

ESTTA Tracking number: **ESTTA458494**

Filing date: **02/24/2012**

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

Proceeding	91203399
Party	Defendant E-filliate, Inc.
Correspondence Address	BRADLEY P HEISLER HEISLER & ASSOCIATES 3017 DOUGLAS BLVD , SUITE 300 ROSEVILLE, CA 95661-3850 UNITED STATES
Submission	Answer
Filer's Name	Mark R. Leonard
Filer's e-mail	mleonard@davisandleonard.com
Signature	/Mark R. Leonard/
Date	02/24/2012
Attachments	efilliate answer.pdf ( 4 pages )(19381 bytes )

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

ICOURIER SOFTWARE SYSTEMS LTD.  Opposer,  v.  E-FILLIATE, INC.  Applicant.	Opposition No.: 91,203,399  Application No.: 85/282926  Mark: TECH & GO
---	---

**ANSWER**

---

Applicant E-filliate, Inc. (“Applicant”), by its counsel, responds as follows to the Notice of Opposition filed herein.

1. Applicant lacks sufficient information and belief to admit or deny the allegations of paragraph 1 of the Notice of Opposition and on that ground denies them.
2. Applicant lacks sufficient information and belief to admit or deny the allegations of paragraph 2 of the Notice of Opposition and on that ground denies them.
3. Applicant lacks sufficient information and belief to admit or deny the allegations of paragraph 3 of the Notice of Opposition and on that ground denies them.
4. Applicant lacks sufficient information and belief to admit or deny the allegations of paragraph 4 of the Notice of Opposition and on that ground denies them.
5. Applicant lacks sufficient information and belief to admit or deny the allegations of paragraph 5 of the Notice of Opposition and on that ground denies them.
6. Applicant lacks sufficient information and belief to admit or deny the allegations of paragraph 6 of the Notice of Opposition and on that ground denies them.

7. Admitted.
8. Applicant lacks sufficient information and belief to admit or deny the allegations of paragraph 8 of the Notice of Opposition and on that ground denies them.
9. Applicant lacks sufficient information and belief to admit or deny the allegations of paragraph 9 of the Notice of Opposition and on that ground denies them.
10. Applicant lacks sufficient information and belief to admit or deny the allegations of paragraph 10 of the Notice of Opposition and on that ground denies them.
11. Applicant lacks sufficient information and belief to admit or deny the allegations of paragraph 11 of the Notice of Opposition and on that ground denies them.
12. Admitted.
13. Admitted.
14. Applicant lacks sufficient information and belief to admit or deny the allegations of paragraph 14 of the Notice of Opposition and on that ground denies them.
15. Applicant lacks sufficient information and belief to admit or deny the allegations of paragraph 15 of the Notice of Opposition and on that ground denies them.
16. Applicant lacks sufficient information and belief to admit or deny the allegations of paragraph 16 of the Notice of Opposition and on that ground denies them.
17. Applicant lacks sufficient information and belief to admit or deny the allegations of paragraph 17 of the Notice of Opposition and on that ground denies them.
18. Applicant lacks sufficient information and belief to admit or deny the allegations of paragraph 18 of the Notice of Opposition and on that ground denies them.
19. Applicant lacks sufficient information and belief to admit or deny the allegations of paragraph 19 of the Notice of Opposition and on that ground denies them.

20. Applicant lacks sufficient information and belief to admit or deny the allegations of paragraph 20 of the Notice of Opposition and on that ground denies them.

21. Applicant lacks sufficient information and belief to admit or deny the allegations of paragraph 21 of the Notice of Opposition and on that ground denies them.

22. Applicant lacks sufficient information and belief to admit or deny the allegations of paragraph 22 of the Notice of Opposition and on that ground denies them.

23. Applicant lacks sufficient information and belief to admit or deny the allegations of paragraph 23 of the Notice of Opposition and on that ground denies them.

24. Denied.

#### First Affirmative Defense

#### (Unclean Hands)

As a first separate and distinct affirmative defense, Applicant asserts that, based on information and belief, Opposer's claims are barred by the doctrine of unclean hands due to inequitable acts that directly relate to the subject matter of this proceeding.

WHEREFORE, having fully answered the Notice of Opposition, Applicant respectfully requests that this proceeding be dismissed and that it be granted such other relief as the Board deems just and proper.

Applicant appoints Mark R. Leonard as its attorney to transact all business in the United States Patent and Trademark Office relating to this matter with full power of substitution.

///

///

Please direct all correspondence to the law firm of Davis & Leonard, LLP, 8880  
Cal Center Drive, Suite 180 Sacramento, CA 95826, Attention: Mark R. Leonard.

Respectfully submitted,

E-FILLIATE, INC.

By its attorneys,

Date: February 24, 2012

By: /Mark R. Leonard/  
Mark R. Leonard  
DAVIS & LEONARD, LLP  
8880 Cal Center Dr., Suite 180  
Sacramento, CA 95826  
(916) 362-9000  
mleonard@davisandleonard.com

#### **CERTIFICATE OF SERVICE**

I hereby certify that a true and complete copy of the foregoing Answer has been served on iCourier Software Systems Ltd. by mailing said copy, via U.S. Mail on February 24, 2011 to: Alex Mateesco, 155-288 East Georgia Street, Vancouver V6A4H8, Canada.

/Mark R. Leonard/  
Mark R. Leonard