

ESTTA Tracking number: **ESTTA470121**

Filing date: **05/01/2012**

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

|                           |   |
|---------------------------|---|
| Proceeding                | 91204826  |
| Party                     | Defendant<br>INC International Company  |
| Correspondence<br>Address | Matthew H. Swyers<br>The Trademark Company<br>Suite 151 344 Maple Avenue West<br>Vienna, VA 22180<br><br>info@thetrademarkcompany.com |
| Submission                | Answer  |
| Filer's Name              | Matthew H. Swyers   |
| Filer's e-mail            | mswyers@thetrademarkcompany.com   |
| Signature                 | /Matthew H. Swyers/   |
| Date                      | 05/01/2012  |
| Attachments               | Answer.pdf ( 4 pages )(22757 bytes )  |

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
The Trademark Trial and Appeal Board**

Serial No. 85/373,925  
For the mark SOXX,

|   |   |                         |
|---|---|-------------------------|
| Boston Red Sox Baseball Club Limited Partnership, | : |                         |
| And Chicago White Sox, Ltd.,                      | : |                         |
|   | : |                         |
|   | : |                         |
| Opposers,   | : |                         |
|   | : | Opposition No. 91204826 |
| vs.   | : |                         |
|   | : |                         |
| INC International Company,                        | : |                         |
|   | : |                         |
| Applicant.  | : |                         |

**ANSWER AND GROUNDS OF DEFENSE**

COMES NOW the Applicant, INC International Company (hereinafter “Applicant”), by and through counsel, The Trademark Company, PLLC, and files its Answer and Grounds of Defense to the Notice of Opposition and in response to Opposer’s allegations states as follows:

ANSWER

Applicant denies the allegations set forth in the Introductory Paragraph of the Notice of Opposition and demands strict proof thereof.

1. Applicant denies the allegations set forth in Paragraph 1 of the Notice of Opposition as phrased and demands strict proof thereof.

2. Applicant denies the allegations set forth in Paragraph 2 of the Notice of Opposition and demands strict proof thereof.

3. Applicant denies the allegations set forth in Paragraph 3 of the Notice of Opposition as phrased and demands strict proof thereof.

4. Applicant denies the allegations set forth in Paragraph 4 of the Notice of Opposition and demands strict proof thereof.

5. Applicant is without knowledge of the allegations set forth in Paragraph 5 of the Notice of Opposition and therefore denies the same.

6. Applicant denies the allegations set forth in Paragraph 6 of the Notice of Opposition as phrased and demands strict proof thereof.

7. Applicant denies the allegations set forth in Paragraph 7 of the Notice of Opposition and demands strict proof thereof.

8. Applicant denies the allegations set forth in Paragraph 8 of the Notice of Opposition as phrased and demands strict proof thereof.

9. Applicant denies the allegations set forth in Paragraph 9 of the Notice of Opposition and demands strict proof thereof.

10. Applicant is without knowledge of the allegations set forth in Paragraph 10 of the Notice of Opposition and therefore denies the same.

11. Applicant admits to the allegations set forth in Paragraph 11 of the Notice of Opposition.

12. Applicant denies the allegations set forth in Paragraph 12 of the Notice of Opposition and demands strict proof thereof.

13. Applicant denies the allegations set forth in Paragraph 13 of the Notice of Opposition and demands strict proof thereof.

14. Applicant denies the allegations set forth in Paragraph 14 of the Notice of Opposition and demands strict proof thereof.

Applicant further denies all allegations not specifically, actually or constructively, admitted in the foregoing paragraphs of this Answer and Grounds of Defense.

WHEREFORE, Applicant prays that the Notice of Opposition be dismissed.

Respectfully submitted this 1<sup>st</sup> day of May 2012.

THE TRADEMARK COMPANY, PLLC

/Matthew H. Swyers/

Matthew H. Swyers, Esq.

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Counsel for Applicant

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| vs.   | : |                         |
|   | : |                         |
| INC International Company,                        | : |                         |
|   | : |                         |
| Applicant.  | : |                         |

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I caused a copy of the foregoing this 1<sup>st</sup> day of May, 2012, to be served, via first class mail, postage prepaid, upon:

Seth Shaifer, Esq.  
Cowan Liebowitz & Latman, PC  
1133 Avenue of the Americas  
New York, NY 10036

/Matthew H. Swyers/  
Matthew H. Swyers