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

Proceeding	91224400
Party	Defendant NXT BANK
Correspondence Address	BRETT D PAPENDICK SHUTTLEWORTH & INGERSOLL PLC PO BOX 2107 CEDAR RAPIDS, IA 52406-2107 uspto@shuttleworthlaw.com
Submission	Answer
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Date	11/24/2015
Attachments	00262269.PDF(157665 bytes)

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

NXT Capital, LLC,)	
)	
Opposer,)	
)	Opposition No. 9122440
v.)	Serial No. 85/857,303
)	
NXT Bank,)	
)	
Applicant.)	

APPLICANT'S ANSWER TO NOTICE OF OPPOSITION

Applicant, NXT BANK, for its Answer to Notice of Opposition filed by NEXT CAPITAL, LLC, answers as follows:

1. Answering paragraph 1 of the Notice of Opposition, Applicant does not have sufficient knowledge or information to form a belief as to the allegations contained therein and accordingly denies the allegations.
2. Answering paragraph 2 of the Notice of Opposition, Applicant does not have sufficient knowledge or information to form a belief as to the allegations contained therein and accordingly denies the allegations.
3. Answering paragraph 3 of the Notice of Opposition, Applicant does not have sufficient knowledge or information to form a belief as to the allegations contained therein and accordingly denies the allegations.
4. Applicant admits the allegations of paragraph 4 of the Notice of Opposition.
5. Applicant denies the allegations of paragraph 5 of the Notice of Opposition.
6. Applicant denies the allegations of paragraph 6 of the Notice of Opposition.

7. Applicant denies the allegations of paragraph 7 of the Notice of Opposition.

8. Answering paragraph 8 of the Notice of Opposition, Applicant has no knowledge or information sufficient to form a belief as to the allegations contained therein and accordingly denies the allegations.

9. Answering paragraph 9 of the Notice of Opposition, Applicant has no knowledge or information sufficient to form a belief as to the allegations contained therein and accordingly denies the allegations.

10. Applicant denies the allegations of paragraph 10 of the Notice of Opposition.

WHEREFORE, in view of the foregoing, Applicant contends that this opposition is groundless and baseless in fact; that Opposer has not shown wherein it will be, or is likely to be, damaged by the registration of Applicant's mark; that Applicant's NXT BANK mark is manifestly distinct from Opposer's mark, and Applicant prays that this Opposition be dismissed and that Applicant be granted registration of its mark.

Respectfully submitted,

NXT Bank

November 24, 2015

By


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ATTORNEY FOR APPLICANT

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the Answer to Notice of Opposition was served by regular mail and email on the Attorneys for Petitioner by mailing a copy to Petitioner's Attorneys' address and by emailing a copy to Petitioner's Attorneys' email address on this 24th day of November, 2015 as follows:

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