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Filing date: **10/06/2014**

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

Proceeding	91218043
Party	Defendant UVNV, INC.
Correspondence Address	JAMES F. KEENAN, JR. BERNSTEIN, SHUR, SAWYER & NELSON 100 MIDDLE ST STE 9 PORTLAND, ME 04101-4166 jkeenan@bssn.com
Submission	Answer
Filer's Name	James F. Keenan, Jr.
Filer's e-mail	jkeenan@bssn.com
Signature	/James F. Keenan, Jr./
Date	10/06/2014
Attachments	20141006 Answer to ULTRA ZERO Opposition.PDF(104656 bytes)

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

NetZero, Inc.,)	
)	
Opposer,)	
)	
v.)	Opposition No. 91218043
)	
UVNV, Inc.,)	Serial No. 86/139,965
)	
Applicant.)	Opposed Mark: ULTRA ZERO
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APPLICANT’S ANSWER TO NOTICE OF OPPOSITION

NOW COMES UVNV, Inc. (“UVNV”), by and through counsel, and answers NetZero’s Notice of Opposition as follows.

1. UVNV is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 1 and, therefore, denies same.
2. UVNV admits the allegations in Paragraph 2.
3. UVNV is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 3 and, therefore, denies same.
4. UVNV admits the allegations in Paragraph 4.
5. UVNV is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 5 and, therefore, denies same.
6. UVNV admits the allegations in Paragraph 6.
7. Admitted in part; denied in part. UVNV admits to the alleged use of the ULTRA ZERO mark in commerce in association with its services since at least as early as October 31,

2013; however it denies that the application was filed on December 13, 2013 as stated in Paragraph 7, as the application was filed on December 10, 2013.

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

9. UVNV admits the allegations in Paragraph 9.

10. UVNV is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 10 and, therefore, denies same.

11. UVNV is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 11 and, therefore, denies same.

12. UVNV is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 12 and, therefore, denies same.

13. UVNV admits the allegations in Paragraph 13.

14. UVNV denies the allegations in Paragraph 14.

15. UVNV denies the allegations in Paragraph 15.

16. UVNV denies the allegations in Paragraph 16.

17. UVNV denies the allegations in Paragraph 17.

PRAYER FOR RELIEF

WHEREFORE, UVNV requests that the Board:

- A. Dismiss the Opposition with prejudice; and
- B. Grant such other relief as may be just and proper.

Respectfully submitted,
UVNV, Inc.
By its attorneys,
Bernstein Shur Sawyer & Nelson, P.A.

Dated: October 6, 2014

/s/ James F. Keenan, Jr.
James F. Keenan, Jr.
jkeenan@bernsteinshur.com
Bernstein, Shur, Sawyer & Nelson, P.A.
100 Middle Street
P.O. Box 9729
Portland, Maine 04104
207.774.1200

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing Applicant's Answer to Notice of Opposition has been served on Jeffrey A. Nelson by mailing said copy on October 6, 2014, via First Class Mail, postage prepaid to:

Jeffrey A. Nelson
Graham & Dunn, PC
2801 Alaskan Way, Suite 300, Pier 70
Seattle, Washington 98121

Date: October 6, 2014

/s/ James F. Keenan, Jr.
James F. Keenan, Jr., Esq.
Bernstein, Shur, Sawyer & Nelson, P.A.
100 Middle Street
P.O. Box 9729
Portland, Maine 04104
Telephone: 207.774.1200
Facsimile: 207.774.1127
Email: jkeenan@bernsteinshur.com
Attorney for Applicant