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Filing date: **02/03/2006**

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

Proceeding	91168284
Party	Defendant Engenio Information Technologies, Inc. Engenio Information Technologies, Inc. 1621 Barber Lane Milpitas, CA 95035
Correspondence Address	JOHN L. SLAFSKY WILSON SONSINI GOODRICH & ROSATI 650 PAGE MILL RD PALO ALTO, CA 94304-1050
Submission	Answer
Filer's Name	John L. Slafsky
Filer's e-mail	trademarks@wsgr.com
Signature	/John L. Slafsky/
Date	02/03/2006
Attachments	Answer.pdf (4 pages)

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

Ingenio, Inc.,)	ANSWER TO NOTICE OF
)	OPPOSITION
Opposer,)	
)	Opposition No. 91168284
v.)	
)	Serial No. 78448244
Engenio Information Technologies, Inc.,)	
)	Published in the Official Gazette on
Respondent.)	June 28, 2005
_____)	

Respondent Engenio Information Technologies, Inc. ("Respondent") hereby answers the Notice of Opposition of Ingenio, Inc. as follows:

RESPONSES TO ALLEGATIONS

1. With respect to Paragraph One of the Notice of Opposition, Respondent responds that the Official Gazette speaks for itself and otherwise admits the allegations.

2. Respondent denies knowledge or information sufficient to form a belief as to the truth of Opposer's allegations in Paragraph Two of the Notice of Opposition with respect to Opposer's use, application date, registration, priority, and validity of the INGENIO mark and on that basis denies the allegations. Respondent denies the remaining allegations set forth in Paragraph Two of the Notice of Opposition.

3. Respondent denies knowledge or information sufficient to form a belief as to the truth of Opposer's allegations in Paragraph Three of the Notice of Opposition with respect to Opposer's

and on that basis denies the allegations. Respondent denies the remaining allegations set forth in Paragraph Three of the Notice of Opposition.

4. Respondent denies knowledge or information sufficient to form a belief as to the truth of Opposer's allegations in Paragraph Four of the Notice of Opposition with respect to Opposer's use, promotion, validity, and priority of the INGENIO trade name and on that basis denies the allegations. Respondent denies the remaining allegations set forth in Paragraph Four of the Notice of Opposition.

5. Respondent denies knowledge or information sufficient to form a belief as to the truth of Opposer's allegations in Paragraph Five of the Notice of Opposition with respect to Opposer's use, promotion, validity, status, and priority of the INGENIO mark and on that basis denies the allegations. Respondent denies the remaining allegations set forth in Paragraph Five of the Notice of Opposition.

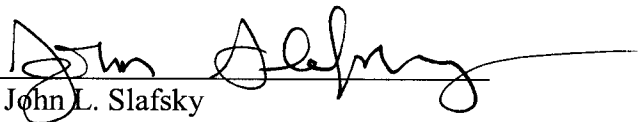
AFFIRMATIVE DEFENSES

1. The Notice of Opposition fails to state a claim upon which relief may be granted.
2. The Notice of Opposition is barred, in whole or in part, by the doctrines of laches, estoppel, acquiescence, and waiver.

WHEREFORE, Respondent requests that the opposition be dismissed and that the application proceed to registration.

Dated: February 3, 2006

WILSON SONSINI GOODRICH & ROSATI

By: 
John L. Slafsky

Attorneys for Respondent
ENGENIO INFORMATION TECHNOLOGIES, INC.,

Address all correspondence to:

John L. Slafsky
Francine M. Hanson
WILSON SONSINI GOODRICH & ROSATI
650 Page Mill Road
Palo Alto, CA 94304-1050
Telephone: (650) 493-9300
Facsimile: (650) 496-6811

PROOF OF SERVICE

I, Lisa M. Ruiz, declare:

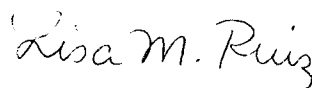
I am over the age of 18 years and not a party to the within entitled cause. I am a citizen of the United States and a resident of the State of California. I am employed in the City of Palo Alto, County of Santa Clara. My business address is 650 Page Mill Road, Palo Alto, California, 94304-1050.

I am readily familiar with Wilson Sonsini Goodrich & Rosati's practice for collection and processing of correspondence for mailing with the United States Postal Service, In the ordinary course of business, correspondence is deposited, postage fully prepaid, with the United States Postal Service on this day.

On February 3, 2006 I served the attached **ANSWER TO NOTICE OF OPPOSITION** on the party in said cause by placing a true copy of the document described above in an envelope addressed as indicated below, which I sealed. I placed the envelope containing the document named above for deposit in the United States Postal Service by placing it for collection and mailing this day, following the ordinary business practices at Wilson Sonsini Goodrich & Rosati.

Tanda L. Neundorf, Esq.
FENWICK & WEST LLP
275 Battery Street, Suite 1600
San Francisco, CA 94111

I declare under penalty of perjury that the foregoing is true and correct. This declaration was executed in Palo Alto, California on February 3, 2006.



Lisa M. Ruiz