

ESTTA Tracking number: **ESTTA478076**

Filing date: **06/14/2012**

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

Proceeding	92054963
Party	Defendant Andrew P. Palmer
Correspondence Address	ANDREW P PALMER PO BOX 600182 JACKSONVILLE, FL 32260-0182 UNITED STATES idology@gmail.com
Submission	Answer
Filer's Name	Andrew P. Palmer
Filer's e-mail	idology@rocketmail.com
Signature	/Andrew P. Palmer/
Date	06/14/2012
Attachments	Answer.pdf (8 pages)(44463 bytes)

ESTTA Tracking number: **ESTTA446889**

Filing date: **12/16/2011**

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

Respondent's Answer to Petition for Cancellation

Petitioner Information

Name	IDology, Inc.		
Entity	Corporation	Citizenship	Georgia
Address	280 Interstate North Circle SE Suite 610 Atlanta, GA 30339 UNITED STATES		

Attorney information	Scott Creasman Taylor English Duma LLP 1600 Parkwood Circle Ste 400 Atlanta, GA 30339 UNITED STATES screasman@taylorengh.com Phone:770.434.6868
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Registration Subject to Cancellation

Registration No	3745504	Registration date	02/02/2010
Registrant	Palmer, Andrew P. PO Box 600182 Jacksonville, FL 32260 UNITED STATES		

Goods/Services Subject to Cancellation

Class 045. First Use: 2009/12/01 First Use In Commerce: 2009/12/01 All goods and services in the class are cancelled, namely: Consultation in the field of data theft and identity theft; Financial identity monitoring service; Identification verification services, namely, providing authentication of personal identification information; Identification verification services, namely, providing authentication of personal identification information via secure storage and transmitting such information via the Internet; On-line identity reliability investigation in the field of on-line dating and claims made about age, gender

Grounds for Cancellation

Priority and likelihood of confusion	Trademark Act section 2(d)
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Mark Cited by Petitioner as Basis for Cancellation

U.S. Application No.	85269268	Application Date	03/17/2011
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	IDOLOGY		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 045. First use: First Use: 2003/12/31 First Use In Commerce: 2004/03/31 Identification verification services, namely, providing authentication of personal identification information via secure storage and transmitting such information via the Internet; identification verification services, namely, providing authentication of personal identification information; age identification services, namely, providing authentication of age information

Attachments	85269268#TMSN.jpeg (1 page)(bytes) Idology petition.pdf (8 pages)(90298 bytes) IDOLOGY_petition_exhibits.pdf (48 pages)(11177594 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Andrew P. Palmer/
Name	Andrew P. Palmer
Date	06/14/12

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

IDology, Inc.)	
)	In re Registration No. 3,745,504
)	
Petitioner,)	Mark: IDOLOGY
)	
v.)	Registered: February 2, 2010
)	
Andrew P. Palmer,)	Cancellation No. _____
)	
Registrant.)	E-filed via ESTTA
_____)	

**REGISTRANT’S ANSWER TO
PETITION FOR CANCELLATION**

Preamble: Denied as to Petitioner’s belief that it is or will be damaged by continued registration of the trademark IDOLOGY shown in U.S. Reg. No. 3,745,504 and that cancellation is a proper remedy. No responsive pleading is otherwise required.

1.

No responsive pleading is required.

2.

Registrant’s address is PO Box 600182, Jacksonville, FL 32260.

3.

No responsive pleading is required.

4.

No responsive pleading is required.

5.

Admitted.

6.

Admitted.

7.

Admitted that there is a correspondence; denied as to the effect of the correspondence.

8.

Admitted as to the Statement of Use; denied as to any prior rights Petitioner had to the Respondent's registered trademark or application.

9.

No responsive pleading is required.

10.

Denied.

CLAIM FOR RELIEF UNDER LANHAM ACT § 2(d)

11.

No responsive pleading is required.

12.

Denied.

13.

Denied.

14.

Denied.

15.

Denied.

16.

Denied.

17.

Denied.

WHEREFORE, Respondent respectfully requests that this Petition be denied and that Petitioner's application U.S. Serial No. 85269268 be denied.

This 14th day of June 2012.

/s/ Andrew P. Palmer

Andrew P. Palmer

Respondent

PO Box 600182

Jacksonville, FL 32260

516-528-9449

IDology@rocketmail.com

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the foregoing
RESPONDENT'S ANSWER TO PETITION FOR CANCELLATION by
depositing a copy of same in the U.S. Mail with appropriate postage prepaid and
affixed thereon to insure delivery to the following:

Correspondent for Petitioner

W. Scott Creasman
TAYLOR ENGLISH DUMA LLP
1600 Parkwood Circle
Suite 400
Atlanta, Georgia 30339
Attorneys for Petitioner

June 14, 2012

/s/Andrew P. Palmer
Andrew P. Palmer
Respondent
PO Box 600182
Jacksonville, FL 32260

