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

Proceeding	91192452
Party	Defendant Microsoft Corporation
Correspondence Address	WILLIAM O. FERRON, JR. SEED IP LAW GROUP PLLC 701 5TH AVE STE 5400 SEATTLE, WA 98104-7064 BillF.docketing@SeedIP.com
Submission	Answer
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Date	12/01/2009
Attachments	MS-Laptop-Answer.pdf (3 pages)(76348 bytes)

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

THE LAPTOP COMPANY, INC.,)	
)	Opposition No. 91192452
Opposer,)	
)	Serial Nos. 77/682512, 77/681498
v.)	
)	
MICROSOFT CORPORATION,)	
)	
Applicant.)	Attorney Docket No. 663005.80637
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APPLICANT’S ANSWER TO NOTICE OF OPPOSITION

Applicant Microsoft Corporation (“Microsoft” or “Applicant”), by and through its attorneys, hereby answers the Notice of Opposition filed by Opposer The Laptop Company, Inc. (“Opposer” or “Laptop”), as follows:

1. Microsoft lacks sufficient information to enable it to form a belief as to the truth of the allegations of Paragraph 1 of the Notice of Opposition, and on that basis denies them.

2. Microsoft lacks sufficient information to enable it to form a belief as to the truth of the allegations of Paragraph 2 of the Notice of Opposition, and on that basis denies them.

3. Microsoft denies the allegations of Paragraph 3 of the Notice of Opposition.

4. Microsoft admits that what appear to be printouts from the USPTO’s TARR and assignment databases for U.S. Trademark Application No. 77/795,043 are attached to the Notice as Exhibit A. Microsoft lacks sufficient information to enable it to form a belief as to the truth of the remaining allegations of Paragraph 4 of the Notice of Opposition, and on that basis denies them.

5. Microsoft admits the allegations of Paragraph 5 of the Notice of Opposition.

6. Microsoft admits the allegations of Paragraph 6 of the Notice of Opposition.

7. Microsoft admits that it has not filed an Allegation of Use in either of the opposed applications. Microsoft lacks sufficient information to enable it to form a belief as to the truth of the remaining allegations of Paragraph 7 of the Notice of Opposition, and on that basis denies them.

8. Microsoft denies the allegations of Paragraph 8 of the Notice of Opposition.

9. Microsoft denies the allegations of Paragraph 9 of the Notice of Opposition.

10. Microsoft admits that Section 33 of the Lanham Act, 15 U.S.C. § 1115, provides, *inter alia*, that federal trademark registrations shall be prima facie evidence of the owner's exclusive right to the use of the registered mark in commerce on or in connection with the goods and services specified in the registration, and denies the remaining allegations of Paragraph 10 of the Notice of Opposition.

PRAYER FOR RELIEF

WHEREFORE, Microsoft requests judgment dismissing Opposer's Notice of Opposition and this proceeding in its entirety.

DATED this 1st day of December, 2009.

Seed IP Law Group PLLC



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Attorneys for Applicant
Microsoft Corporation

CERTIFICATE OF SERVICE

I, Annette Baca, hereby certify that the above **MICROSOFT'S ANSWER TO NOTICE OF OPPOSITION** was served on Opposer's counsel by depositing same with the U.S. Postal Service, first-class postage prepaid, on December 1, 2000, addressed as follows:

Ann Lamport Hammitte, Esq.
LANDO & ANASTASI, LLP
One Main Street, Eleventh Floor
Cambridge, Massachusetts 02142



Annette Baca