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

Proceeding	92058931
Party	Defendant Communication Intelligence Corporation
Correspondence Address	COMMUNICATION INTELLIGENCE CORPORATION 275 SHORELINE DRIVE, SUITE 500 REDWOOD SHORES, CA 94065 UNITED STATES
Submission	Answer
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Date	05/08/2014
Attachments	Answer.pdf(41814 bytes )

In the Matter of Trademark Registration No. 2,219,350  
For the mark JOT

Adonit Co. Ltd.,  Petitioner,  v.  Communication Intelligence Corp.,  Registrant.	Cancellation No.:       92058931
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**ANSWER TO PETITION FOR CANCELLATION**

Communication Intelligence Corp. (“Registrant”) answers the Petition for Cancellation of Adonit Co. Ltd. (“Petitioner”), as follows:

1. Registrant is without knowledge or information sufficient to form a belief as to the allegations of Paragraph 1 and therefore denies the same.
2. Registrant admits that Petitioner is shown in the records of the U.S. Patent and Trademark Office as the owner of Application Serial No. 86/136,739 as described in Paragraph 2 (hereinafter the “instant application”). Registrant is without knowledge or information sufficient to form a belief as to the allegations of the remainder of Paragraph 2 and therefore denies the same.
3. Registrant is without knowledge or information sufficient to form a belief as to the allegations of Paragraph 3 and therefore denies the same.
4. Registrant admits that the records of the U.S. Patent and Trademark Office indicate that the instant application has been refused in view of Registrant’s trademark Registration No. 2,219,350 (hereinafter the “instant registration,” as similarly termed in the Petition for Cancellation).
5. Registrant admits the allegations of Paragraph 5.
6. Registrant admits the allegations of Paragraph 6.

7. Registrant admits the allegations of Paragraph 7.

8. Registrant admits the allegations of Paragraph 8.

9. Registrant admits the allegations of Paragraph 9.

10. Registrant denies the allegations of Paragraph 10.

11. Registrant denies the allegations of Paragraph 11.

12. Registrant denies the first allegation of Paragraph 12. Registrant admits that its website presently has no reference to any JOT branded product or service. Registrant admits that the web page comprising the specimen used in Registrant's section 8 and 9 filing in the instant registration is no longer available on Registrant's website.

13. Registrant admits the allegations of Paragraph 13.

14. Registrant admits the allegations of Paragraph 14.

15. Registrant denies the allegations of Paragraph 15.

16. Registrant denies the allegations of Paragraph 16.

17. Registrant denies the allegations of Paragraph 17.

18. Registrant denies the allegations of Paragraph 18.

19. Registrant admits the allegations of Paragraph 19.

20. Registrant is without knowledge or information sufficient to form a belief as to the allegations of Paragraph 20 and therefore denies the same.

21. Registrant is without knowledge or information sufficient to form a belief as to the allegations of Paragraph 21 and therefore denies the same.

22. Registrant denies the allegations of Paragraph 22.

Further answering:

If Petitioner has any rights in the mark JOT, Registrant's rights are superior. Petitioner's instant application states its first use of the mark to be November 2011, and Petitioner acknowledges this in

Paragraph 3 of the Petition for Cancellation. Registrant's instant registration issued on January 19, 1999, and Petitioner acknowledges this in Paragraph 5 of the Petition for Cancellation. Contrary to Petitioner's allegations, Registrant did not discontinue use of the mark JOT in commerce on or about April 2005 or at any time since then and Registrant continues using the mark JOT in commerce at this time.

WHEREFORE, Registrant requests that the Petition for Cancellation be denied in all respects.

Intellectual Property Venture Group



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#### **CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited electronically with the Trademark Trial and Appeal Board on the date shown below. I further certify that a true and complete copy of the foregoing Answer to Petition for Cancellation has been served on the following Attorney of Record for Petitioner, Adonit Co. Ltd. as listed on the Petition for Cancellation dated March 28, 2014, to:

Jeffrey Sonnabend  
SonnabendLaw  
600 Prospect Avenue  
Brooklyn, NY 11215



Raymond E. Roberts  
May 8, 2014