

ESTTA Tracking number: **ESTTA603674**

Filing date: **05/12/2014**

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

Proceeding	92058935
Party	Defendant Blair Schlossberg and Moshe Manoah
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Submission	Answer
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Date	05/12/2014
Attachments	Marquis Cancellation Action.pdf(120687 bytes )

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

IN THE MATTER OF U.S. REGISTRATION NO. 4,413,440

Mark: MARQUIS INVESTMENTS

Registered: October 8, 2013

CWS APARTMENT HOMES, LLC  Petitioner,  v.  BLAIR SCHLOSSBERG AND MOSHE MANOAH  Registrants.	Cancellation No. 92058935
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**REGISTRANTS' ANSWER TO PETITION FOR CANCELLATION**

Registrants Blair Schlossberg and Moshe Manoah (“Registrant”), hereby set forth their Answer to the Petition for Cancellation filed by CWS Apartment Homes, LLC (“Petitioner”).

Registrant answers the enumerated paragraphs of Petitioner’s Petition for Cancellation as follows:

1. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 1 and therefore denies the same.
2. Registrant admits that it has a business address located at 4828 Ashford Dunwoody Rd., Suite 400, Atlanta, Georgia 30338. Registrant denies the remaining allegations of Paragraph 2.
3. Registrant admits that the online records for the United States Patent and Trademark Office show that an entity named CWS Apartment Homes, LLC owns Serial No. 85/956,961 for the mark MARQUIS and Serial No. 85/969,417 for the mark M MARQUIS & Design, and that both applications are for “management and leasing of apartments” in Int’l Class

36. Registrant is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations of Paragraph 3 and therefore denies the same.

4. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 4 and therefore denies the same.

5. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 5 and therefore denies the same.

6. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 6 and therefore denies the same.

7. Admitted.

8. Registrant denies that Petitioner's constructive dates of first use for the MARQUIS marks with the services precede Registrant's trademark filing date and date of first use in interstate commerce. With regard to Petitioner's actual date of first use for the MARQUIS marks, Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 8 and therefore denies the same.

9. Paragraph 9 calls for legal conclusions for which neither an admission nor denial is required. Registrant admits that the term "investments" is descriptive of some of the services covered by its registration. To the extent not admitted, Registrant denies the allegations of Paragraph 9.

10. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 10 and therefore denies the same.

11. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 11 and therefore denies the same.

**First Affirmative Defense**

Registrant has failed to state a claim upon which relief may be granted.

Respectfully submitted, this 12th day of May, 2014.

By:     /Nadya Sand/      
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Moshe Manoah*

CERTIFICATE OF SERVICE

I certify that the foregoing “Applicant’s Answer to Notice of Opposition” was served on Opposers by mailing a copy of same by U.S. first class mail, postage prepaid, on May 12, 2014, to Opposer’s counsel, addressed as follows:

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/s/ Nadya Sand  
Nadya Sand