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

Proceeding	91212820
Party	Defendant Apollo Investigations, Inc.
Correspondence Address	APOLLO INVESTIGATIONS, INC. APOLLO INVESTIGATIONS, INC. PO BOX 10091 MANASSAS, VA 20108-0651  mike@apolloinvestigationsinc.com
Submission	Answer
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Date	11/13/2013
Attachments	Answer - final.pdf(16332 bytes )

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

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**Apollo Security International, Inc.**

**Opposer,**

**v.**

**Apollo Investigations, Inc.**

**Applicant.**

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**Opposition No. 91212820  
Serial No. 85897079**

**In re Application Serial No.: 85897079**

**For the Mark: “Apollo Investigations, Inc.”**

**Filed: April 5, 2013**

**Published in the Trademark  
Official Gazette on: September 24, 2013**

**ANSWER**

COMES NOW, Applicant Apollo Investigations, Inc. (hereinafter referred to as “Applicant”), by counsel, and respectfully submits this Answer to the Opposer, Apollo Security International, Inc. (hereinafter referred to as “Opposer”), in reference to Notice of Opposition regarding applicant’s application 85897079. Applicant responds to each of the Opposer’s numbered paragraphs in their Notice of Opposition, with the following correspondingly numbered paragraphs:

1. The Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and demands strict proof thereof.

2. The Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and demands strict proof thereof.

3. The Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and demands strict proof thereof.

4. The Applicant admits the allegations made in this paragraph.

5. The Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and demands strict proof thereof.

6. The Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph and demands strict proof thereof.

7. The Applicant admits the allegations made in this paragraph.

8. The Applicant admits the allegations made in this paragraph.

9. The Applicant admits the allegations made in this paragraph.

10. The Applicant denies the allegations in this paragraph and demands strict proof thereof.

11. The Applicant denies the allegations in this paragraph and demands strict proof thereof.

12. The Applicant denies the allegations in this paragraph and demands strict proof thereof. Furthermore, Applicant and Opposer do not offer the same specific type(s) of services.

13. The Applicant denies the allegations in this paragraph and demands strict proof thereof.

14. The Applicant denies the allegations in this paragraph and demands strict proof thereof. Furthermore, the Applicant and Opposer do not offer the same services, nor do they operate in the same geographic region. Opposer is not authorized to do business in the

Commonwealth of Virginia. Adversely, Applicant is not authorized to conduct business in the Commonwealth of Massachusetts.

15. The Applicant denies the allegations in this paragraph and demands strict proof thereof.

16. The Applicant denies the allegations in this paragraph and demands strict proof thereof. The Applicant is a legal corporation formed in September of 2011. Opposer did not apply for any of their trademark(s) applications until November of 2011.

17. The Applicant denies the allegations in this paragraph and demands strict proof thereof.

#### **Affirmative Defenses**

The Applicant provides the following defenses to the Opposer's opposition:

1. The Opposer has not vigorously protected its trademark as there are multiple businesses in other geographic regions of the United States operating under the name "Apollo", which provide private investigative services dissimilar to the security services provided by Opposer, but similar to the services provided by Applicant. Upon information and belief, and after reasonable inquiry, the Applicant has determined that the Opposer has failed to even make contact with these other businesses.

WHEREFORE, Applicant hereby requests that Opposer's Notice of Opposition be dismissed, and Applicant's application for serial number 85/897079 be approved.

Respectfully submitted,

Apollo Investigations, Inc.  
c/o Michael S. Youlen  
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By Counsel

/DAH/

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**Certificate of Mailing/Service**

I hereby certify that on this 13<sup>th</sup> day of November, 2013, a true copy of the foregoing

Answer was served, via first class mail, postage prepaid, and via e-mail, on the following:

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