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

Proceeding	91226155
Party	Defendant PEOPLE INTERACTIVE (INDIA) PRIVATE LIMITED
Correspondence Address	NARESH KILARU FINNEGAN HENDERSON FARABOW GARRETT & DUN 901 NEW YORK AVENUE NW WASHINGTON, DC 20001-4413 docketing@finnegan.com
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Date	03/14/2016
Attachments	3-14-16 Applicant Answer and Affirmative Defenses.pdf(231000 bytes)

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

<p>ACCENTIUM WEB PRIVATE LIMITED</p> <p style="text-align: center;">Opposer</p> <p style="text-align: center;">v.</p> <p>PEOPLE INTERACTIVE (INDIA) PRIVATE LIMITED</p> <p style="text-align: center;">Applicant</p>	<p>Opposition No. 91226155</p> <p>Mark: SHAADI.COM Serial No. 86634009 Filed: May 19, 2015</p>
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APPLICANT'S ANSWER AND AFFIRMATIVE DEFENSES

People Interactive (India) Private Limited (“Applicant”) answers and responds to the Notice of Opposition filed by Accentium Web Private Limited (“Opposer”) against Applicant’s Application Serial No. 86634009 as set forth below.

ANSWER

Regarding the preamble to the Notice of Opposition, Applicant denies that Opposer will be damaged by the registration of Applicant’s SHAADI.COM mark shown in Application Serial No. 86634009. Applicant further denies that Opposer has standing. Applicant is without information or knowledge sufficient to form a belief as to the truth or falsity of any remaining allegations in the preamble to the Notice of Opposition, and therefore denies them.

With respect to the numbered paragraphs in the Notice of Opposition, Applicant answers as follows:

1. Applicant admits that it previously filed Application No. 78389691. Applicant denies the remaining allegations of Paragraph 1.

2. Applicant admits the allegations of Paragraph 2 insofar as the Office Action dated October 20, 2004 for Application No. 78389691 speaks for itself. Applicant denies any remaining allegations of Paragraph 2.

3. Applicant admits the allegations of Paragraph 3 insofar as the Office Action response dated April 19, 2005 for Application No. 78389691 speaks for itself. Applicant denies any remaining allegations of Paragraph 3.

4. Applicant admits the allegations of Paragraph 4 insofar as the Office Action dated May 15, 2005 for Application No. 78389691 speaks for itself. Applicant denies any remaining allegations of Paragraph 4.

5. Applicant admits the allegations of Paragraph 5 insofar as the Office Action response dated November 14, 2005 for Application No. 78389691 speaks for itself. Applicant denies any remaining allegations of Paragraph 5.

6. Denied.

7. Applicant admits the allegations of Paragraph 7 insofar as the Notice of Suspension that issued on November 18, 2005 for Application No. 78389691 speaks for itself. Applicant denies any remaining allegations of Paragraph 7.

8. Admitted.

9. Applicant denies the allegations of Paragraph 9 on the ground they call for a legal conclusion. To the extent any factual allegations exist in Paragraph 9, Applicant denies them.

10. Applicant admits the allegations of Paragraph 10 insofar as the identifications in Application Nos. 78389691 and 86634009 speak for themselves. Applicant denies any remaining allegations of Paragraph 10.

11. Denied.

12. Applicant lacks sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 12 of the Notice of Opposition, and therefore denies them.

13. Applicant lacks sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 13 of the Notice of Opposition, and therefore denies them.

14. Applicant admits the allegations of Paragraph 14 insofar as the Office Action dated October 20, 2004 for Application No. 78389691 speaks for itself. Applicant denies any remaining allegations of Paragraph 14.

15. Applicant admits the allegations of Paragraph 15 insofar as the statements in Applicant's Petition for Cancellation dated November 30, 2015 (Cancellation No. 92062719) speak for themselves. Applicant denies any remaining allegations of Paragraph 15.

16. Applicant lacks sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 16 of the Notice of Opposition, and therefore denies them.

17. Applicant lacks sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 17 of the Notice of Opposition, and therefore denies them.

18. Applicant lacks sufficient information to form a belief as to the truth or falsity of the allegations in Paragraph 18 of the Notice of Opposition, and therefore denies them.

19. Admitted.

20. Denied.

21. Denied.

22. Applicant repeats and realleges its responses to Paragraphs 12 through 15 as if fully set forth herein.

23. Applicant admits the allegations of Paragraph 23 insofar as the statements in Applicant's Petition for Cancellation dated November 30, 2015 (Cancellation No. 92062719) speak for themselves. Applicant denies any remaining allegations of Paragraph 23.

24. Denied.

25. Applicant denies the allegations of Paragraph 25 on the ground they call for a legal conclusion. To the extent any factual allegations exist in Paragraph 25, Applicant denies them.

26. Denied.

27. Denied.

28. Denied.

AFFIRMATIVE DEFENSES

29. Opposer lacks standing to bring this action. Opposer's "secondshaadi.com" website is not directed to U.S. consumers and Opposer has no interest in using the "secondshaadi.com" domain name in the United States. Accordingly, Opposer has no interest in the outcome of this proceeding beyond that of the general public and cannot be damaged by the registration of Applicant's U.S. Application Serial No. 86634009.

30. Applicant reserves all affirmative defenses under Rule 8(c) of the Federal Rules of Civil Procedure, the Lanham Act, and any other defenses or counterclaims at law or

in equity, that may now exist or in the future be available based on discovery and further factual investigation in this case.

WHEREFORE, Applicant denies that Opposer is entitled to any of the relief sought and requests that the opposition be dismissed with prejudice.

Respectfully Submitted,

Dated: March 14, 2016

/Naresh Kilaru/
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CERTIFICATE OF SERVICE

I hereby certify that on March 14, 2016 a true and correct copy of the foregoing Answer and Affirmative Defenses was served by United States first class mail, postage prepaid, on Opposer at the following address of record:

Vivek Pahwa
Accentium Web Pvt Ltd
21-C, Sector 18
Gurgaon, 122015
INDIA


