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Filing date: **05/15/2008**

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

Proceeding	92048667
Party	Defendant Peter Baumberger
Correspondence Address	SCOTT S. HAVLICK HOLLAND & HART LLP P.O. BOX 8749 DENVER, CO 80201 UNITED STATES docket@hollandhart.com
Submission	Motion to Amend/Amended Answer or Counterclaim
Filer's Name	Annie C. Haselfeld
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Signature	/Annie C. Haselfeld/
Date	05/15/2008
Attachments	Peter Baumberger Answer to First Amended Petition to Cancel.pdf (5 pages) (19367 bytes)

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

Jules Jurgensen/Rhapsody, Inc.,)	
)	
Petitioner,)	Cancellation No. 92048667
)	
v.)	
)	
Peter Baumberger,)	
)	
Respondent.)	

ANSWER TO FIRST AMENDED PETITION TO CANCEL

Respondent, a citizen of Switzerland, answers the First Amended Petition to Cancel as follows:

1. Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 1 of the First Amended Petition to Cancel and therefore denies those allegations.

2. Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 2 of the First Amended Petition to Cancel and therefore denies those allegations.

3. Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 3 of the First Amended Petition to Cancel and therefore denies those allegations.

4. Respondent admits that the mark, URBAN JÜRGENSEN, was registered as Registration No. 2,153,240 which was granted on April 28, 1998, but it denies that the mark is registered for Petitioner's GOODS as defined in Paragraph 1 of Petitioner's First Amended Petition to Cancel.

5. Admitted.

6. Admitted.

7. Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 7 of the First Amended Petition to Cancel and therefore denies those allegations.

8. Respondent admits that application Serial No. 76/685,220 was filed to register the mark URBAN JÜRGENSEN on December 26, 2007, but it denies that the specification of goods and services is comprised of Petitioner's GOODS as defined in Paragraph 1 of Petitioner's First Amended Petition to Cancel.

9. Admitted.

10. Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 10 of the First Amended Petition to Cancel and therefore denies those allegations.

11. Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 11 of the First Amended Petition to Cancel and therefore denies those allegations.

12. Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 12 of the First Amended Petition to Cancel and therefore denies those allegations.

13. Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 13 of the First Amended Petition to Cancel and therefore denies those allegations.

14. Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 14 of the First Amended Petition to Cancel and therefore denies those allegations.

15. Admitted.

16. Admitted.

17. Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 17 of the First Amended Petition to Cancel and therefore denies those allegations.

18. Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 18 of the First Amended Petition to Cancel and therefore denies those allegations.

19. Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 19 of the First Amended Petition to Cancel and therefore denies those allegations.

20. Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 20 of the First Amended Petition to Cancel and therefore denies those allegations.

21. Denied.

22. The allegations of Paragraph 22 of the First Amended Petition to Cancel are legal conclusions to which no response is required.

23. Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 23 of the First Amended Petition to Cancel and therefore denies those allegations

24. Denied.

FOR THESE REASONS, Respondent respectfully requests that the First Amended Petition to Cancel be dismissed with prejudice.

Dated: May 14, 2008

Respectfully submitted,



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ATTORNEYS FOR RESPONDENT
PETER BAUMBERGER

CERTIFICATE OF SERVICE

I certify that on May 14, 2008, I served a copy of the above ANSWER TO
FIRST AMENDED PETITION TO CANCEL to the following by:

- | | |
|-------------------------------------|----------------------------|
| <input checked="" type="checkbox"/> | U.S. Mail, postage prepaid |
| <input type="checkbox"/> | Hand Delivery |
| <input type="checkbox"/> | Fax |

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s/ Annie C. Haselfeld

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