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

Proceeding	91216077
Party	Plaintiff RevenueWire, Inc.
Correspondence Address	MICHELLE S KATZ ADVITAM IP LLC 160 N WACKER DRIVE CHICAGO, IL 60606 UNITED STATES MSKdocket@AdvitamIP.com, TValente@AdvitamIP.com, Mkatz@advitamip.com
Submission	Answer to Counterclaim
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Date	07/03/2014
Attachments	RevenueWire Answer to FPTs Counterclaims final.pdf(200761 bytes)

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

In the Matter of Trademark Application)	
Serial Nos. 85860106 and 85860109)	
Filed February 26, 2013)	
For the mark "FUTURE PAYTECH" and)	
"FUTURE PAYMENT TECHNOLOGIES")	
Published February 25, 2014)	
)	
RevenueWire Inc.,)	
)	Opposition No. 91216077
Opposer)	
)	
v.)	
)	
Future Payment Technologies, L.P.)	
)	
Applicant.)	

OPPOSER'S ANSWER TO APPLICANT'S COUNTERCLAIM

In response to the Counterclaim to Cancel U.S. Reg. No. 4,434,614 (Counterclaim) filed by Applicant Future Payment Technologies, L.P. (Applicant) in the above-captioned proceeding, Opposer RevenueWire Inc. (Opposer), hereby responds to the averments in the correspondingly numbered paragraphs as follows:

1. Opposer is without knowledge or information sufficient to form a belief as to the truth of the matters asserted, and therefore they are denied.
2. Admitted.
3. Admitted.
4. Admitted.
5. Admitted.
6. Denied.
7. Denied.

AFFIRMATIVE DEFENSES

1. Applicant has failed to state a claim upon which relief may be granted.
2. Opposer's mark FUTUREPAY is inherently distinctive and is not merely descriptive.
3. Applicant's claim is barred by the doctrine of acquiescence.
4. Applicant's claim is barred by the doctrine of estoppel.

WHEREFORE, Opposer prays that the Counterclaim be dismissed in its entirety.

July 3, 2014

Respectfully Submitted,

RevenueWire, Inc.

By: /s/ Michele S. Katz/

Michele S. Katz, Esq.

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RevenueWire, Inc.

CERTIFICATE OF ELECTRONIC MAILING

I hereby certify that a true and correct copy of the foregoing OPPOSER'S ANSWER TO APPLICANT'S COUNTERCLAIM is being submitted electronically through the Trademark Trial and Appeal Board's ESTTA System on this 3rd day of July 2014.

/s/ Michele S. Katz/
Attorney for Opposer

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing OPPOSER'S ANSWER TO APPLICANT'S COUNTERCLAIM is being emailed per agreement on the 3rd day of July 2014 to:

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/s/ Michele S. Katz/
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