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

Proceeding	91215611
Party	Defendant Tencent Holdings Limited
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DELSON GROUP INC., Opposer, v. TENCENT HOLDINGS LIMITED Applicant.	Opposition No. 91215611 Mark: TENCENTWEIBO (and Design) Ser. No. 85/455475

ANSWER TO NOTICE OF OPPOSITION

Applicant, Tencent Holdings Limited ("Applicant" "Tencent" or "THL"), by its attorneys, hereby submits its Answer to the Notice of Opposition filed by Opposer, Delson Group, Inc. ("Opposer" or "Delson"), as follows, with the following numbered Paragraphs corresponding to the numbers of the Paragraphs of the Notice of Opposition under the headings used in the Notice of Opposition:

I. FACT BACKGROUND

A. Opposer and its Trademark TENCENT

1. To the extent that the online records of the state of Delaware reflect the existence of Delson Group, Inc., Applicant admits that Delson is a corporation organized under the laws of the state of Delaware. Applicant is without knowledge or information sufficient to form a belief as to the remainder of the allegations of Paragraph 1 and, therefore, denies the same.

2. Applicant is without knowledge or information sufficient to form a belief as to the allegations of Paragraph 2 and, therefore, denies the same.

3. Applicant is without knowledge or information sufficient to form a belief as to the allegations of Paragraph 3 and, therefore, denies the same.

4. Applicant is without knowledge or information sufficient to form a belief as to the allegations of Paragraph 4 and, therefore, denies the same.

5. Applicant is without knowledge or information sufficient to form a belief as to the allegations of Paragraph 5 and, therefore, denies the same.

6. The allegations of Paragraph 6 state a legal conclusion and no answer is required. To the extent that an answer is required, Applicant denies the allegations of Paragraph 6.

7. Based on the online records of the U.S. Patent and Trademark Office, Applicant admits that, on February 9, 2012, Opposer filed Application Serial No. 85/538374, TENCENT, for use in connection with certain identified services in International Class 42. Applicant is without knowledge or information sufficient to form a belief as to the remainder of the allegations of Paragraph 7 and, therefore, denies the same.

B. THL and Its TECENTWEIBO (sic) Application

8. Applicant denies that its foreign entity type is a corporation. Applicant admits that it is legally organized under the laws of the Cayman Islands, and that its business address is P.O. Box 2681 GT, Century Yard, Cricket Square, Hutchins Dr., George Town, Grand Cayman, Cayman Islands. Applicant admits that the business headquarters and principal operation centers of Applicant's related company, Tencent, Inc., are located in the People's Republic of China, and that the business headquarters and principal operation centers of Applicant's related companies,

Tencent America LLC and Tencent Boston Inc., are located in the United States. Applicant denies the remainder of the allegations of Paragraph 8.

9. Applicant admits that, on October 25, 2011, it filed Application Serial No. 85455475, TENCENTWEIBO (and Design), and that this application was: originally based on Sections 1(b) and 44(d); claimed a priority date of October 17, 2011; and was published on March 25, 2014. Applicant denies the remainder of the allegations of Paragraph 9.

10. Applicant is without knowledge or information sufficient to form a belief as to the allegations of Paragraph 10 and, therefore, denies the same.

11. Applicant is without knowledge or information sufficient to form a belief as to the allegations of Paragraph 11 and, therefore, denies the same.

12. Applicant is without knowledge or information sufficient to form a belief as to the allegations of Paragraph 12 and, therefore, denies the same.

13. Applicant is without knowledge or information sufficient to form a belief as to the allegations of Paragraph 13 and, therefore, denies the same.

14. The allegations of Paragraph 14 state a legal conclusion and no answer is required. To the extent that an answer is required, Applicant denies the allegations of Paragraph 14.

C. THL and Its Opposition to the TENCENT Application

15. Applicant admits the allegations of Paragraph 15 except to point out that Applicant's Notice of Opposition to Opposer's mark, TENCENT, was based on priority and likelihood of confusion as well as false suggestion of a connection.

16. Applicant admits that it filed a Motion for Summary Judgment on August 21, 2013, and that the Trademark Trial and Appeal Board (the "Board") denied that motion. Applicant denies the remainder of the allegations of Paragraph 16.

17. Applicant admits that it filed a Motion to Suspend on January 22, 2014, and that the Board granted that motion. Applicant denies the remainder of the allegations of Paragraph 17.

II. CLAIM ONE: LIKELIHOOD OF CONFUSION

18. Applicant admits or denies the allegations of Paragraphs 1 through 17 as previously set forth herein.

19. The allegations of Paragraph 19 state a legal conclusion and no answer is required. To the extent that an answer is required, Applicant denies the allegations of Paragraph 19.

20. Applicant admits that the mark, TENCENTWEIBO (and Design), incorporates the word "Weibo" and that the word "Weibo" means microblogging in China. The remainder of the allegations of Paragraph 20 state a legal conclusion and no answer is required. To the extent that an answer is required, Applicant denies the remainder of the allegations of Paragraph 20.

21. The similarity of the goods/services is a legal conclusion and no answer is required. Applicant denies the remainder of the allegations of Paragraph 21.

22. The allegations of Paragraph 22 state a legal conclusion and no answer is required. To the extent that an answer is required, Applicant denies the allegations of Paragraph 22.

III. CLAIM TWO: DECEPTION AND FALSE CONNECTION

23. Applicant admits or denies the allegations of Paragraphs 1 through 22 as previously set forth herein.

24. The allegations of Paragraph 24 state a legal conclusion and no answer is required. To the extent that an answer is required, Applicant denies the allegations of Paragraph 24.

25. The allegations of Paragraph 25 state a legal conclusion and no answer is required. To the extent that an answer is required, Applicant denies the allegations of Paragraph 25.

26. The allegations of Paragraph 26 state a legal conclusion and no answer is required. To the extent that an answer is required, Applicant denies the allegations of Paragraph 26.

Wherefore, Applicant respectfully requests that the Notice of Opposition be rejected and that Applicant's mark be allowed to proceed to registration.

Respectfully submitted,

Dated: May 5, 2014

By: _____

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Certificate of Service

I hereby certify that a true and complete copy of the foregoing Answer to Notice of Opposition has been served on J. James Li, Opposer's attorney, by mailing said copy on May 5, 2014, via First Class Mail, postage prepaid, to:

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Mary Poupard

Mary Poupard
Authorized Representative of Angela Alvarez Sujek