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Filing date: **09/23/2011**

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

Proceeding	91201367
Party	Defendant DROPBOX, INC.
Correspondence Address	JOHN L SLAFSKY WILSON SONINI GOODRIH & ROSATI 650 PAGE MILL ROAD PALO ALTO, CA 94304-1050 trademarks@wsgr.com
Submission	Answer
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Signature	/John L. Slafsky/
Date	09/23/2011
Attachments	YouSendIt Applicant Answer to Notice of Opposition.pdf (4 pages)(173500 bytes) YouSendIt Answer Notice Opposition.pdf (4 pages)(173500 bytes)

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

YOUSENDIT, INC.,)	Opposition No: 91201367
)	
Opposer,)	
)	APPLICANT’S ANSWER TO
v.)	NOTICE OF OPPOSITION
)	
DROPBOX, INC.,)	
)	Serial No. 77817716
Applicant.)	
)	
)	
)	

Dropbox, Inc. (“Applicant”), through its undersigned attorneys, hereby submits this Answer to the Notice of Opposition filed by YouSendIt, Inc. (“Opposer”) in the above-mentioned proceeding. Unless expressly admitted herein, each allegation contained in the Notice of Opposition is denied.

1. Applicant denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 1 of the Notice of Opposition and on that basis denies those allegations.
2. Applicant denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 2 of the Notice of Opposition and on that basis denies those allegations.
3. Applicant denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 3 of the Notice of Opposition and on that basis denies those allegations.
4. Applicant denies knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 4 of the Notice of Opposition and on that basis denies those allegations.
5. Applicant denies the allegations of Paragraph 5 of the Notice of Opposition.

6. Paragraph 6 of the Notice of Opposition states a legal conclusion. To the extent it is construed as an allegation of fact, Applicant denies the allegation.

7. Paragraph 7 of the Notice of Opposition states a legal conclusion. To the extent it is construed as an allegation of fact, Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegation.

8. Paragraph 8 of the Notice of Opposition states a legal conclusion. To the extent it is construed as an allegation of fact, Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegation.

9. Paragraph 9 of the Notice of Opposition states a legal conclusion. To the extent it is construed as an allegation of fact, Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegation.

10. Paragraph 10 of the Notice of Opposition states a legal conclusion. To the extent it is construed as an allegation of fact, Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegation.

11. Paragraph 11 of the Notice of Opposition states a legal conclusion. To the extent it is construed as an allegation of fact, Applicant denies the allegation.

12. Applicant denies the allegations of Paragraph 12 of the Notice of Opposition.

13. Applicant denies the allegations of Paragraph 13 of the Notice of Opposition.

14. Applicant denies the allegations of Paragraph 14 of the Notice of Opposition.

15. Applicant denies the allegations of Paragraph 15 of the Notice of Opposition.

16. Applicant denies the allegations of Paragraph 16 of the Notice of Opposition.

First Affirmative Defense

17. The Notice of Opposition fails to set forth facts sufficient to entitle Opposer to the relief sought.

Second Affirmative Defense

18. The Notice of Opposition is barred by the doctrine of laches.

Third Affirmative Defense

19. The Notice of Opposition is barred by the doctrine of waiver.

Fourth Affirmative Defense

20. The Notice of Opposition is barred by the doctrine of acquiescence.

Fifth Affirmative Defense

21. The Notice of Opposition is barred by the doctrine of estoppel.

Sixth Affirmative Defense

22. The Notice of Opposition is barred by the doctrine of unclean hands.

Dated: September 23, 2011

WILSON SONSINI GOODRICH & ROSATI
A Professional Corporation

By: /John L. Slafsky/
John L. Slafsky

Attorneys for Applicant
DROPBOX, INC.

Please address all communications concerning this proceeding to:

John L. Slafsky
Wilson Sonsini Goodrich & Rosati
650 Page Mill Road
Palo Alto, California 94304-1050
Telephone: (650) 493-9300
Fax: (650) 493-6811
trademarks@wsgr.com

CERTIFICATE OF SERVICE BY MAIL

I, Elvira Minjarez, declare:

I am employed in Santa Clara County. I am over the age of 18 years and not a party to the within action. My business address is Wilson Sonsini Goodrich & Rosati, 650 Page Mill Road, Palo Alto, California 94304-1050.

I am readily familiar with Wilson Sonsini Goodrich & Rosati's practice for collection and processing of correspondence for mailing with the United States Postal Service. In the ordinary course of business, correspondence would be deposited with the United States Postal Service on this date.

On this date, I served **APPLICANT'S ANSWER TO NOTICE OF OPPOSITION** on each person listed below, by placing the document described above in an envelope addressed as indicated below, which I sealed. I placed the envelope for collection and mailing with the United States Postal Service on this day, following ordinary business practices at Wilson Sonsini Goodrich & Rosati.

Lisa M. Martens
Fish & Richardson P.C.
P.O. Box 1022
Minneapolis, MN 55440-1022

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed at Palo Alto, California on September 23, 2011.

/Elvira Minjarez/
Elvira Minjarez

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By: /John L. Slafsky/
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