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

Proceeding	91193970
Party	Defendant American Casino and Entertainment Properties, LLCties, LLC
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Submission	Answer
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Date	09/22/2010
Attachments	91193970 Answer.pdf (3 pages)(14012 bytes)

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

Modern Housing, LLC,

Opposer,

v.

American Casino and Entertainment
Properties, LLC

Applicant.

Opposition No. 91193970

Mark: ACESTAY

Serial No. 77/824124

ANSWER

Applicant American Casino and Entertainment Properties, LLC, through counsel, answers the Notice of Opposition as follows:

1. Applicant admits the allegations in Paragraph 1 of the Notice of Opposition.
2. Applicant admits the allegations in Paragraph 2 of the Notice of Opposition.
3. Applicant is without sufficient knowledge or information to admit or deny the allegations in Paragraph 3 of the Notice of Opposition and, therefore, denies the same.
4. Applicant is without sufficient knowledge or information to admit or deny the allegations in Paragraph 4 of the Notice of Opposition and, therefore, denies the same.
5. Applicant admits the allegations in Paragraph 5 of the Notice of Opposition.
6. Applicant admits that Opposer's registration was dated on December 3, 2002, and that this date is prior to the date on which Applicant filed the application that is the subject of the Notice of Opposition. Applicant denies the remaining allegations in Paragraph 6 of the Notice of Opposition.
7. The allegations in Paragraph 7 of the Notice of Opposition are a legal conclusion to which no response is required.

8. Applicant is without sufficient knowledge or information to admit or deny the allegations in Paragraph 8 of the Notice of Opposition and, therefore, denies the same.

9. Applicant is without sufficient knowledge or information to admit or deny the allegations in Paragraph 9 of the Notice of Opposition and, therefore, denies the same.

10. Applicant denies the allegations in Paragraph 10 of the Notice of Opposition.

11. Applicant denies the allegations in Paragraph 11 of the Notice of Opposition.

12. Applicant denies the allegations in Paragraph 12 of the Notice of Opposition.

13. Applicant denies the allegations in Paragraph 13 of the Notice of Opposition.

14. Applicant denies the allegations in Paragraph 14 of the Notice of Opposition.

15. Applicant denies the allegations in Paragraph 15 of the Notice of Opposition.

16. Applicant denies the allegations in Paragraph 16 of the Notice of Opposition.

17. Applicant denies the allegations in Paragraph 17 of the Notice of Opposition.

18. The allegations in Paragraph 18 of the Notice of Opposition relate to a procedural matter to which no response is required.

Applicant denies that Opposer is entitled to any relief.

DATED this 22nd day of September, 2010

Respectively submitted,

/s/ Michael J. McCue
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CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being transmitted electronically with the United States Patent and Trademark Office, Trademark Trial and Appeal Board through ESTTA at <http://esta.uspto.gov> on: September 22, 2010.

/Julie Gerhardt/

An employee of Lewis and Roca LLP

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing Answer has been served on Jonathan Reichman and Anthony Giaccio, attorneys for Opposer, by mailing said copy on September 22, 2010 via First Class Mail, postage prepaid, to:

Jonathan D. Reichman
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and

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with courtesy copies via e-mail to jreichman@kenyon.com and agiaccio@kenyon.com.

/Julie Gerhardt/

An employee of Lewis and Roca LLP