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

Proceeding	91197337
Party	Defendant Wilkinson, William T.
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Date	12/16/2010
Attachments	Opposition answer page1.pdf (1 page)(1050181 bytes) Opposition answer page 2.pdf (1 page)(1050181 bytes) Opposition answer page 3.pdf (1 page)(1050181 bytes)

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

Innoventions, Inc.,

Opposer,

v.

William T. Wilkinson,

Applicant.

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Opposition No. 91197337

Serial no. 85062261

ANSWER TO NOTICE OF OPPOSITION

Pursuant to Federal Rule of Civil Procedure 8(b) and Trademark Rule 2.106, Applicant William T. Wilkinson ("Applicant") answers the Notice of Opposition filed by Innoventions, Inc. ("Opposer"). The paragraph numbers below correspond to those in the Notice of Opposition. Applicant reserve the right to amend or supplement this Answer as appropriate.

I. ANSWER

1. Applicant admits the allegations in Paragraph 1 of the Notice of Opposition.
2. Applicant admits that public records indicate that the trademark INNOVENTIONS was registered as registration No. 1,904,210 on July 11, 1995 and No. 2,026,957 on December 31, 1996 and public records indicate that Opposer is the owner.
3. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 3 of the Notice of Opposition.
4. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 4 of the Notice of Opposition.
5. Applicant denies the allegations in Paragraph 5 of the Notice of Opposition.
6. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegation in Paragraph 6 that Opposer invested many resources in promotion the name INNOVENTIONS. Applicant denies the allegations in Paragraph 6 that Applicant's trademark application will cause a dilution of Opposer's trademark.

7. Applicant denies the allegations in Paragraph 7 of the Notice of Opposition that Opposer will be damaged by registration of Applicant's trademark application.

II. DEFENSES AND AFFIRMATIVE DEFENSES

1. Opposer's claims are barred in whole or in part by laches, acquiescence, estoppel, and waiver.

2. There is no likelihood of confusion, mistake or deception because, *inter alia*, any rights that Opposer may have are weak and must be narrowly circumscribed.

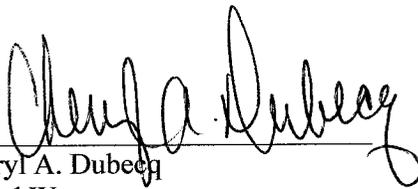
3. There is no likelihood of confusion, mistake, or deception because, *inter alia*, Applicant's mark and the pleaded marks of Opposer are not being used in the same international classes or the same industries, and Applicant is entitled to a registration at least limited to international Class 042 for Product development; product research and development; research and development of new products.

4. There is no dilution of the pleaded marks of Opposer's mark because Opposer's marks are not distinctive or famous.

Wherefore, Applicant requests that the Notice of Opposition be rejected, that judgment be entered in favor of Applicant, and for all other relief to which it is justly entitled.

DATED: December 16, 2010

Respectfully submitted,

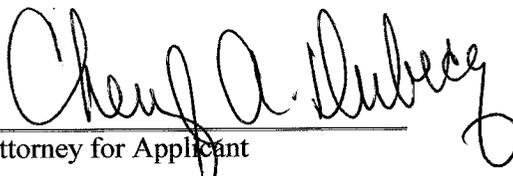
By 
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ATTORNEY FOR APPLICANT

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing was served by first class mail on December 16, 2010 upon Opposer at the following address:

Dr. David Y. Feinstein
President
INNOVENTIONS, Inc.
10425 Bissonnet Street
Houston, TX 77099



Attorney for Applicant