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

Proceeding	91224074
Party	Defendant Kore Inc.
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Attachments	DOC123.pdf(137156 bytes)

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

In the Matter of Trademark Application Serial Nos. 86/508,475,
86/508,491 and 86/508,548
Published in the *Official Gazette* July 28, 2015

eORIGINAL, INC.,
Opposer,

v.

KORE INC.
Applicant.

Opposition No.

91224074

**APPLICANT'S ANSWER
TO NOTICE OF OPPOSITION AND AFFIRMATIVE PLEADINGS**

Applicant, Kore Inc. ("Kore"), for its answer to the Notice of Opposition filed by eOriginal, Inc. ("eOriginal") against applications for registration of Kore's trademarks KORE, Serial No. 86/508,475, filed January 20, 2015, and published in the Official Gazette of July 28, 2015, kore, Serial No. 86/508,491, filed January 20, 2015, and published in the Official Gazette of July 28, 2015, and kore (& Design), Serial No. 86/508,548, filed January 20, 2015, and published in the Official Gazette of July 28, 2015 (the "KORE Marks"), pleads and avers as follows:

1. Applicant denies knowledge and information sufficient to admit or deny the allegations of ¶ 1.

2. Applicant denies knowledge and information sufficient to admit or deny the allegations of ¶ 2.

3. Applicant admits that it seeks to register the KORE Marks shown in U.S.

Application Serial Nos. 86/508,475, 86/508,491 and 86/508,548, those marks intended to be used for the goods and services recited within the respective applications. Applicant denies knowledge and information sufficient to admit or deny the remaining allegations of ¶ 3.

4. Applicant denies that its KORE Marks are nearly identical to Opposer's Mark in sound, connotation and commercial impression. Applicant further denies that the goods and services of Applicant are overly broad and therefore highly related to the goods and services of Opposer in the field of software and encrypted electronic document and data transmission. Applicant admits that it has not sought the consent, authorization or license of the Opposer, as none is required.

5. Applicant denies knowledge and information sufficient to admit or deny the allegations of ¶ 5.

AFFIRMATIVE PLEADINGS

First Affirmative Pleading

Opposer fails to state a claim upon which relief can be granted.

Second Affirmative Pleading

There is no likelihood of confusion, mistake or deception because, *inter alia*, the KORE Marks and the alleged E CORE trademark of Opposer are not confusingly similar.

Third Affirmative Pleading

Opposer's registration is entitled to a very narrow scope of protection because CORE and the CORE-formative marks have been registered by numerous third-parties in Class 9 for software, the registrations coexist on the register, and the coexisting registrations cover similar security-related software goods and services.

Fourth Affirmative Pleading

Opposer's registered mark E CORE coexists in actual use with the uses of many third parties, each using the mark CORE or a CORE-formative mark, for similar software, performing similar or identical functions as the Opposer's software.

Fifth Affirmative Pleading

The mark E CORE is diluted on the Trademark Register and diluted in actual use. Opposer's customers are sophisticated discriminating purchasers that can distinguish between similar CORE-formative marks, as the Opposer specifically represented during the prosecution of its application for registration before the U.S. Patent and Trademark Office.

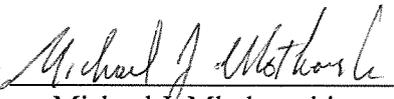
WHEREFORE, Applicant prays as follows:

- (a) this opposition be dismissed; and
- (b) registrations for the KORE Marks be issued to the Applicant.

Dated: November 9, 2015

Respectfully Submitted,

KORE INC.

By: 
Michael J. Mlotkowski

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Attorneys for Applicant

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 9th day of November, 2015, a true copy of the foregoing ANSWER AND AFFIRMATIVE PLEADINGS was served in the following manner:

VIA FIRST CLASS MAIL

Royal W. Craig
OBER KALER
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CERTIFICATE OF ELECTRONIC FILING

The undersigned certifies that this submission (along with any paper referred to as being attached or enclosed) is being filed with the United States Patent and Trademark Office via the Electronic System for Trademark Trials and Appeals (ESTTA) on this 9th day of November, 2015.

By: 

Iryna Ridchenko

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