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

Proceeding	91203690
Party	Defendant The Hendler Law Firm, P.C.
Correspondence Address	DIANA K BORDEN GRAVES DOUGHERTY HEARON & MOODY PC 401 CONGRESS AVE STE 2200 AUSTIN, TX 78701-3790 UNITED STATES trademarks@gdhm.com
Submission	Answer
Filer's Name	Diana K. Borden
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Date	05/01/2012
Attachments	TTAB 912 03690 Answer.pdf ( 4 pages )(172120 bytes )

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

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THE LANCE ARMSTRONG FOUNDATION )  
 )  
Opposer )  
 )  
v. )  
 )  
 )  
THE HENDLER LAW FIRM, P.C., )  
 )  
Applicant )  
 )  
 )  
 )  
\_\_\_\_\_ )

Opposition No. 912  
03690

**APPLICANT'S ANSWER TO OPPOSITION**

Applicant, The Hendler Law Firm, P.C. by its attorney, hereby answers the allegations set forth in the Notice of Opposition as follows:

1. Applicant admits the allegations in Paragraph 1 of the Notice of Opposition.
  
2. Applicant admits the allegations in Paragraph 2 of the Notice of Opposition.
  
3. Applicant admits the allegations of Paragraph 3 of the Notice of Opposition.
  
4. Applicant admits the allegations of Paragraph 4 of the Notice of Opposition.
  
5. In response to the allegations of Paragraphs 5, 6 and 7 of the Notice of Opposition, Applicant admits that certain documents identified as Exhibit A were annexed to the Notice of Opposition, said Exhibit purporting to be certain registrations, and Applicant lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraphs 5 and 6 of the Notice of Opposition, and accordingly denies the same.

6. Applicant has insufficient knowledge or information as to the truth of the allegations set forth in Paragraph 8 of the Notice of Opposition and, therefore, denies said allegations.

7. Applicant has insufficient knowledge or information as to the truth of the allegations set forth in Paragraph 9 of the Notice of Opposition and, therefore, denies said allegation.

8. Applicant has insufficient knowledge or information as to the truth of the allegations set forth in Paragraph 10 of the Notice of Opposition and, therefore, denies said allegation.

9. Applicant denies the allegations in Paragraph 11 of the Notice of Opposition.

10. Applicant has insufficient knowledge or information as to the truth of the allegations set forth in Paragraph 12 of the Notice of Opposition and, therefore, denies said allegations.

11. Applicant has insufficient knowledge or information as to the truth of the allegations set forth in Paragraph 13 of the Notice of Opposition and, therefore, denies said allegations.

12. Applicant has insufficient knowledge or information as to the truth of the allegations set forth in Paragraph 14 of the Notice of Opposition and, therefore, denies said allegations.

13. Applicant has insufficient knowledge or information as to the truth of the allegations set forth in Paragraph 15 of the Notice of Opposition and, therefore, denies said allegations.

14. Applicant has insufficient knowledge or information as to the truth of the allegations set forth in Paragraph 16 of the Notice of Opposition and, therefore, denies said allegations.

15. Applicant has insufficient knowledge or information as to the truth of the allegations set forth in Paragraph 17 of the Notice of Opposition and, therefore, denies said allegations.

16. Applicant has insufficient knowledge or information as to the truth of the allegations set forth in Paragraph 18 of the Notice of Opposition and, therefore, denies said allegations.

17. Applicant has insufficient knowledge or information as to the truth of the allegations set forth in Paragraph 19 of the Notice of Opposition and, therefore, denies said allegations.

18. Applicant has insufficient knowledge or information as to the truth of the allegations set forth in Paragraph 20 of the Notice of Opposition and, therefore, denies said allegations.

19. Applicant has insufficient knowledge or information as to the truth of the allegations set forth in Paragraph 21 of the Notice of Opposition and, therefore, denies said allegations.

20. Applicant has insufficient knowledge or information as to the truth of the allegations set forth in Paragraph 22 of the Notice of Opposition and, therefore, denies said allegations.

21. Applicant has insufficient knowledge or information as to the truth of the allegations set forth in Paragraph 23 of the Notice of Opposition and, therefore, denies said allegations.

22. Applicant has insufficient knowledge or information as to the truth of the allegations set forth in Paragraph 24 of the Notice of Opposition and, therefore, denies said allegations.

23. Applicant denies the allegations in Paragraph 25 of the Notice of Opposition.

24. Applicant denies the allegations in Paragraph 26 of the Notice of Opposition.

25. Applicant denies the allegations in Paragraph 27 of the Notice of Opposition.

26. Applicant denies the allegations in Paragraph 28 of the Notice of Opposition.

27. Applicant denies the allegations in Paragraph 29 of the Notice of Opposition.

28. Applicant denies the allegations in Paragraph 30 of the Notice of Opposition.

29. There is no likelihood of confusion, mistake or deception because, *inter alia*, Applicant's mark and the pleaded marks of Opposer are not confusingly similar.

Wherefore, Applicant prays that the Notice of Opposition be dismissed in its entirety, and that a registration issue to Applicant for its mark.

Respectfully submitted

Graves, Dougherty, Hearon & Moody,  
P.C.  
401 Congress Ave., Suite 2200  
Austin, TX 78701

By:   
Diana K. Borden  
Counsel for applicant  
The Hendler Law Firm, P.C.  
Texas State Bar No. 02658000

## CERTIFICATE OF SERVICE

I hereby certify that on May 1, 2012, the foregoing was served by mailing a copy thereof by Certified Mail, RRR, and First Class Mail addressed to:

Mr. Joel Kauth  
Kauth, Pomeroy, Peck & Bailey  
2400 E. Katella Ave., Suite 1050  
Anaheim, CA 92806

With a copy, via e-mail, to:  
pto@kppb.com and to joel.kauth@kpbb.com

  
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Diana K. Borden