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

Proceeding	91198060
Party	Defendant Easel
Correspondence Address	Russell Cook EASEL Insurance & Financial Services 12 Main Street Marlborough, MA 01752 UNITED STATES rmcook@verizon.net
Submission	Answer
Filer's Name	Russell M Cook
Filer's e-mail	rmcook@verizon.net
Signature	/Russell M. Cook/
Date	02/13/2011
Attachments	Answer.EASEL.pdf ( 3 pages )(113524 bytes )

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

**In re: U.S. Trademark Application Serial No. 85/040480  
Published in the Official Gazette on October 19, 2010**

**The Chubb Corporation, Opposer**

**Vs.**

**Opposition No. 91198060**

**EASEL, Sole Proprietorship composed  
Of Russell M. Cook**

**ANSWER**

EASEL Insurance & Financial Services, a sole proprietorship, with its principal place of business at 12 Main Street, Marlborough, MA 01752, denies The Chubb Corporation belief that it will be damaged in any manner by the registration of EASEL, *Create your financial masterpiece* in Class 36 for insurance and financial information and consultancy services. In support of this denial, Applicant hereby claims the following:

- 1. Admit**
- 2. Admit**
- 3. Deny** – The applicant’s use of the term MASTERPIECE is entirely different in style and context than the opposer. The applicant uses “*masterpiece*” incidental to the company name, EASEL, in a tagline to create a level of client experience for which to aspire. The opposer uses MASTERPIECE as a title for specific product lines which they underwrite. The opposer uses MASTERPIECE as a stand alone or with a design whereas the applicant incorporates the word masterpiece as part of the mark. Therefore, the applicant’s mark is entirely different in context and appearance from that of the opposer’s mark.

4. **Deny** - In all cases of the opposer's registered trademarks, the goods and services listed are described as insurance underwriting services whereas the applicant has clearly described goods and services as insurance and financial information and consultancy services. EASEL Insurance & Financial Services provides information and services insurance products but does not offer underwriting services therefore the services covered by Application Serial No. 85040480 are completely different from the goods and services offered by the opposer as protected by the afore mentioned U. S. Trademark Reg. Numbers.
5. **Deny** - An assumption of market confusion between EASEL and The Chubb Corporation is speculative and totally unfounded. EASEL does NOT sell services, rather introduces and advises clients regarding product lines offered through major insurance companies. The company name is EASEL with "*Create Your Financial Masterpiece*" used as a descriptive tagline. The claim this opposer is currently making with regards to this application could have been made, but apparently wasn't made in the case of trademark registration No. 2,961,723 for Medicare MASTERPIECE. Medicare MASTERPIECE was published for opposition on March 22, 2005 and registered on June 14, 2005 without record of opposition. Medicare MASTERPIECE in Class 36 for Administration of medicare replacement benefit programs. A similar argument could be made that Medicare MASTERPIECE is a product line offered by the current opposer however this trademark registration is reportedly owned by Universal Health Care, Inc.
6. **Deny** – No claim is made by the applicant to use of the term, Masterpiece, separate from the overall mark for which the term is a clarifying word designed to inspire hope in a potential client-agent experience when doing business with EASEL Insurance & Financial Services.
7. **Deny**

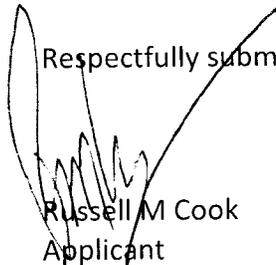
Wherefore, for the foregoing reasons, Applicant believes that it is entitled to dismissal of the opposition claim and full completion of registration of the requested trademark.

It is certified that a copy of this document has been sent to:

The Chubb Corporation  
Jeanne Hamburg  
Norris, McLaughlin & Marcus, P. A.  
875 Third Avenue, 8<sup>th</sup> Floor  
New York, NY 10022

Via first-class, US Mail.

Dated: February 12, 2011

  
Respectfully submitted,

Russell M Cook  
Applicant  
EASEL Insurance & Financial Services  
12 Main Street  
Marlborough, MA 01752  
Tel. 508.449.4031