To the extent the allegations contained in paragraph 1 of the Opposition purport to characterize Applicant's application, the application speaks for itself, and Applicant denies any characterizations inconsistent therewith.
2. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 2 of the Opposition.
3. Applicant denies the allegations set forth in paragraph 3 of the Opposition.
4. Applicant avers that the allegations set forth in paragraph 4 of the Opposition are legal conclusions to which no response is required. To the extent a response is required, Applicant denies the allegations.

CLAIM FOR RELIEF

WHEREFORE, Applicant respectfully requests the following relief:

- (a) judgment in Applicant's favor dismissing the Opposition with prejudice and denying each and every prayer for relief contained therein;
- (b) approval of Application Serial No. 77/624,865 and registration of the mark therein; and
- (c) such other and further relief as the TTAB deems just in the circumstances.

Respectfully submitted,

Hypotenuse, Inc.

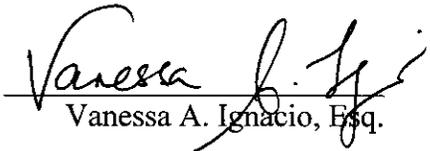
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Date: September 29, 2009

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing Answer and Counterclaim to Opposition against U.S. Trademark Application No. 77/624,865 for IBOQX has been served on the Attorney of Record for IBOPE INSTITUTO BRASILEIRO DE OPINIÃO PÚBLICA E ESTATÍSTICA LTDA. by mailing said copy on this 29th day of September, 2009, via overnight courier postage prepaid to:

Linda S. Chan
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Vanessa A. Ignácio, Esq.