

ESTTA Tracking number: **ESTTA362554**

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

Proceeding	91194361
Party	Plaintiff ArtBanc International, Ltd
Correspondence Address	JOHN M. CONE HITCHCOCK EVERT LLP PO BOX 131709 DALLAS, TX 75313-1709 UNITED STATES nugecones@yahoo.com
Submission	Answer to Counterclaim
Filer's Name	John M. Cone
Filer's e-mail	jccone@hitchcockevert.com, docket@hitchcockevert.com
Signature	/s/ John M. Cone
Date	08/11/2010
Attachments	100811 Answer to Counterclaims.pdf (3 pages)(20888 bytes)

9. Opposer is without knowledge or information sufficient to form a belief as to the truth of the averments of Paragraph 9 of the Counterclaims, which are denied.

10. The averments of Paragraph 10 of the Counterclaims are denied.

11. Opposer denies that Application has U.S. common law rights in ARTBANK for the sale of art and that such rights predate Opposer's rights in ARTBANC.

12. The averments of Paragraph 12 of the Counterclaims are denied.

Count 2

13. The averments of Paragraph 13 of the Counterclaims are denied.

14. The averments of Paragraph 14 of the Counterclaims are denied.

Count 3

15. The averments of Paragraph 15 of the Counterclaims are denied.

16. The averments of Paragraph 16 of the Counterclaims are denied.

WHEREFORE, Opposer prays that the Counterclaims be dismissed with prejudice.

Dated: August 11, 2010

Respectfully submitted,

/s/ John M. Cone

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ATTORNEY FOR OPPOSER
ARTBANC INTERNATIONAL, LTD

CERTIFICATE OF SERVICE

I hereby certify that on this 11th day of August 2010, a true and correct copy of the foregoing document was served via U.S. First Class Mail, postage prepaid on Keith Barritt, Fish & Richardson P.C., P.O. Box 1022, Minneapolis MN 55440-1022.

/s/ John M. Cone

John M. Cone