

ESTTA Tracking number: **ESTTA44392**

Filing date: **09/07/2005**

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

Proceeding	91166064
Party	Defendant Acquient LLC Acquient LLC 2070 Chain Bridge Road, Suite 150 Vienna, VA 22182
Correspondence Address	DANA THERIOT CARR, MORRIS & GRAEFF, P.C. 1120 G STREET, N.W. SUITE 930 WASHIINGTON, DC 20005-3801
Submission	Answer
Filer's Name	Dana G. Theriot
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Signature	/Dana G. Theriot/
Date	09/07/2005
Attachments	Answer to Trademark Opposition2.pdf (3 pages)

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

AQUENT LLC,)	
)	
<i>Opposer,</i>)	
)	
v.)	Opposition No. 91166064
)	Application Serial No. 76568018
ACQUIENT, LLC)	
)	
<i>Applicant.</i>)	
_____)	

ANSWER OF ACQUIENT, LLC

Applicant Acquient, LLC (“Acquient”), by and through its undersigned counsel, responds to the Opposition as follows:

1. Acquient admits the allegations of Paragraph 1.
2. Acquient admits the allegations of Paragraph 2.
3. Acquient is without knowledge or information sufficient to admit or deny the allegations of Paragraph 3.
4. Acquient admits the allegations of Paragraph 4.
5. Acquient admits the allegations of Paragraph 5.
6. Acquient denies the allegations of Paragraph 6.
7. Acquient denies the allegations of Paragraph 7.
8. Acquient denies the allegations of Paragraph 8.

AFFIRMATIVE DEFENSES

First Defense

Opposer fails to allege facts sufficient to establish that there is any likelihood of confusion between Applicant’s mark and those of Opposer.

Second Defense

Opposer's claims are barred by the doctrine of estoppel.

Third Defense

Opposer's claims are barred by the doctrine of waiver.

Fourth Defense

Opposer's claims are barred by the doctrine of laches.

Fifth Defense

Acquient will raise all defenses available under the law, including, but not limited to, those raised in this Answer.

WHEREFORE, the premises considered, Acquient respectfully prays:

- a. That Aquent LLC's Opposition be dismissed in its entirety with prejudice.
- b. That it be awarded its costs incurred herein;
- c. That it be awarded its reasonable attorneys' fees incurred herein to the full extent permitted by law; and

Respectfully submitted,

CARR, MORRIS & GRAEFF, P.C.

By: Dana G. Theriot/

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Attorneys for Acquient, LLC

September 7, 2005

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Answer of Acquint, LLC was mailed first class, postage pre-paid, this 7th day of September, 2005 to:

John Welch
Foley Hoag LLP
155 Scaport Boulevard
Boston, Massachusetts 02210

/Dana G. Theriot/
Dana G. Theriot