

ESTTA Tracking number: **ESTTA329076**

Filing date: **01/27/2010**

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

Proceeding	91192724
Party	Defendant A2M Resources LLC
Correspondence Address	WILLIAM JAY POWELL; AMANDA ALLEN MILLER SMITH LEWIS, LLP PO BOX 918 COLUMBIA, MO 65205-0918  pto-kc@huschblackwell.com, bill.kircher@huschblackwell.com, nathan.oleen@huschblackwell.com
Submission	Answer
Filer's Name	Aimee Hilton
Filer's e-mail	pto-kc@huschblackwell.com
Signature	/Aimee Hilton/
Date	01/27/2010
Attachments	Answer to Notice of Opposition.pdf ( 4 pages )(155246 bytes )

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

ALVAREZ & MARSAL HOLDINGS, LLC,	)	
	)	
Opposer,	)	
	)	Opposition No. 91192724
vs.	)	
	)	
A2M RESOURCES LLC,	)	
	)	
Applicant.	)	

**ANSWER TO NOTICE OF OPPOSITION**

A2M Resources LLC, pronounced "A Squared M" ("A2M"), for its answer to the Notice of Opposition of Alvarez & Marsal Holdings, LLC ("Alvarez"), states and alleges as follows:

1. A2M is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 1 and, therefore, denies the same.
2. A2M is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 2 and, therefore, denies the same.
3. A2M is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 3 and, therefore, denies the same.
4. A2M is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 4 and, therefore, denies the same.
5. A2M is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 5 and, therefore, denies the same.
6. A2M is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 6 and, therefore, denies the same.
7. A2M is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 7 and, therefore, denies the same.

8. A2M is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 8 and, therefore, denies the same.

9. A2M is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 9 and, therefore, denies the same.

10. A2M admits that it filed U.S. Trademark Application Serial No. 77695917, seeking registration of the mark "A2M RESOURCES...the business of healthcare" (stylized and/or with design) as shown below:



A2M denies the remaining allegations contained in paragraph 10.

11. Denied.
12. Denied.
13. Denied.
14. Denied.
15. Denied.
16. Denied.
17. Denied.

#### **FURTHER ANSWER AND AFFIRMATIVE DEFENSES**

1. A2M denies all allegations not specifically admitted herein.
2. Alvarez' Notice of Opposition fails to state a claim upon which relief can be granted.


3. A2M's use and/or registration of the mark at issue in this opposition as specified in the application will not result in any confusion or likelihood of confusion to the detriment of Alvarez.

4. Alvarez will not be damaged by A2M's registration of the mark as specified in the application.

5. Alvarez' stated opposition to A2M's proposed registration of the subject mark is barred by the doctrines of unclean hands, waiver, estoppel, acquiescence, ratification, laches, and/or abandonment.

WHEREFORE, applicant A2M respectfully requests that the Board grant its application, dismiss opposer's Notice of Opposition with prejudice, and for such other and further relief as the Board deems just and proper.

Respectfully submitted,



---

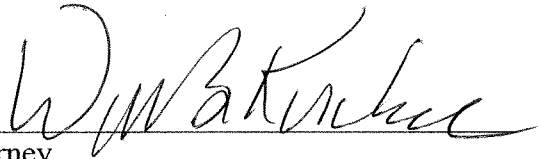
William B. Kircher  
Patrick D. Kuehl, Jr.  
HUSCH BLACKWELL SANDERS LLP  
4801 Main Street, Suite 1000  
Kansas City, MO 64112  
TEL: (816) 983-8000  
FAX: (816) 983-8080  
[bill.kircher@huschblackwell.com](mailto:bill.kircher@huschblackwell.com)  
[patrick.kuehl@huschblackwell.com](mailto:patrick.kuehl@huschblackwell.com)

ATTORNEYS FOR APPLICANT  
A2M Resources LLC

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing **ANSWER TO NOTICE OF OPPOSITION** was served on counsel for Opposer via first class U.S. mail, postage prepaid this 27th day of January, 2010 as follows:

Karl M. Zielaznicki, Esq.  
Troutman Sanders LLP  
Intellectual Property Group  
The Chrysler Building  
405 Lexington Avenue  
New York, NY 10174

  
\_\_\_\_\_  
Attorney