

TTAB

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

TWENTE INSTITUTE FOR WIRELESS AND MOBILE COMMUNICATIONS B.V. AKA WMC,

Defendant,

vs.

ABDULLAH YAHYA MUHAMMAD CHOTHAI,

Plaintiff.

7749, 469

Cancellation No.: 92,057,045

Registration No.: 3,611,193

ANSWER

In the matter of petition for cancellation no. 92,057,045, by Abdullah Yahya Muhammad Chothai, plaintiff, issued April 4, 2013, for the mark FIGO (Stylized) & Design, defendant, Twente Institute for Wireless and Mobile Communications B.V. answers to the allegations in the petition for cancellation according the numbering in the petition as follows:

Claim 1. does not contain an allegation and does not require an answer.

Claim 2. does not contain an allegation and does not require an answer.

Claim 3. Defendant denies the alligation of claim 3. Defendant has made use of the registered FIGO (Stylized) & Design mark in commerce, in connection with the goods set forth in that registration, namely, devices for wireless radio transmission. Proof of such use in commerce can be found through the use on websites 'www.figonet.com', and 'figo.innomeet.com'.

Claim 4. Defendant denies the alligation of claim 4. Defendant is using the registered FIGO (Stylized) & Design mark. The situation of "discontinued use", as claimed by plaintiff, does not exist. Defendant has the intent to continue the use of the registered FIGO (Stylized) & Design mark. Defendant is maintaining trademark registration no. 3,611,193 to protect commercial interests in defendant's current commercial activities.

Claim 5. Defendant denies the alligation of claim 5. By virtue of the foregoing, defendant has not abandoned the mark registration no. 3,611,193.

Claim 6. Defendant denies claim 6. Continued registration by defendant of the FIGO (Stylized) & Design mark will protect the commercial activities of defendant. Cancellation of the FIGO (Stylized) & Design mark will however damage defendant.

Claim 7. Defendant denies claim 7. By virtue of the foregoing, defendant has lawful gain and advantage of the FIGO (Stylized) & Design mark.

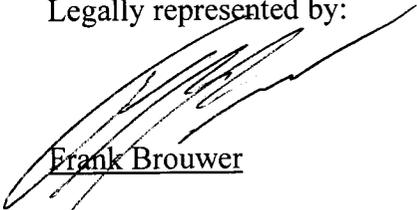
WHEREFORE, this defendant, Twente Institute for Wireless and Mobile Communications BV, believes and alleges that he will be damaged by the cancellation of the FIGO (Stylized) & Design mark, as requested in the petition of cancellation no. 92,057,045, as aforesaid, and prays that:

- A. judgement in the present cancellation action be entered in favor of Defendant;
- B. the Petition for Cancellation no. 92,057,045 be rejected; and
- C. registration no. 3,611,193 be continued.

Respectfully submitted,

Twente Institute for Wireless and Mobile Communications BV

Legally represented by:



Frank Brouwer

Chief Technology Officer

CERTIFICATE OF MAILING

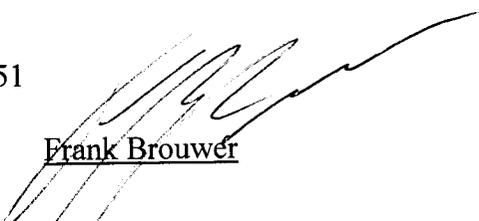
I hereby certify that on this 15^h day of April 2013, this correspondence is being deposited with PostNL with sufficient postage as First-class mail in an envelope addressed to:

ATTN: Trademark Trial and Appeal Board

Commissioner for Trademarks

P.O. Box 1451

Alexandria, VA 22313-1451



Frank Brouwer