

ESTTA Tracking number: **ESTTA671268**

Filing date: **05/08/2015**

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

Proceeding	91220844
Party	Defendant Bankinter, S.A.
Correspondence Address	CHARLES P. LAPOLLA OSTROLENK FABER LLP 1180 AVENUE OF THE AMERICAS FL 7 NEW YORK, NY 10036-8443 clapolla@ostrolenk.com, smcmahon@ostrolenk.com, tm@ostrolenk.com
Submission	Answer
Filer's Name	Charles P. LaPolla
Filer's e-mail	clapolla@ostrolenk.com, smcmahon@ostrolenk.com, tm@ostrolenk.com
Signature	/CPL/
Date	05/08/2015
Attachments	Answer (01752054).PDF(138133 bytes)

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

In re Application Serial No. 85/808,999
Filing Date: December 21, 2011
Mark: BANKINTER
Published in the Official Gazette on September 2, 2014

Interbank Corporation, Oklahoma,)	
)	
Opposer,)	
)	
v.)	Opposition No. 91220844
)	
Bankinter, S.A.)	
)	
Applicant.)	
	X	

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

ANSWER

Bankinter, S.A. (“Applicant”), by its attorneys, for its Answer to the Notice of Opposition, avers as follows:

1. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 1 of the Notice of Opposition, and, therefore, denies same.

2. Applicant admits that it is a Sociedad Anónima organized under the laws of Spain with its principal place of business at Po de la Castellana, 29 28046, Madrid, Spain.

3. Applicant admits the allegations contained in paragraph 3 of the Notice of Opposition.

4. Applicant admits the allegations contained in paragraph 4 of the Notice of Opposition.

5. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 5 of the Notice of Opposition and, therefore, denies same.

6. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 6 of the Notice of Opposition and, therefore, denies same.

7. Applicant admits the existence of U.S. Application Serial No. 86/290,768, a copy of which is purported to be attached to the Notice of Opposition as Exhibit A, and that the aforementioned application seeks registration of the mark INTERBANK in connection with banking and financing services in International Class 36. Applicant is without knowledge or information sufficient to form a belief as to the validity or ownership of such application and as to the truth of all other remaining allegations contained in paragraph 7 of the Notice of Opposition and, therefore, denies same.

8. Applicant admits the existence of U.S. Registration No. 1,932,937, a copy of which is purported to be attached to the Notice of Opposition as Exhibit B, and that the aforementioned registration is for the trademark INTERBANK for banking and financing services in International Class 36. Applicant is without knowledge or information sufficient to form a belief as to the validity or ownership of said registration and as to the truth of all other remaining allegations contained in paragraph 8 of the Notice of Opposition and, therefore, denies same.

9.[7.sic] Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 9 [7 sic] of the Notice of Opposition and therefore denies same.

10. [8.sic] Applicant admits the allegations contained in paragraph 10 [8.sic] of the Notice of Opposition.

11. [9.sic] Applicant denies the allegations contained in paragraph 11 [9 sic] of the Notice of Opposition.

12. [10.sic] Applicant denies the allegations contained in paragraph 12 [10 sic] of the Notice of Opposition.

13. [11.sic] Applicant denies the allegations contained in paragraph 13 [11 sic] of the Notice of Opposition.

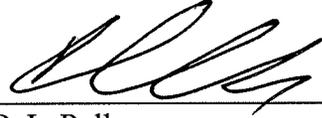
14. [12.sic] Applicant admits that application Serial No. 85/808,999 does not contain an allegation of use of the mark BANKINTER in the United States and that the aforementioned application was not filed within six months of the date on which Applicant's foreign applications were first filed in a foreign country. Applicant is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations contained in paragraph 14 [12 sic] of the Notice of Opposition, and therefore, denies same.

15. [13.sic] Applicant denies the allegations contained in paragraph 15 [13 sic] of the Notice of Opposition.

WHEREFORE, Applicant prays that the Opposition be dismissed with prejudice.

Respectfully submitted,

New York, New York
May 8, 2015



Charles P. LaPolla
OSTROLENK FABER LLP
1180 Avenue of the Americas
New York, New York 10036-8403
Tel: (212) 382-0700
Fax: (212) 382-0888
E-mail: clapolla@ostrolenk.com
Attorneys for Applicant

CERTIFICATE OF SERVICE

It is hereby certified that a true copy of the **ANSWER** was served upon counsel for Opposer, this 8th day of May, 2015, by e-mail and First-Class mail, postage prepaid, addressed as follows:

Anthony L. Rahhal
McAfee & Taft
10th Floor, Two Leadership Square
211 N. Robinson
Oklahoma City, Oklahoma
Phone: 405-552-2306
Fax: 405-228-7306
E-mail: anthony.rahhal@mcafeetaft.com

and

Jessica John Bowman
McAfee & Taft
1717 S. Boulder Ave., Suite 900
Tulsa, Oklahoma
Phone: 918-574-3046
Fax: 918-574-3146
E-mail: jessica.johnbowman@mcafeetaft.com



Charles P. LaPolla