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Filing date: **06/20/2012**

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

Proceeding	91205149
Party	Defendant Atlas Peak Capital Management, LLC
Correspondence Address	LINDA JOY KATTWINKEL OWEN, WICKERSHAM & ERICKSON, P.C. 455 MARKET ST STE 1910 SAN FRANCISCO, CA 94105-5408 tmparalegal2@owe.com
Submission	Answer
Filer's Name	Linda Joy Kattwinkel
Filer's e-mail	LKATTWIN@owe.com, egelwicks@owe.com, tmparalegal2@owe.com, josh@atlaspeakcap.com
Signature	/Linda Joy Kattwinkel/
Date	06/20/2012
Attachments	TTAB Answer - Atlas Peak - 06 20 12.pdf (4 pages)(184938 bytes)

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

ATLAS VENTURE ADVISORS, INC.,

Opposer,

vs.

ATLAS PEAK CAPITAL MANAGEMENT, LLC

Applicant.

Opposition No. 91205149

Application Serial No: 85/429471
Filing Date: September 22, 2011
For the Mark: ATLAS PEAK CAPITAL

Published for Opposition: May 1, 2012

Application Serial No: 85/429501
Filing Date: September 22, 2011
For the Mark: ATLAS PEAK CAPITAL and DESIGN

Published for Opposition: May 1, 2012

APPLICANT'S ANSWER TO THE NOTICE OF OPPOSITION

Atlas Peak Capital Management, LLC ("Applicant"), the owner of the applications identified in the heading of this document (the "Applications") responds to the Notice of Opposition filed May 15, 2012.

Applicant answers the complaint as follows:

Applicant does not have sufficient knowledge to confirm or deny the allegations of the unnumbered paragraph of the complaint, and on that basis DENIES all of those allegations.

1. Applicant does not have sufficient knowledge to confirm or deny the allegations in paragraph 1 of the complaint, and on that basis DENIES all of those allegations.

2. Applicant does not have sufficient knowledge to confirm or deny the allegations in paragraph 2 of the complaint, and on that basis DENIES all of those allegations.

3. ADMITTED.

4. Applicant does not have sufficient knowledge to confirm or deny the allegations in paragraph 4 of the complaint, and on that basis DENIES all of those allegations.

5. Applicant does not have sufficient knowledge to confirm or deny the allegations in paragraph 5 of the complaint, and on that basis DENIES all of those allegations.

6. Applicant does not have sufficient knowledge to confirm or deny the allegations in paragraph 6 of the complaint, and on that basis DENIES all of those allegations.

7. ADMITTED.

8. Applicant ADMITS that it filed application Serial No. 85/429,471 on September 22, 2011 to register the mark ATLAS PEAK CAPITAL for “investment management and investment fund services” in Class 36. Applicant DENIES all of the remaining allegations in paragraph 8.

9. Applicant ADMITS that it filed application Serial No. 85/429,501 on September 22, 2011 to register the mark ATLAS PEAK CAPITAL and DESIGN in Class 36. Applicant DENIES all of the remaining allegations in paragraph 9.

10. Applicant repeats and re-avers its responses to paragraphs 1 through 9 above.

11. Applicant does not have sufficient knowledge to confirm or deny the allegations in paragraph 11 of the complaint, and on that basis DENIES all of those allegations.

12. ADMITTED.

13. DENIED.

14. DENIED.

AFFIRMATIVE DEFENSES

In further answer to the complaint, Applicant asserts the following affirmative defenses:

First Affirmative Defense

(Failure to State a Claim for Relief)

Opposer has failed to state a claim for which relief can be granted.

Second Affirmative Defense

(Narrow Rights)

Opposer's rights in the trademarks alleged as the basis for this Opposition, if any, are weak and subject to narrow rights such that Applicant's marks are not in conflict therewith.

WHEREFORE, Applicant prays that the Opposition be denied in its entirety, and that the subject Applications be approved and passed to registration.

Respectfully submitted,

Date: June 20, 2012

/s/Linda Joy Kattwinkel/

Linda Joy Kattwinkel
Attorney for Applicant
Atlas Peak Capital Management, LLC

455 Market Street, 19th Floor
San Francisco, California 94105
(415) 882-3200

CERTIFICATE OF SERVICE

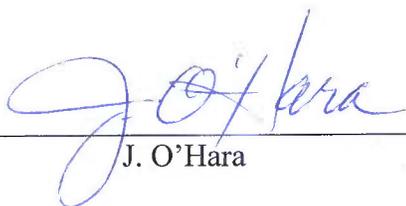
I hereby certify that a true and correct copy of the following listed document:

APPLICANT'S ANSWER TO THE NOTICE OF OPPOSITION

was sent to attorneys for Plaintiff via first class mail, postage prepaid, to the following address:

Lawrence R. Robins, Esq.
Edwards Wildman Palmer LLP
F.D.R. Station, P.O. Box 130
New York, NY 10150

Dated: June 20, 2012



J. O'Hara