

ESTTA Tracking number: **ESTTA587611**

Filing date: **02/17/2014**

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

Proceeding	91214453
Party	Defendant Alpha Omega Epsilon, Inc.
Correspondence Address	JACK A. WHEAT STITES & HARBISON, PLLC 400 W MARKET ST STE 1800 LOUISVILLE, KY 40202-3352 jwheat@stites.com
Submission	Answer
Filer's Name	Jack A. Wheat
Filer's e-mail	jwheat@stites.com
Signature	/jackawheat/
Date	02/17/2014
Attachments	LOUISVILLE-#964883-v1-MembMarkAnswertoOpp.pdf(63965 bytes)

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

OMEGA, S.A.,

OPPOSER,

v.

ALPHA OMEGA EPSILON, INC.

APPLICANT.

Opposition No. 91214453

Serial No. 85/857065

ANSWER TO NOTICE OF OPPOSITION

Come the Applicant, Alpha Omega Epsilon, Inc. (“the AOE Sorority”), by counsel, and in response to the Notice of Opposition filed by Omega, S.A. (Omega AG) (Omega Ltd.) (“Opposer”), the AOE Sorority submits the following:

1. The AOE Sorority denies the allegations of paragraph 1 of the Notice of Opposition.
2. The AOE Sorority lacks information sufficient to admit or deny the allegations of paragraph 2, and on that basis denies those allegations.
3. The AOE Sorority denies so much of paragraph 3 of the Notice of Opposition as alleges that Opposer owns a valid and subsisting registration of the mark identified by serial number 85/877912 and lacks information sufficient to admit or deny the remaining allegations of paragraph 3, and on that basis denies those allegations.
4. The AOE Sorority lacks information sufficient to admit or deny the allegations of paragraph 4 of the Notice of Opposition, and on that basis denies those allegations.
5. The AOE Sorority admits so much of the allegations of paragraph 5 of the Notice of Opposition as relate to Registration Number 3318408 and denies each and every other allegation of said paragraph of the Notice of Opposition.

6. The AOE Sorority denies the allegations of paragraph 6 of the Notice of Opposition.

7. The AOE Sorority lacks information sufficient to admit or deny the allegations of paragraphs 7 and 8 of the Notice of Opposition, and on that basis denies those allegations.

8. The AOE Sorority denies the allegations of paragraphs 9, 10, 11 and 12 of the Notice of Opposition.

9. The AOE Sorority lacks information sufficient to admit or deny the allegation of paragraph 13 of the Notice of Opposition, and on that basis denies that allegation.

10. The AOE Sorority denies the allegations of paragraphs 14 of the Notice of Opposition.

Wherefore, The AOE Sorority denies that Opposer will be damaged by registration of the ALPHA OMEGA EPSILON as a Collective Membership mark, and requests that this proceeding be dismissed.

/jackawheat/

Jack A. Wheat
Mari-Elise Taube
STITES & HARBISON PLLC
400 West Market Street, Suite 1800
Louisville, Kentucky 40202-3352
Telephone: (502) 587-3400

Counsel for Applicant

CERTIFICATE OF SERVICE AND ELECTRONIC SUBMISSION

I hereby certify that a true copy of this correspondence entitled ANSWER TO NOTICE OF OPPOSITION in Opposition No. 91214453 is being filed electronically with the U.S. Patent and Trademark Office using the ESTTA service, and deposited this 17th day of February, 2014 with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the following:

Jess M. Collen, Thomas P. Gulick & Oren Gelber
COLLEN IP
The Holyoke-Manhattan Building
80 South Highland Ave.
Ossining, New York 10562

/jackawheat/

Jack A. Wheat

AL191:00AL1:964883:1:LOUISVILLE