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

Proceeding	91226640
Party	Defendant Northwest United Federal Credit Union
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Attachments	00525874.PDF(136592 bytes)

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

THE NEW YORK STATE CATHOLIC
HEALTH PLAN, INC. D/B/A FIDELIS
CARE NEW YORK,

Opposer,

v.

NORTHWEST UNITED FEDERAL CREDIT
UNION,

Applicant.

Opposition No. 91226640
Mark: **FIDELIS CATHOLIC
CREDIT UNION**

Application Serial No. 86/595,963
Application Filing Date: 04/13/2015

**APPLICANT’S ANSWER TO
NOTICE OF OPPOSITION**

Applicant, NORTHWEST UNITED FEDERAL CREDIT UNION (hereinafter “Applicant”), by and through its attorneys, hereby answers the Notice of Opposition filed by THE NEW YORK STATE CATHOLIC HEALTH PLAN, INC. D/B/A FIDELIS CARE NEW YORK (hereinafter “Opposer”) as follows:

1. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 1 of the Notice of Opposition and therefore Applicant denies those allegations.

2. Applicant admits that U.S. trademark registration for U.S. Registration No. 3,775,057 issued for FIDELIS for “administration of health care plans” in International Class 36 on April 13, 2010. Applicant is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 2 of the Notice of Opposition and therefore Applicant denies those allegations.

3. Applicant admits that U.S. trademark registration for U.S. Registration No. 3,633,561 issued for FIDELIS CARE for “administration of health care plans” in International Class 36 on June 9, 2009. Applicant is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 3 of the Notice of Opposition and therefore Applicant denies those allegations.

4. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 4 of the Notice of Opposition and therefore Applicant denies those allegations.

5. Applicant admits the allegations set forth in Paragraph 5 of the Notice of Opposition.

6. Applicant admits that the overall mark that Applicant seeks to register wholly incorporates FIDELIS. Applicant denies the remaining allegations in Paragraph 6 of the Notice of Opposition.

7. Applicant denies the allegations set forth in Paragraph 7 of the Notice of Opposition.

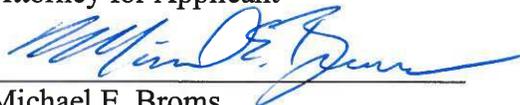
8. Applicant denies the allegations set forth in Paragraph 8 of the Notice of Opposition.

WHEREFORE, Applicant respectfully requests that Opposer’s Notice of Opposition be dismissed and Applicant granted its attorneys fees and any and all other remedies as justice permits.

Dated: April 8, 2016

Respectfully submitted,

BERENBAUM WEINSHIENK PC
Attorney for Applicant



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CERTIFICATE OF SERVICE

I hereby certify that on April 8, 2016, I filed the foregoing **APPLICANT'S ANSWER TO NOTICE OF OPPOSITION** with the Trademark Trial and Appeal Board via ESTTA, and served one (1) hard copy to Attorneys for Opposer via Certified Mail Return Receipt Requested having a tracking number of 70151660000016603350 to the following:

Peter S. Sloane, Esq.
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Michael E. Broms