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

Proceeding	91230071
Party	Defendant Anonymous Alerts, LLC
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Application Serial No.: 86/794,071
By Report It Systems Inc. for the Mark: REPORT IT
Filed: October 20, 2015
Published in the *Official Gazette*: March 22, 2016

REPORT IT SYSTEMS INC.,
Opposer,

v.

ANONYMOUS ALERTS, LLC
Applicant.

Case No.: 91230071

Applicant's Response to Notice of Opposition

RESPONSE TO NOTICE OF OPPOSITION

Opposer, Report It Systems Inc., a New York corporation, ("Opposer"), filed a Notice of Opposition on September 15, 2016 claiming against Application Serial No. 86/794,071 (the "Application"). Applicant has been granted extensions of time to answer until December 25, 2016.

Applicant hereby responds as follows:

1. Applicant lacks sufficient knowledge or information to form a belief as to the allegations contained in paragraph 1 of the Opposition.
2. Applicant lacks sufficient knowledge or information to form a belief as to the allegations contained in paragraph 2 of the Opposition.
3. Applicant lacks sufficient knowledge or information to form a belief as to the allegations contained in paragraph 3 of the Opposition.

4. Applicant lacks sufficient knowledge or information to form a belief as to the allegations contained in paragraph 4 of the opposition.

5. Applicant denies each and every allegation contained in paragraph 5 of the Opposition.

6. Applicant denies each and every allegation contained in paragraph 6 of the Opposition.

7. Applicant denies each and every allegation contained in paragraph 7 of the Opposition.

AFFIRMATIVE DEFENSES

1. The Opposition fails to state a claim upon which relief can be granted.

2. Applicant believes the Opposition makes false claims in its Notice of Opposition such as for example, claiming that it has a registered mark REPORT IT in Class 009, which it does not have. This is an undisputable fact per the USPTO register. The Opposer claims that Opposer's Application No. 85500523 is in Class 009 for mobile applications, which Applicant believes is a false use of a registered mark for the purpose of satisfying requirements to oppose Applicant's mark. Application No. 85500523 is for Class 045.

3. Applicant believes this Opposition is frivolous as Opposer's Opposition is based on Opposer's false statements that Opposer has a Class 009 registered mark for REPORT IT and that Opposer has a Class 009 registered mark for a mobile application, both of which are false statements by Opposer. The Opposer claims that Opposer's Application No. 85500523 is in Class 009 for mobile applications, which Applicant believes is a false use of a registered mark for the purpose of satisfying requirements to oppose.

4. Applicant owns common law rights in the trademark REPORT IT.

5. Opposer's claims are barred, in whole or in part, by the doctrines of estoppel,

acquiescence, and/or waiver.

6. Opposer does not own valid and enforceable rights for the mark REPORT IT in Class 009.

7. Opposer does not own valid and enforceable rights for the mark REPORT IT in Class 009 that are superior to Applicant's rights.

8. Opposer does not own any valid and enforceable common law rights in the mark or any other derivative mark which would predate the common law rights owned by Applicant.

PRAYER FOR RELIEF

WHEREFORE, Applicant generally denies that Opposer would be damaged by Applicant's registration of the mark REPORT IT, and respectfully requests that the Board dismiss all claims set forth in the Opposition, and grant registration to Applicant's mark, REPORT IT, Application Serial No. 86/794,071.

DATED: December 22, 2016

RESPECTFULLY SUBMITTED,

APPLICANT: ANONYMOUS ALERTS, LLC

By: /Richard Blank/

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CERTIFICATE OF TRANSMITTAL

I hereby certify that on December 22, 2016, this correspondence is being electronically transmitted in PDF format to the Trademark Trial and Appeal Board through the Electronic System for Trademark Trials and Appeals (ESTTA).

/Richard Blank/

Richard Blank

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing ANSWER TO NOTICE OF OPPOSITION has been served on Opposers' counsel by electronic transmission on December 22, 2016, which has been mutually agreed upon.

/Richard Blank/

Richard Blank