

ESTTA Tracking number: **ESTTA347805**

Filing date: **05/17/2010**

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

Proceeding	91194599
Party	Defendant Metroflor Corporation
Correspondence Address	CHARLES B. RODMAN RODMAN & RODMAN 10 STEWART PL APT 2CE WHITE PLAINS, NY 10603-3873 UNITED STATES rodrod@rodman-rodman.com
Submission	Answer
Filer's Name	Charles B. Rodman
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Date	05/17/2010
Attachments	1233-16-Answer.pdf ( 3 pages )(112482 bytes )

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

In re application Serial No. : 77/795,684  
Trademark : TEKSTONE  
File Date : August 3, 2009  
International Class : 19  
Applicant : Metroflor Corporation  
Published in the Official Gazette : December 29, 2009

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STONCOR GROUP, INC.	)	
	)	
Opposer,	)	Opposition No.: 91194599
	)	
v.	)	Mark: TEKSTONE
	)	Application No.: 77/795,684
METROFLOR CORPORATION,	)	
	)	
Applicant.	)	

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Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451

**ANSWER TO NOTICE OF OPPOSITION**

Sir:

Applicant, Metroflor Corporation, by its attorney, hereby responds to the allegations set forth in the Notice of Opposition as follows:

1. Denied. Applicant denies the allegation set forth in paragraph 1 of the Notice of Opposition.

2. Denied. Applicant denies the allegation set forth in paragraph 2 of the Notice of Opposition.

### **DEFENSES**

1. Opposer's Notice of Opposition fails to state a claim upon which relief can be granted.

WHEREFORE Applicant requests that the Notice of Opposition be dismissed with prejudice.

Respectfully submitted,  
METROFLOR CORPORATION

Dated: May 17, 2010

Rodman & Rodman LLP  
10 Stewart Place - Suite 2CE  
White Plains, NY 10603  
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Of Counsel:  
Philip Rodman  
1233-16-Answer

/Charles Rodman/  
Charles B. Rodman  
Attorney for Applicant

**CERTIFICATE OF TRANSMISSION AND SERVICE**

I certify the foregoing ANSWER TO NOTICE OF  
OPPOSITION is being electronically filed with:

Trademark Trial and Appeal board  
P.O. Box 1451  
Alexandria, Virginia 22313-1451

and that the foregoing ANSWER TO NOTICE OF OPPOSITION is being  
served electronically to Applicant's counsel of record as follows:

Charles N. Quinn, Esq.  
Fox Rothschild LLP  
747 Constitution Drive – Suite 100  
Exton, PA 19341-0673  
*cquinn@foxrothschild.com*

this 17<sup>th</sup> day of May, 2010.

/Charles Rodman/

Charles B. Rodman