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

Proceeding	91191683
Party	Defendant Louisiana Economic Development
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Submission	Answer
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Date	10/05/2009
Attachments	FastStart Answer.pdf (3 pages)(94379 bytes)

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

In the Matter of Application Serial No. 77648122
Filed January 13, 2009
For the mark LOUISIANA FASTSTART
Published in the Official Gazette on May 5, 2009

Technical College System of Georgia,)	
a Georgia state agency,)	
)	
Opposer,)	
)	
v.)	OPPOSITION No.: 91191683
)	
Louisiana Economic Development,)	
a Louisiana state agency)	
)	
Applicant.)	

ANSWER TO NOTICE OF OPPOSITION

Applicant, Louisiana Economic Development Corporation (“Applicant”) by its attorneys/agents of record, hereby submits its Answer to Notice of Opposition as follows:

1. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 1 of the Notice of Opposition so Applicant therefore denies the allegations.

2. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 2 of the Notice of Opposition so Applicant therefore denies the allegations. Applicant does however admit the existence of a registered trademark for QUICK START to a registrant other than Opposer and lacks knowledge regarding whether this mark has been validly assigned to Opposer.

3. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 3 of the Notice of Opposition so Applicant therefore denies the allegations. Applicant admits that it has not used its LOUISIANA FASTSTART mark prior to 2005.

4. Applicant admits the allegations set forth in paragraph 4 of the Notice of Opposition.

5. Applicant admits the allegations set forth in paragraph 5 of the Notice of Opposition.

6. Applicant denies each and every allegation set forth in paragraph 6 of the Notice of Opposition.

AFFIRMATIVE DEFENSES

7. There is no likelihood of confusion, mistake or deception because, *inter alia*, Applicant's mark and the pleaded marks of Opposer are not confusingly similar.

8. There is no likelihood of confusion, mistake or deception because, *inter alia*, the nature of the services provided by Opposer and Applicant and the sophistication of the potential clientele insures that it is virtually impossible to confuse the source of the respective marks.

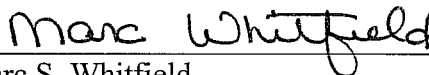
9. There is no likelihood of confusion, mistake or deception because, *inter alia*, the highly-specialized services of Opposer and Applicant are geographically restricted, by their nature, to each party's respective States.

10. There is no likelihood of confusion, mistake or deception because, *inter alia*, the Applicant's mark is not confusingly similar to Opposer's mark. Any similarity, if at all, between

Applicant's mark and Opposer's mark is limited to the term "start" which, upon information and belief, has been used and registered by numerous third parties in the education and training-related fields, including use specifically by numerous other States in relation to their offering up similar services. As a result, Opposer cannot base any similarity between its pleaded mark and the mark of Applicant on the term "start."

WHEREFORE, Applicant prays that the Notice of Opposition be dismissed in its entirety, and that a registration issue to Applicant for its mark.

Respectfully submitted,



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Date: October 5, 2009

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing APPLICANT'S ANSWER was mailed first-class mail, postage prepaid, to William H. Needle, Ballard Spahr Andrews & Ingersoll, LLP, 999 Peachtree Street, Suite 1000, Atlanta, GA 30309-3915, attorneys for Opposer, this 5th day of October, 2009.



Marc S. Whitfield, Attorney for Applicant