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

Proceeding	91211367
Party	Defendant Hollywood Casino Corporation
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Date	08/09/2013
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

PLAOR, LLC

Opposer,

v.

HOLLYWOOD CASINO CORP.

Applicant.

Opposition No.: 91211367

Mark: HOLLYWOOD POKER OPEN
(AND DESIGN)

Application Serial No. 85/858,883

ANSWER TO NOTICE OF OPPOSITION

Applicant, Hollywood Casino Corp. (“Applicant”), by its undersigned counsel, hereby answers the corresponding numbered paragraphs of the Notice of Opposition of Plaor, LLC (“Opposer”) as follows:

1. Admitted.
2. Applicant is without information sufficient to admit or deny the allegations of Paragraph 2 and therefore denies the same.
3. Applicant is without information sufficient to admit or deny the allegations of Paragraph 3 and therefore denies the same.
4. Applicant is without information sufficient to admit or deny the allegations of Paragraph 4 and therefore denies the same.
5. Applicant is without information sufficient to admit or deny the allegations of Paragraph 5 and therefore denies the same.
6. Applicant is without information sufficient to admit or deny the allegations of Paragraph 6 and therefore denies the same.

7. Applicant is without information sufficient to admit or deny the allegations of Paragraph 7 and therefore denies the same.

8. Denied.

9. Applicant admits that in 2005 it opposed Application Serial No. 78/342,160 for the mark HOLLYWOOD POKER, and that in 2006 it opposed Applications Serial Nos. 78/470,500 and 78/506,200 for the marks HOLLYWOOD POKER CLUB and HOLLYWOOD POKER.COM, respectively, and that these three applications which Applicant opposed were filed by an individual named Bosko Djordjevic. Applicant denies the remaining allegations.

10. Applicant admits that it has used its HOLLYWOOD POKER OPEN (AND DESIGN) mark in commerce since at least as early as 2010. Applicant is without information sufficient to admit or deny the remaining allegations of Paragraph 10 and therefore denies the same.

11. Applicant is without information sufficient to admit or deny the allegations of Paragraph 11 and therefore denies the same.

12. Applicant admits that it filed Applicant Serial No. 85/858,883 for the mark HOLLYWOOD POKER OPEN (AND DESIGN) on February 25, 2013 pursuant to Section 1(a) of the Lanham Act, 15 U.S.C. § 1051(a) for "Conducting live poker games and tournaments; Casino services" in International Class 41. Applicant denies the remaining allegations.

13. Denied.

14. Denied.

AFFIRMATIVE DEFENSES

1. The Notice of Opposition fails to state a claim upon which relief may be granted.
2. Opposer cannot be damaged by registration of Application No. 85/858,883 because Applicant owns a prior registration for a substantially similar mark for substantially similar goods and services as the currently challenged application.
3. Opposer's claim is barred by the doctrine of claim preclusion.
4. Opposer has abandoned any alleged rights in the mark HOLLYWOOD POKER.
5. Applicant has priority over any of Opposer's alleged rights in the mark HOLLYWOOD POKER.

PRAAYER FOR RELIEF

WHEREFORE, Applicant requests that the Notice of Opposition be dismissed and that Applicant's HOLLYWOOD POKER OPEN (AND DESIGN) application proceed to registration.

Respectfully submitted,

Dated: August 9, 2013

/s/ Hara K. Jacobs

Hara K. Jacobs

Andrew M. Stern

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*Attorneys for Applicant
Hollywood Casino Corp.*

CERTIFICATE OF SERVICE

I, Andrew M. Stern, hereby certify that on today's date, I caused a copy of the foregoing Applicant's Answer to Notice of Opposition to be served by First Class Mail on the Opposer as set forth below:

PETER R. AFRASIABI
ONE LLP
4000 MACARTHUR BLVD.
WEST TOWER, SUITE 1100
NEWPORT BEACH, CA 92660

Dated: August 9, 2013



Andrew M. Stern