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

Proceeding	91224031
Party	Defendant BeMe, Inc.
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Date	02/01/2016
Attachments	BEME Applicant's Answer.pdf(84124 bytes)

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

Beam Propulsion Lab Inc.,)	
)	
Opposer)	
)	
vs.)	
)	
Beme, Inc.,)	Opposition No. 91224031
)	Application Serial No. 86569699
Applicant)	

APPLICANT’S ANSWER AND AFFIRMATIVE DEFENSES

Beme, Inc. (“Applicant”) hereby answers and otherwise pleads to the Notice of Opposition filed by Beam Propulsion Lab Inc. (“Opposer”) against U.S. Application Serial No. 86569699 for the mark BEME.

1. Applicant is without knowledge or information sufficient to form a belief as to the truth of paragraph 1, and therefore denies the same.
2. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 2, and therefore denies the same.
3. Applicant admits that the allegations of paragraph 3 reflect the United States Patent and Trademark Office (“USPTO”) records.
4. Applicant admits that the allegations of paragraph 4 reflect the United States Patent and Trademark Office (“USPTO”) records, but is without knowledge or information sufficient to form a belief as to the truth of 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 truth of the allegations in paragraph 5, and therefore denies the same.
6. Applicant denies the allegation of paragraph 6.

7. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 7, and therefore denies the same.
8. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 8, and therefore denies the same.
9. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 9, and therefore denies the same.
10. Applicant denies the allegation of paragraph 10.
11. Applicant denies the allegation of paragraph 11.
12. Applicant denies the allegation of paragraph 12.

AFFIRMATIVE DEFENSES

1. Upon information and belief, Opposer's prayer for relief is barred by Opposer's non-use and abandonment of the rights upon which Opposer's Notice of Opposition is based.
2. Opposer is not entitled to the relief sought because there is no likelihood of confusion between Opposer's mark and Applicant's mark.
3. Applicant reserves the right to plead additional affirmative defenses as this matter progresses and as discovery progresses.

Respectfully submitted,

BARNES & THORNBURG LLP

/s/ David A.W. Wong_____

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Date: February 1, 2016

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of this APPLICANT'S ANSWER AND AFFIRMATIVE DEFENSES has been served on February 1, 2016 by depositing a copy of the same in the United States mail, first class postage prepaid and properly addressed to:

Amy J. Benjamin
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New York, NY 10003
UNITED STATES

_/s/ Caitlin R. Byczko_____