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

NCE RESOURCES GROUP, INC.)	Opposition No.:91159046
)	
Opposer)	Re: Application Serial No.:
)	Mark: INVESTING IN BUILDING
vs.)	RELATIONSHIPS
)	Filed: October 17, 2002
RESMARK EQUITY PARTNERS, LLC.)	Published: September 16, 2003
)	
Applicant)	

ANSWER TO NOTICE OF OPPOSITION

Comes now RESMARK EQUITY PARTNERS, LLC. Applicant in service mark Application Serial No. 76/458,995 for the mark: INVESTING IN BUILDING RELATIONSHIPS, filed October 17, 2002, and in Answer to the Notice of Opposition filed herein by an entity identified as NCE RESOURCES GROUP, INC., hereby admits denies and alleges as follows:

As to the statements in the preamble paragraph on page 1 of said Notice of Opposition, Applicant denies that Applicant's Application for the mark INVESTING IN BUILDING RELATIONSHIPS was filed on April 29, 2002 as alleged by Opposer and alleges that said Application of Applicant was, in truth and in fact, filed in the U.S. Patent and Trademark Office on October 17, 2002; Applicant denies that Applicant's Application for the mark INVESTING IN BUILDING RELATIONSHIPS was filed by Resmark Equity Partners, LLC and thereafter assigned to Olympic Realty Advisors II, LLC as alleged by Opposer and alleges the, in truth and in fact, said Application of Applicant was filed by Olympic Realty Advisors II, LLC and said Olympic Realty Advisors II, LLC subsequently changed its name to Resmark Equity Partners,

LLC and Applicant further alleges that said change of name was duly recorded in the U.S. Patent and Trademark Office long prior to the filing date of said Notice of Opposition. Applicant admits that Applicant has an address as set forth in said paragraph on page 1 of said Notice of Opposition. Applicant admits the allegations contained in said paragraph 1 on page 2 of said Notice of Opposition regarding the identity of Applicant's Application as set forth in lines 3 through 12 thereof. Except as expressly admitted and/or denied herein, this answering Applicant has no knowledge or information sufficient to form a belief as to the truth of the allegations set forth in said paragraph on pages 1 and 2 of said Notice of Opposition and based on such lack of information or belief, denies same.

1. Answering the Allegations of paragraph 1 of said Notice of Opposition, this answering Applicant has no knowledge or information sufficient to form a belief as to the truth of the allegations set forth therein and based on such lack of information or belief, denies same.

2. Answering the Allegations of paragraph 2 of said Notice of Opposition, this answering Applicant has no knowledge or information sufficient to form a belief as to the truth of the allegations set forth therein and based on such lack of information or belief, denies same.

3. Answering the Allegations of paragraph 3 of said Notice of Opposition, this answering Applicant has no knowledge or information sufficient to form a belief as to the truth of the allegations set forth therein and based on such lack of information or belief, denies same.

4. Answering the Allegations in the first sentence of paragraph 4 of said Notice of Opposition, this answering Applicant has no knowledge or information sufficient to form a belief as to the truth of the allegations set forth therein and based on such lack of information or belief,

denies same; Answering the Allegations of the remainder of paragraph 4 of said Notice of Opposition, this answering Applicant denies same.

5. Answering the Allegations of paragraph 5 of said Notice of Opposition, this answering Applicant denies same.

6. Answering the Allegations of paragraph of said Notice of Opposition, this answering Applicant has no knowledge or information sufficient to form a belief as to the truth of the allegations set forth therein and based on such lack of information or belief, denies same.

7. Answering the Allegations of paragraph 7 of said Notice of Opposition, this answering Applicant denies same.

8. Answering the Allegations of paragraph 8 of said Notice of Opposition, this answering Applicant denies same.

AFFIRMATIVE DEFENSES

9. As a first affirmative defense this Answering Applicant alleges that said Notice of Opposition fails to state a claim upon which relief may be granted.

10. As a second affirmative defense this Answering Applicant alleges that the alleged Opposer is guilty of laches in connection with any claim that the alleged Opposer may have against Applicant..

11. As a third affirmative defense this Answering Applicant alleges that the alleged Opposer has acquiesced in any and all acts of Applicant in connection with which there is any claim that the alleged Opposer may have against Applicant.

12. As a fourth affirmative defense this Answering Applicant alleges that the alleged

Opposer is estopped in connection with any claim that the alleged Opposer may have against Applicant.

