

ESTTA Tracking number: **ESTTA767369**

Filing date: **08/29/2016**

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

Proceeding	91229498
Party	Defendant Guadalupe Valley Telephone Cooperative, Inc. Inc.
Correspondence Address	STEPHEN S. FORD SCHWABE, WILLIAMSON & WYATT Suite 1500 1211 SW Fifth Avenue Portland, OR 97204  trademarks@schwabe.com
Submission	Answer
Filer's Name	Stephen S. Ford
Filer's e-mail	trademarks@schwabe.com, sford@schwabe.com, apentheny@schwabe.com
Signature	/stephen s ford/
Date	08/29/2016
Attachments	Answer to Notice of Opposition No. 91229498 SPEEDSYNC.pdf(14368 bytes )

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

LAPLINK SOFTWARE, INC.	)	
	)	
Opposer,	)	
	)	
v.	)	Opposition No. 91229498
	)	
GUADALUPE VALLEY TELEPHONE	)	<b>ANSWER TO NOTICE OF</b>
COOPERATIVE, INC.	)	<b>OPPOSITION</b>
	)	
Applicant.	)	

---

**ANSWER**

Guadalupe Valley Telephone Cooperative, Inc. (“Applicant”) submits this Answer to Laplink Software, Inc.’s (“Opposer”) Notice of Opposition (“Notice”):

1. Answering Paragraph 1 of the Notice, Applicant lacks sufficient knowledge or information to form a belief as to the truth or falsity of the allegations contained in Paragraph 1, and, on that basis, Applicant denies each and every allegation contained therein.

2. Answering Paragraph 2 of the Notice, Applicant admits that abandoned U.S. Registration Number 1,918,756 has a filing date of November 19, 1993, was initially registered on September 12, 1995, and the goods were identified as computer programs for transferring files between computers. Except as expressly admitted, Applicant denies the remaining allegations contained therein.

3. Answering Paragraph 3 of the Notice, Applicant lacks sufficient knowledge or information to form a belief as to the truth or falsity of the allegations contained in Paragraph 3, and, on that basis, Applicant denies each and every allegation contained therein.

4. Answering Paragraph 4 of the Notice, Applicant admits a renewal under Sections 8 and 9 was filed and accepted for abandoned U.S. Trademark Registration Number 1,918,756

on August 22, 2005. Except as expressly admitted, Applicant denies the remaining allegations contained therein.

5. Answering Paragraph 5 of the Notice, Applicant lacks sufficient knowledge or information to form a belief as to the truth or falsity of the allegations contained in said paragraph, and, on that basis, Applicant denies each and every allegation contained therein.

6. Applicant admits each and every allegation in Paragraph 6.

7. Answering Paragraph 7 of the Notice, Applicant denies the date of first use indicated on Applicant's mark was "October 01, 2015" inasmuch as the date of first use on Applicant's mark was indicated as "at least as early as October 01, 2015."

8. Answering Paragraph 8 of the Notice, Applicant admits that abandoned U.S. Trademark Registration Number 1,918,756 has a filing date preceding Applicant's 86/832,072 Trademark Application filing date. Except as expressly admitted Applicant lacks sufficient knowledge or information to form a belief as to the truth or falsity of the allegations contained in Paragraph 8, and, on that basis, Applicant denies each and every allegation contained therein.

9. Applicant denies the allegations in Paragraph 9.

10. Answering Paragraph 10 of the Notice, Applicant admits that Applicant's mark was filed under Class 38 and is different from Class 9 filed for the abandoned U.S. Trademark Registration Number 1,918,756. Except as expressly admitted Applicant denies each and every of the remaining allegations contained therein.

11. Applicant denies each and every allegation in Paragraph 11.

12. Answering Paragraph 12 of the Notice, inasmuch as the allegations contained therein constitute legal conclusions, Applicant is not required to respond thereto. Nevertheless, Applicant denies each and every allegation in Paragraph 12.

13. Answering Paragraph 13 of the Notice, Applicant lacks sufficient knowledge or information to form a belief as to the truth or falsity of the allegations contained in said paragraph, and, on that basis, Applicant denies each and every allegation contained therein.

WHEREFORE, Applicant requests:

1. That the Notice of Opposition be in all respects dismissed with prejudice;
2. That Applicant's Application Serial No. 86/832,072 be permitted to proceed to registration; and
3. That any such further relief be granted to Applicant as may be deemed reasonable and appropriate.

DATED: August 29, 2016

Respectfully submitted,

/Stephen S. Ford/  
Stephen S. Ford  
Schwabe, Williamson & Wyatt, P.C.  
Attorneys for Applicant  
1211 SW Fifth Ave., Ste. 1500-1900  
Portland, OR 97204  
Telephone (503) 222-9981

**CERTIFICATE OF SERVICE**

I hereby certify that on August 29, 2016, I served a true and correct copy of the foregoing ANSWER OF GUADALUPE VALLEY TELEPHONE COOPERATIVE, INC. , on the following party via First Class Mail, postage prepaid, to the following for Opposer, Laplink Software, Inc.:

Randall G. Clark  
Chief Operating Officer  
Laplink Software, Inc.  
600 108th Avenue NE, Suite 610  
Bellevue, WA 98004

/Stephen S. Ford/ \_\_\_\_\_  
Stephen S. Ford  
Schwabe, Williamson & Wyatt, P.C.  
Attorneys for Applicant  
1211 SW Fifth Ave., Ste. 1500-1900  
Portland, OR 97204  
Telephone (503) 222-9981