

ESTTA Tracking number: **ESTTA950946**

Filing date: **01/30/2019**

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

Proceeding	91244290
Party	Defendant Horizon Wealth Management LLC
Correspondence Address	GRACE L BONNER PHELPS DUNBAR LLP 4270 I-55 NORTH JACKSON, MS 39211-6391 UNITED STATES grace.bonner@phelps.com, trademarks@phelps.com 901-335-7245
Submission	Answer
Filer's Name	Grace L. Bonner
Filer's email	grace.bonner@phelps.com
Signature	/Grace L. Bonner/
Date	01/30/2019
Attachments	HorizonAnswer.pdf(9102 bytes)

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

Serial No. 87/639475

87/885222

Mark: SUN DERMATOLOGY

T. Rowe Price Group, Inc.)

Opposer,)

v.)

Horizon Wealth Management, LLC)

Applicant)

Opposition No. 91244290

ANSWER TO NOTICE OF OPPOSITION

Horizon Wealth Management, LLC (“Applicant”) answers T. Rowe Price Group, Inc.’s (“Opposer”) notice of opposition as follows:

1. The allegations of paragraph 1 are admitted.
2. The allegations of paragraph 2 are admitted.
3. The allegations of paragraph 3 are admitted.
4. The allegations of paragraph 4 are admitted.
5. The allegations of paragraph 5 are admitted.
6. The allegations of paragraph 6 are admitted.
7. The allegations of paragraph 7 are admitted.
8. The allegations of paragraph 8 are admitted.
9. The allegations of paragraph 9 are denied.
10. The allegations of paragraph 10 are admitted.
11. The allegations of paragraph 11 are admitted.

12. Applicant has no basis to admit or deny the allegations of paragraph 12.
13. Applicant reasserts its responses to the allegations in paragraphs 1 through 12.
14. Applicant has no basis to admit or deny the allegations of paragraph 14
15. The allegations of paragraph 15 are denied.
16. Applicant has no basis to admit or deny the allegations of paragraph 16.
17. The allegations of paragraph 17 are denied.
18. The allegations of paragraph 18 are denied.
19. The allegations of paragraph 19 are denied.
20. The allegations of paragraph 20 are admitted.
21. The allegations of paragraph 21 are denied.
22. The allegations of paragraph 22 are admitted.
23. Applicant admits to the commonalities of the CONFIDENT Marks and the Opposed Marks, but denies these commonalities render the CONFIDENT Marks, the CONFIDENT family of marks, and the Opposed Marks similar in sight and sound, as alleged in paragraph 23.
24. The allegations of paragraph 24 are admitted.
25. The allegations of paragraph 25 are admitted.
26. Applicant admits the allegations of paragraph 26, except for the implied allegation that confusion would arise as to the source and origin of the services provided by the Opposer with the source and origin of the services provided by Applicant.
27. The allegations of paragraph 27 are admitted.
28. The allegations of paragraph 28 are denied.

29. Applicant admits that Opposer has not authorized Applicant to use or register the Opposed Marks and that Opposer does not exercise any control over Applicant's use of the Opposed Marks, but denies the remainder of the allegations of paragraph 29.
30. The allegations of paragraph 30 are denied.
31. Applicant reasserts its responses to the allegations in paragraphs 1 through 30.
32. The allegations of paragraph 32 are denied.
33. The allegations of paragraph 33 are denied.
34. The allegations of paragraph 34 are denied.
35. Applicant denies the conclusionary statements in paragraph 35.

WHEREFORE, Applicant respectfully prays that the marks sought to be registered be accepted.

Respectfully submitted, this the 30th day of January, 2019.

PHELPS DUNBAR LLP
Attorneys for Applicant

By: /Grace L. Bonner/
Grace L. Bonner, MS State Bar No. 103815
2470 I-55 North, Jackson, MS 39211
Telephone: (901) 335-7245
Facsimile: (601) 360-9777
Email: grace.bonner@phelps.com

CERTIFICATE OF SERVICE

I, Grace L. Bonner, hereby certify that a true and complete copy of the foregoing ANSWER TO NOTICE OF OPPOSITION has been served on by forwarding said copy on January 30,

2019, via email to: Brian Winterfeldt, Winterfeldt IP Group, 1200 17th Street N.W., Suite 501, Washington, DC 20036, brian@winterfeldt.law.

By: /Grace L. Bonner/
Grace L. Bonner, MS State Bar No. 103815
2470 I-55 North, Jackson, MS 39211
Telephone: (901) 335-7245
Facsimile: (601) 360-9777
Email: grace.bonner@phelps.com