

ESTTA Tracking number: **ESTTA292836**

Filing date: **07/01/2009**

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

Proceeding	92050895
Party	Defendant AFC Network Private Limited
Correspondence Address	AFC Network Private Limited 9 Temasek Boulevard, #23002 Suntec Tower Singapore, 038989 SINGAPORE
Submission	Answer
Filer's Name	Robert M. O'Connell, Jr.
Filer's e-mail	tmadmin@goodwinprocter.com
Signature	/Robert M. O'Connell, Jr./
Date	07/01/2009
Attachments	ASI-600Answer.pdf ( 5 pages )(173716 bytes )



sufficient to form a belief as to the truth of the allegations set forth in Paragraph 3, and therefore denies the same and calls for strict proof thereof.

4. Registrant states that the documents referenced in Paragraph 4 speak for themselves and Registrant denies the allegations in Paragraph 4 to the extent that they mischaracterize those documents. Registrant is otherwise without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 4, and therefore denies the same and calls for strict proof thereof. Registrant further denies that the allegations in Paragraph 4 are relevant to the issues presented in this proceeding.

5. Paragraph 5 states a legal conclusion to which no response is required. To the extent that Paragraph 5 states any factual allegations or otherwise requires a response, Registrant is without knowledge or information sufficient to form a belief as to the truth of such allegations, and therefore denies the same and calls for strict proof thereof.

6. Paragraph 6 states a legal conclusion to which no response is required. Registrant further states that the documents referenced in Paragraph 6 speak for themselves and Registrant denies the allegations in Paragraph 6 to the extent that they mischaracterize those documents. To the extent that Paragraph 6 states any other factual allegations or otherwise requires a response, Registrant is without knowledge or information sufficient to form a belief as to the truth of such allegations, and therefore denies the same and calls for strict proof thereof.

7. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 7, and therefore denies the same and calls for strict proof thereof.

8. Registrant states that the document referenced in Paragraph 8 speaks for itself and Registrant denies the allegations in Paragraph 8 to the extent that they mischaracterize that document.

9. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 9, and therefore denies the same and calls for strict proof thereof.

10. Registrant denies the allegations in Paragraph 10.

11. Registrant denies the allegations in Paragraph 11.

12. Registrant denies the allegations in Paragraph 12.

13. Paragraph 13 states a legal conclusion to which no response is required. To the extent that Paragraph 13 states any factual allegations or otherwise requires a response, Registrant denies the allegations.

14. Paragraph 14 states a legal conclusion to which no response is required. To the extent that Paragraph 14 states any factual allegations or otherwise requires a response, Registrant denies the allegations.

15. Paragraph 15 states a legal conclusion to which no response is required. Registrant further states that the document referenced in Paragraph 15 speaks for itself and Registrant denies the allegations in Paragraph 15 to the extent that they mischaracterize that document. To the extent that Paragraph 15 states any other factual allegations or otherwise requires a response, Registrant is without knowledge or information sufficient to form a belief as to the truth of such allegations, and therefore denies the same and calls for strict proof thereof.

ADDITIONAL DEFENSES

SECOND DEFENSE

Petitioner is barred from relief herein because the Petition to Cancel fails to state a claim upon which relief can be granted.

THIRD DEFENSE

Paragraph 4 of the Petition to Cancel should be stricken as irrelevant, and for failure to set forth a short and plain statement of the facts as required by Trademark Rule 2.104(a).

FOURTH DEFENSE

Registrant hereby reserves its right to assert any and all other defenses as appropriate as they present themselves through the course of this proceeding.

WHEREFORE, Registrant AFC Network Pvt. Ltd. respectfully prays that this Board dismiss the Petition to Cancel, and grant such other and further relief as the Board deems just and proper.

Respectfully submitted,

AFC NETWORK PVT. LTD.,

By its Attorneys,



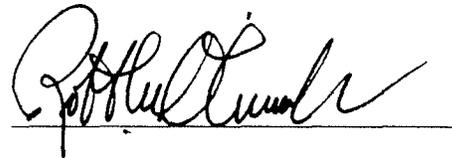
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Dated: July 1, 2009

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing document was served on July 1, 2009, upon counsel for Petitioner by first class mail, postage prepaid, addressed to:

Timothy D. Steffens, Esq.  
Polsinelli Shughart, P.C.  
700 West 47<sup>th</sup> Street, Suite 1000  
Kansas City, Missouri 64112

A handwritten signature in black ink, appearing to read "Timothy D. Steffens", is written over a horizontal line.