13. As a fifth affirmative defense this Answering Applicant alleges that any U.S. Trademark Application purportedly owned by Opposer as set forth in said Notice of Opposition does not, per se, afford to alleged Opposer any rights of any kind or nature which could give rise to any claim of any kind or nature against Applicant at the time of filing of said Notice of Opposition.

14. As a sixth affirmative defense this Answering Applicant is informed and believes and on that basis alleges that alleged Opposer is guilty of unclean hands in connection with any trademark Application purportedly owned by alleged Opposer as alleged in said Notice of Opposition.

15. As a seventh affirmative defense this Answering Applicant is informed and believes and on that basis alleges that the alleged Opposer has not utilized alleged Opposer's alleged mark as set forth in said Notice of Opposition prior to the filing date of said Notice of Opposition.

16. As an eighth affirmative defense this Answering Applicant is informed and believes and on that basis alleges that the alleged Opposer has not utilized alleged Opposer's alleged mark as set forth in said Notice of Opposition in commerce which can be regulated by the U.S. Congress in the manner as required by the Lanham Act, 15 U.S.C. § 1051 et seq prior to the filing date of said Notice of Opposition.

17. As a ninth affirmative defense this Answering Applicant alleges that alleged Opposer has no standing to bring or maintain the Opposition as set forth in said Notice of Opposition.

18. As a tenth affirmative defense this Answering Applicant alleges that no act of Applicant has caused any damage to alleged Opposer of any kind or nature whatsoever or at all.

19. As an eleventh affirmative defense this Answering Applicant alleges that Applicant's use of Applicant's mark INVESTING IN BUILDING RELATIONSHIPS as used by Applicant in connection with the services listed in Applicant's Service Mark Application serial No. 76/458,995 has caused, is causing or ever would cause any damage or injury to alleged Opposer of any kind or nature or at all.

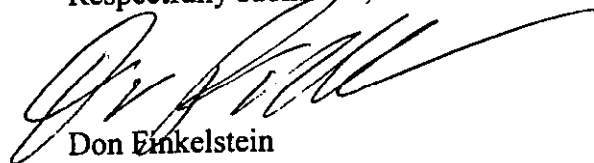
20. As a twelfth affirmative defense this Answering Applicant alleges that Applicant's use of Applicant's mark INVESTING IN BUILDING RELATIONSHIPS as used by Applicant in connection with the services listed in Applicant's Service Mark Application serial No. 76/458,995 is so far different from any use allegedly made by Opposer of Opposer's alleged mark BUILDING RELATIONSHIPS for the services alleged in Service Mark Application serial No. 75/604,636 that there is no likelihood of confusion, mistake or deception in the trade or to any member of the purchasing public procuring Opposer's services as alleged in said Trademark Application of alleged Opposer, or at all.

21. As a thirteenth affirmative defense this Answering Applicant alleges that Applicant's mark INVESTING IN BUILDING RELATIONSHIPS as utilized by Applicant in connection with the services as alleged in Applicant's Service Mark Application serial No. 76/458,995 does not look the same, sound the same, mean the same or have the same connotation or have the same commercial impression as alleged Opposer's mark BUILDING RELATIONSHIPS as allegedly utilized by alleged Opposer in connection with the services as alleged in alleged

Opposer's Service Mark Application Serial No. 75/604,636 as set forth in said Notice of Opposition.

WHEREFORE, Application prays that the Notice of Opposition be dismissed and that Applicant's mark INVESTING IN BUILDING RELATIONSHIPS as set forth in Applicant's Service mark Application serial No. 76/458,995 be registered to Applicant.

Respectfully submitted,



Don Finkelstein
Attorney for Applicant
Date: February 23, 2004

Don B. Finkelstein, Esq.
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CERTIFICATE OF MAILING

I hereby certify that the Original and Two Copies of the attached ANSWER are being deposited in the United States Postal Service on February 23, 2004 as First Class Mail in an envelope, postage paid, addressed to :

COMMISSIONER FOR TRADEMARKS
2900 Crystal Drive
Arlington, VA 22202-3514


Don Finkelstein

Date: February 23, 2004

PROOF OF SERVICE

It is hereby certified that a true and correct copy of the foregoing: ANSWER was served on Opposer on February 23, 2004 by first class mail postage prepaid in an envelope addressed to:

Stacy R. Halpern, Esq.
KNOBBE, MARTENS, OLSON & BEAR, LLP
2040 Main Street, 14th Floor
Irvine, CA 92614


Don Finkelstein

Date: February 23, 2004