

ESTTA Tracking number: **ESTTA122019**

Filing date: **01/29/2007**

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

Proceeding	91175341
Party	Defendant RBC Dain Rauscher Inc. RBC Dain Rauscher Inc. 60 South Sixth Street Minneapolis, MN 554024422
Correspondence Address	/Peter F. Weinberg/ Gibson, Dunn & Crutcher LLP 1801 California Street Suite 4200 Denver, CO 80202  ptodenver@gibsondunn.com
Submission	Answer
Filer's Name	Peter F. Weinberg
Filer's e-mail	ptodenver@gibsondunn.com
Signature	/Peter F. Weinberg/
Date	01/29/2007
Attachments	answer.PDF ( 3 pages )(82018 bytes )

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

F&C Management Limited,	)	Opposition No. 91175341
Opposer,	)	Serial No. 76566561
v.	)	Mark: FC WebLink
RBC Dain Rauscher Inc.,	)	
Applicant.	)	

United States Patent and Trademark Office  
Trademark Trial and Appeal board  
P.O. Box 1451  
Alexandria, VA 22313-1451

**ANSWER**

Applicant responds to the Notice of Opposition in the captioned case as follows, wherein the below numbered paragraphs correspond to the paragraph numbering in the Notice.

1. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of this paragraph, and denies them on that basis.
2. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of this paragraph, and denies them on that basis.
3. Admitted.
4. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of this paragraph, and denies them on that basis.
5. Denied.
6. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of this paragraph, and denies them on that basis.
7. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of this paragraph, and denies them on that basis.

8. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of this paragraph, and denies them on that basis.

9. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of this paragraph, and denies them on that basis.

10. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of this paragraph, and denies them on that basis.

11. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of this paragraph, and denies them on that basis.

12. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of this paragraph, and denies them on that basis.

13. Denied.

14. Denied.

15. Denied.

***Affirmative defenses and counterclaims***

Applicant reserves the right to assert affirmative defenses and counterclaims as they may become known. By way of illustration and not limitation, Applicant reserves the right to inquire into whether Opposer has used any of its claimed marks within the United States within the past three years and to assert counterclaims based on abandonment depending on the circumstances.

As knowledge of the relevant facts lies solely within the knowledge of Opposer, Applicant cannot reasonably bring these counterclaims at this time.

DATED: January 29, 2007

GIBSON, DUNN & CRUTCHER LLP

By: /pfw/  
Peter F. Weinberg  
1801 California St., Suite 4200  
Denver, CO 80202  
Phone: (303) 298-5901  
E-mail: pweinberg@gibsondunn.com

Attorneys for Applicant

**Certificate of Service**

I hereby certify that I am mailing a copy of the foregoing Answer by United States Postal Service first class mail, postage prepaid, to the following on the date written below my signature:

Terrence J. McAllister  
Ohlandt, Greeley, Ruggiero & Perle, L.L.P.  
One Landmark Square, 10th Floor  
Stamford, CT 06901

/pfw/  
Name: Peter F. Weinberg  
Date: January 29, 2007