

ESTTA Tracking number: **ESTTA405127**

Filing date: **04/21/2011**

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

Proceeding	91198558
Party	Defendant NEXTCOMPANY INTERNATIONAL HOLDINGS INC.
Correspondence Address	ARTURO PEREZ-GUERRERO LAW OFFICES OF ARTURO PEREZ-GUERRERO P.O. BOX 9024163 SAN JUAN, PR 00902-4163  arturo@perezguerrero.com
Submission	Answer
Filer's Name	Arturo Perez-Guerrero
Filer's e-mail	arturo@perezguerrero.com
Signature	/Arturo Perez-Guerrero/
Date	04/21/2011
Attachments	answer to opposition.pdf ( 3 pages )(108585 bytes )

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

Next Realty, L.L.C.,  
Opposer

v.

NextCompany International Holdings,  
Applicant

Opposition No. 91198558

Serial No. 77932446

Filing Date: February 10, 2010

ANSWER TO NOTICE OF OPPOSITION

TO THE HONORABLE BOARD:

In the matter of Application Serial Number 77932446 for the mark NEXTCOMPANY, owned by NextCompany International Holdings, a corporation organized under the laws of Bahamas, with a business address of Mariborough & Queen Streets Winterbotham Place, Nassau, Bahamas, as shown in the records of the United States Patent and Trademark Office (hereinafter "Applicant"), by way of Answer to the Notice of Opposition filed by Next Realty, L.L.C., hereby states as follows:

1. Admitted.
2. Admitted.
3. Applicant is without sufficient knowledge or information to form a belief as to the truth of the allegations set forth in paragraph number 3, and therefore denies, same, leaving opposer to its proof.
4. Admitted.

5. Applicant is without sufficient knowledge or information to form a belief as to the truth of the allegations set forth in paragraph number 5, and therefore denies, same, leaving opposer to its proof.
6. Applicant is without sufficient knowledge or information to form a belief as to the truth of the allegations set forth in paragraph number 6, and therefore denies, same, leaving opposer to its proof.
7. Applicant is without sufficient knowledge or information to form a belief as to the truth of the allegations set forth in paragraph number 7 and therefore denies, same, leaving opposer to its proof.
8. Denied.
9. Denied.
10. Denied.
11. Denied.

#### AFFIRMATIVE DEFENSES

1. Opposer lacks standing to maintain this Opposition Proceeding.
2. The services to which the parties trademarks are applied or are to be applied are distinctly separate such that there could be no likelihood of consumer confusion between those marks.
3. The services to which the parties trademarks are applied or are to be applied are marketed through different channels of trade such that there could be no likelihood of consumer confusion between those marks.

WHEREFORE, Applicant respectfully requests that the Notice of Opposition to registration of "NEXTCOMPANY" be dismissed with prejudice and that application serial number 77932446 be permitted to register.

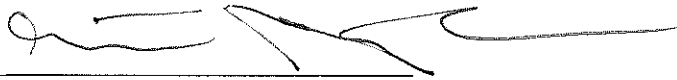
Respectfully submitted.

NextCompany International Holdings

#### CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and complete copy of the foregoing Answer to Notice of Opposition was served this 21st day of April, 2011, via First Class Mail, Postage Prepaid, addressed as follows:

Larry L. Saret  
Michael Best & Friedriech LLP  
180 North Stetson Avenue, Suite 2000,  
Chicago, Illinios 60601



April 21, 2011

Arturo Perez-Guerero  
Attorney for Applicant  
P.O. Box 9024163  
San Juan, Puerto Rico 00902-4163  
Tel 787 722-3446  
Fax 787 998-7474  
Email: [arturo@perezguerrero.com](mailto:arturo@perezguerrero.com)