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

Proceeding	92060327
Party	Defendant Aucera SA
Correspondence Address	M. Scott Alprin RABIN & BERDO, PC 1101 14th Street, N.W., Suite 500 WASHINGTON, DC 20005 UNITED STATES firm@rabinberdo.com
Submission	Answer
Filer's Name	M. Scott Alprin
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Date	12/16/2014
Attachments	Bentley Motors v. Aucera - 92060327 - Answer - 12-16-14 PDF.pdf(40055 bytes)

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

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)	
BENTLEY MOTORS LIMITED)	
)	
Petitioner,)	
)	
v.)	Cancellation No. 92060327
)	
)	
AUCERA SA)	
)	
Registrant.)	
)	
-----)	

ANSWER

COMES NOW Registrant Aucera SA (“Registrant”), by and through counsel, and responds to the Petition for Cancellation filed by Petitioner Aucera SA (“Petitioner”), by responding to each enumerated paragraph of the said Petition. Any allegation in the Petition not specifically admitted herein is denied.

1. While USPTO records appear to verify Petitioner’s allegations regarding its U.S. registrations, Registrant lacks sufficient knowledge and information upon which to form a conclusive belief as to the truth of the allegations set forth in Paragraph 1 with respect to the said U.S. registrations, and therefore denies the same. Registrant lacks sufficient knowledge and information upon which to form a belief as to the truth of the remaining statements and allegations contained in Paragraph 1, and therefore denies the same.
2. While USPTO records appear to verify Petitioner’s allegations regarding the goods listed in its U.S. application (Ser. No. 85329881), Registrant lacks sufficient knowledge and information upon which to form a conclusive belief as to the truth of the allegations set forth in Paragraph 2 with respect to the said U.S. application, and therefore denies the same. Registrant lacks sufficient knowledge and information upon which to form a belief as to the truth of the remaining statements and allegations contained in Paragraph 2, and therefore denies the same.
3. While USPTO records appear to verify Petitioner’s allegations regarding the prosecution of its U.S. application, Registrant lacks sufficient knowledge and information upon which to

form a conclusive belief as to the truth of the allegations set forth in Paragraph 3, and therefore denies the same.

4. While USPTO records appear to verify Petitioner's allegations regarding the dividing of its U.S. application, Registrant lacks sufficient knowledge and information upon which to form a conclusive belief as to the truth of the allegations set forth in Paragraph 4, and therefore denies the same.
5. While USPTO records appear to verify Petitioner's allegations regarding the suspension of its U.S. parent and child applications, Registrant lacks sufficient knowledge and information upon which to form a conclusive belief as to the truth of the allegations set forth in Paragraph 5, and therefore denies the same.
6. Registrant admits the allegations in Paragraph 6.
7. Registrant denies the allegations in Paragraph 7.
8. Registrant denies the allegations in Paragraph 8.
9. Registrant denies the allegations in Paragraph 9. Registrant notes that it cannot presume to know what Petitioner believes. Registrant refrains from revealing future litigation strategy, if any, in this Answer.
10. Registrant denies the allegations in Paragraph 10.

AFFIRMATIVE DEFENSES

1. Registrant affirmatively alleges that the Petition fails to state a cause of action upon which relief can be granted.

2. Registrant further affirmatively alleges that Petitioner's claim for relief is barred by the doctrine of unclean hands.

Registrant will assert any affirmative defense or permissive counterclaim that may be developed throughout discovery and testimony periods in this proceeding.

WHEREFORE, Registrant denies the allegations in the final paragraph of the Petition to Cancel and respectfully prays that Judgment be entered for Registrant and against Petitioner in this proceeding, that the Petition be dismissed, and that Registrant's mark be allowed to continue to exist on the Supplemental Register.

Respectfully submitted,

AUCERA SA

Date: December 16, 2014

/M. Scott Alprin/

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CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing **Answer** has been placed in queue to be mailed and will be served on served on Petitioner by sending a copy to counsel for Petitioner, Brian R. McGinley, Esq., via Pre-Paid First Class Mail, on December 17, 2014, to:

DENTONS US LLP
Po Box #061080 Wacker Drive Station
Willis Tower
Chicago, IL 60606-1080

/M. Scott Alprin/

M. Scott Alprin