

ESTTA Tracking number: **ESTTA546747**

Filing date: **07/03/2013**

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

Proceeding	91200834
Party	Defendant United Services Automobile Association (USAA)
Correspondence Address	ATTN MANUEL RIVERA UNITED SERVICES AUTOMOBILE ASSOCIATION 9800 FREDERICKSBURG ROAD SAN ANTONIO, TX 78288-0001 UNITED STATES manuel.rivera@usaa.com
Submission	Answer
Filer's Name	Wendy C. Larson
Filer's e-mail	wlarson@pirkeybarber.com, smeleen@pirkeybarber.com, tsmith@pirkeybarber.com, eolson@pirkeybarber.com, tmcentral@pirkeybarber.com
Signature	/WCL/
Date	07/03/2013
Attachments	Answer to Notice of Opposition.pdf(308421 bytes)

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

Chicago Cubs Baseball Club, LLC,

Opposer,

v.

United Services Automobile Association,

Applicant.

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Opposition No. 91200834

ANSWER TO NOTICE OF OPPOSITION

United Services Automobile Association (“Applicant”), an unincorporated reciprocal inter-insurance exchange with its principal place of business at 9800 Fredericksburg Road, San Antonio, Texas 78288, responds to the Notice of Opposition as follows. The paragraph numbers below correspond to those in the Notice of Opposition. Applicant reserves the right to amend or supplement its Answer as appropriate.

As to Opposer’s allegations on pages 1-2 of the Notice of Opposition, Applicant admits that Opposer is opposing its application for C and Design, Serial No. 85037368 for “Marketing and advertising services for automobile dealerships; Providing information about automobiles for sale by means of the Internet; Locating pre-owned vehicles available for purchase or lease; Providing an online directory information service featuring information regarding vehicles in the nature of classified advertisements; Providing information on vehicles for sale via a global communications network, namely, vehicle valuations; and Classified advertising services for automobiles,” in International Class 35, for “Financial services, namely, banking and loan services; Insurance services, namely, underwriting, issuing and administration of auto insurance; Insurance advice, namely, providing advice in the field of auto insurance; Insurance analysis,

namely, auto insurance analysis services; Insurance consultation services; Insurance research services, namely, auto insurance research services; Providing insurance rate quotes for auto insurance; Insurance loss control planning and management services; Insurance agency and brokerage services; Insurance services, namely, underwriting extended warranty contracts in the field of automobiles; and Providing vehicle service agreements on vehicles manufactured by others for mechanical breakdown and servicing,” in International Class 36, for “Vehicle maintenance assistance services, namely, repair services,” in International Class 37, and for “Providing a members-only website featuring technology which provides members with the ability to access multiple databases and automobile industry services for the purpose of conducting automobile purchase and sale transactions; and Computer services, namely, hosting an interactive web site that allows users to upload, store and maintain automotive repair records, manage online records of services performed on their vehicles, and receive automated service reminders, safety alerts, recall alerts, and special discount offers,” in International Class 42, but denies that this opposition has merit.

1. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegation in this paragraph, and therefore denies it.

2. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph, and therefore denies them.

3. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph, and therefore denies them, and in particular notes that the Patent and Trademark Office’s records indicate that Opposer is not the owner of many of the listed registrations.

4. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph, and therefore denies them.

5. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph, and therefore denies them.

6. Admit that Applicant filed its application Serial No. 85037368 on May 13, 2010, but clarifies that the services description listed in Paragraph 6 of the Notice of Opposition was not finalized until a later date.

7. Admit.

8. Denied.

9. Denied.

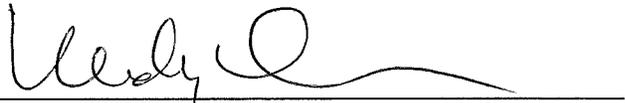
10. Denied.

Applicant expressly reserves the right to plead affirmative and other defenses or counterclaims should any such defenses or claims be revealed by any discovery in this case.

WHEREFORE, Applicant requests that the Notice of Opposition be dismissed and judgment be entered in favor of Applicant.

Dated: July 3, 2013

Respectfully submitted,



Wendy C. Larson
Tyson D. Smith
PIRKEY BARBER PLLC
600 Congress Avenue, Suite 2120
Austin, TX 78701
Telephone: (512) 322-5200
Facsimile: (512) 322-5201

ATTORNEYS FOR APPLICANT
UNITED SERVICES AUTOMOBILE
ASSOCIATION

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing ANSWER TO NOTICE OF OPPOSITION was served by first class mail on July 3, 2013 upon Opposer's attorney:

Mary L. Kevlin, Esq.
Cowan Liebowitz & Latman, P.C.
1133 Avenue of the Americas
New York, NY 10036

A handwritten signature in black ink, appearing to read "Mary L. Kevlin", is written over a horizontal line.