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

Proceeding	91157315
Party	Plaintiff BOSE CORPORATION ,
Correspondence Address	CHARLES HIEKEN FISH & RICHARDSON P.C. 225 FRANKLIN STREET BOSTON, MA 02110-2804
Submission	Answer to Counterclaim
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Date	11/14/2005
Attachments	answer.pdf (4 pages)

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

In the matter of Application Serial No. 76-304,063
For the Mark HEXAWAVE
Published in the Official Gazette on March 18, 2003 at TM 278

Bose Corporation,

Opposer,

v.

Hexawave, Inc.,

Applicant.

Opposition No. 91157315

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

**BOSE CORPORATION'S ANSWER TO HEXAWAVE, INC.'S COUNTERCLAIM FOR
CANCELLATION**

Opposer Bose Corporation ("Bose"), hereby answers Applicant Hexawave, Inc.'s ("Hexawave") Counterclaim for Cancellation. As to the specific grounds of allegation, Bose responds to the correspondingly numbered paragraphs as follows:

22. Denies.

23. Bose is without knowledge or information sufficient to form a belief as to the truth of the averments set forth in paragraph 23, and so denies them.

24. Admits.

25. Admits.

26. Admits.

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27. Admits.

28. Admits.

29. Admits.

30. Admits.

31. Denies.

32. Admits.

33. Admits that the document appended as Exhibit 1A to Hexawave's Answer to Amended Notice of Opposition And Counterclaim to Cancel Opposer's Pleaded Registration No. 1,633,789 purports to attest to the authenticity of copies of certain Deposition transcript pages.

34. Denies that pages attached as Exhibit A to Exhibit 1A of Hexawave's Answer to Amended Notice of Opposition And Counterclaim to Cancel Opposer's Pleaded Registration No. 1,633,789 are relevant; otherwise admits.

35. Bose is without knowledge or information sufficient to form a belief as to the truth of the averments set forth in paragraph 35, and so denies them.

36. Bose is without knowledge or information sufficient to form a belief as to the truth of the averments set forth in paragraph 36, and so denies them.

37. Admits that during his May 21, 2004 deposition, Mr. Mar was asked by Hexawave's counsel "Do you market audiotape recorders?" and that Mr. Mar's answer was recorded as "We have in the past, yes." Further admits that Mr. Mar was further asked by Hexawave's counsel "And do you know when you marketed those; produced and marketed, I assume?" and that Mr. Mar's answer was recorded as "1984 up until probably the late '90's I would guess, as part of the Acoustic Wave music system."

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38. Admits that during his May 21, 2004 deposition, Mr. Mar was asked by Hexawave's counsel "Do you market audiotape recorders?" and that Mr. Mar's answer was recorded as "We have in the past, yes." Further admits that Mr. Mar was further asked by Hexawave's counsel "And do you know when you marketed those; produced and marketed, I assume?" and that Mr. Mar's answer was recorded as "1984 up until probably the late '90's I would guess, as part of the Acoustic Wave music system."

39. Denies.

40. Denies.

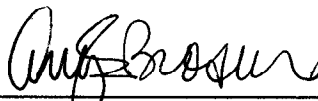
41. Denies.

42. Denies.

WHEREFORE, Registrant prays that the Counterclaim for Cancellation be dismissed in its entirety.

Respectfully submitted,

Date: November 14, 2005



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Attorneys for Opposer,
BOSE CORPORATION


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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing **BOSE CORPORATION'S ANSWER TO HEXAWAVE, INC.'S COUNTERCLAIM FOR CANCELLATION** has this 14th day of November 2005 been mailed by prepaid first class mail to the below-identified Attorney at his/her place of business:

Morton J. Rosenberg, Esq.
Rosenberg, Klein & Lee
3458 Ellicott Center Drive, Suite 101
Ellicott City, MD 21043-4178



Amy L. Brosius