

ESTTA Tracking number: **ESTTA683145**

Filing date: **07/13/2015**

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

Proceeding	91219641
Party	Defendant Hartford Fire Insurance Company
Correspondence Address	DAVID T. CUNNINGHAM THE HARTFORD FINANCIAL SERVICES GROUP, I 1 HARTFORD PLZ HARTFORD, CT 06155-0001  afredbeck@fzlz.com, sfarias@fzlz.com
Submission	Answer
Filer's Name	Craig S. Mende
Filer's e-mail	cmende@fzlz.com,jjones@fzlz.com,afedbeck@fzlz.com,sfarias@fzlz.com
Signature	/csm/
Date	07/13/2015
Attachments	7-13-15 The Hartford's Answer to NOP - EDUCATORS PROFESSIONAL CHOICE (F1730826x96B9E).pdf(126148 bytes )

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

Meemic Insurance Company,

Opposer,

v.

Hartford Fire Insurance Company,

Applicant.

Opposition No. 91219641

**ANSWER TO NOTICE OF OPPOSITION**

Applicant Hartford Fire Insurance Company, by its attorneys Fross Zelnick Lehrman & Zissu, P.C., for its answer to the Notice of Opposition, alleges as follows:

1. Denies having knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 1.
2. Respectfully refers the Board to Opposer's Registration No. 2,950,027 for the contents thereof, and otherwise denies having knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 2.
3. Respectfully refers the Board to Opposer's Registration No. 2,950,027 for the contents thereof, and otherwise denies having knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 3.
4. Respectfully refers the Board to the USPTO records with respect to Opposer's Registration No. 2,950,027 for the contents thereof including the Section 15 Statement therein, states that Paragraph 4 of the Notice of Opposition contains a conclusion of law to which no response is required, and otherwise denies having knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 4.

5. Denies having knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 5.

6. Respectfully refers the Board to Opposer's Registration No. 3,322,613 for the contents thereof, and otherwise denies having knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 6.

7. Respectfully refers the Board to Opposer's Registration No. 3,322,613 for the contents thereof, and otherwise denies having knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 7.

8. Respectfully refers the Board to the USPTO records with respect to Opposer's Registration No. 3,322,613 for the contents thereof including the Section 15 Statement therein, states that Paragraph 8 of the Notice of Opposition contains a conclusion of law to which no response is required, and otherwise denies having knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 8.

9. Admits that on May 2, 2014 Applicant filed Application Serial No. 86/269,852 for EDUCATORS PROFESSIONAL CHOICE for "Insurance services, namely, professional liability insurance underwriting and administration services" on May 2, 2014 based on an intent to use the mark in commerce for such services.

10. Denies the allegations in Paragraph 10.

11. Denies the allegations in Paragraph 11.

12. Denies the allegations in Paragraph 12.

13. Denies the allegations in Paragraph 13 and denies that Opposer is entitled to the relief sought by its Notice of Opposition.

FIRST AFFIRMATIVE DEFENSE

1. Opposer fails to state a claim for which relief may be granted.

SECOND AFFIRMATIVE DEFENSE

2. Opposer's claims are barred by the doctrines of laches, acquiescence and estoppel.

WHEREFORE Applicant requests that the Notice of Opposition be dismissed with prejudice in its entirety and that the Trademark Trial and Appeal Board grant to Applicant such other and further relief as it deems just and proper.

Dated: New York, New York  
July 13, 2015

FROSS ZELNICK LEHRMAN & ZISSU, P.C.

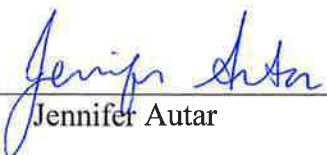
By:   
Craig S. Mende ([cmende@fzlj.com](mailto:cmende@fzlj.com))  
Jason Jones ([jjones@fzlj.com](mailto:jjones@fzlj.com))

866 United Nations Plaza  
New York, New York 10017  
Tel: (212) 813-5900  
Fax: (212) 813-5901  
*Attorneys for Applicant*

**CERTIFICATE OF SERVICE**

I hereby certify that, on this 13<sup>th</sup> day of July 2015, a copy of the foregoing ANSWER TO NOTICE OF OPPOSITION was sent by first class mail postage pre-paid to Opposer's attorney of record at the following address:

Jeremy D. Bisdorf  
Jaffe, Raitt, Heuer & Weiss, P.C.  
535 W. William St., Suite 400S  
Ann Arbor, MI 48103

  
\_\_\_\_\_  
Jennifer Autar