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

Proceeding	91227086
Party	Defendant Go4ward LLC
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Submission	Answer
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Date	05/09/2016
Attachments	Go4ward 086 Answer.pdf(7309 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
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Delta Airlines, Inc.,)	Opposition No. 91227086
)	
Opposer,)	Ser. No. 86/584,505
)	Mark: Double Chevron Design
)	Published: September 29, 2015
v.)	
)	
Go4ward LLC,)	
)	
Applicant.)	
_____)	

APPLICANT’S ANSWER

Applicant, Go4Ward LLC (“Applicant”) answers Delta Airlines, Inc.’s (“Opposer”) Notice of Opposition, which seeks to deny federal registration for the mark Double Chevron Design mark, Ser. No. 86/584,505, (“the Mark”), as follows:

In the unnumbered first paragraph, Applicant denies that Opposer will be damaged and will continue to be damaged by the registration of the Mark on the Principal Register. Applicant lacks sufficient information or belief to admit or deny the remaining allegations of the unnumbered first paragraph, and on that basis denies the same.

1. Applicant lacks sufficient information or belief to admit or deny the allegations contained in Paragraph 1, and on that basis denies the same.

2. The documents speak for themselves. Applicant notes that Opposer failed to attach the status and title page per 37 CFR § 2.122(d) and TMEP 704.05(a). Applicant also notes that Opposer lists Reg. No. 2058958, which post registration documents have not been filed and is awaiting cancellation.

3. Applicant lacks sufficient information or belief to admit or deny the allegations contained in Paragraph 3, and on that basis denies the same.

4. Applicant lacks sufficient information or belief to admit or deny the allegations contained in Paragraph 4, and on that basis denies the same.

5. Applicant lacks sufficient information or belief to admit or deny the allegations contained in Paragraph 5, and on that basis denies the same.

6. Applicant admits the allegations in Paragraph 6.

7. Applicant lacks sufficient information or belief to admit or deny the allegations contained in Paragraph 7, and on that basis denies the same.

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8. Applicant denies the allegations contained in Paragraph 8.

9. Applicant admits the allegations in Paragraph 9.

10. Applicant lacks sufficient information or belief to admit or deny the allegations contained in Paragraph 11, and on that basis denies the same.

11. Applicant lacks sufficient information or belief to admit or deny the allegations contained in Paragraph 11, and on that basis denies the same.

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11. [sic] Applicant lacks sufficient information or belief to admit or deny the allegations contained in this duplicate Paragraph 11 [sic], and on that basis denies the same.

12. Based upon information and belief and the numerous other registered marks on the principal register, Applicant denies the allegations contained in Paragraph 12, and on that basis denies the same.

13. The allegations in Paragraph 13 constitute a legal conclusion to which no response is required. To the extent a response is required, Applicant denies the allegations of Paragraph 13.

14. The allegations in Paragraph 14 constitute a legal conclusion to which no response is required. To the extent a response is required, Applicant denies the allegations of Paragraph 14.

15. The allegations in Paragraph 15 constitute a legal conclusion to which no response is required. To the extent a response is required, Applicant denies the allegations of Paragraph 15.

16. Applicant lacks sufficient information or belief to admit or deny the allegations contained in Paragraph 16.

17. The allegations in Paragraph 17 constitute a legal conclusion to which no response is required. To the extent a response is required, Applicant denies the allegations of Paragraph 17.

APPLICANT'S AFFIRMATIVE DEFENSES

Applicant is not aware of any applicable affirmative defenses at this time. Applicant specifically gives notice that it intends to rely on any such affirmative defenses as Applicant becomes aware during the course of this proceeding, and hereby reserves the right to amend its Answer and assert such defenses.

DATED this 9th day of May, 2016.

LEWIS ROCA ROTHGERBER CHRISTIE LLP

By: /s/ Jeffrey H. Albright
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CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing **APPLICANT'S ANSWER** has been served by mailing a copy on May 9, 2016, via First Class Mail postage prepaid to:

Kate E. Hart
Dentons US LLP
4520 Main Street, #1100
Kansas City, Missouri 64111

DATED this 9th day of May, 2016.

/s/ Karen I. Wildman _____