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

Proceeding	91230403
Party	Defendant Luigi Boschin
Correspondence Address	BRUNO TARABICHI OWENS TARABICHI LLP 4750 ALMADEN EXPY 124-359 SAN JOSE, CA 95118 UNITED STATES btarabichi@owenstarabichi.com
Submission	Opposition/Response to Motion
Filer's Name	Bruno Tarabichi
Filer's e-mail	btarabichi@owenstarabichi.com
Signature	/bruno tarabichi/
Date	04/26/2017
Attachments	Securrency _ Opposition to Motion to Strike.pdf(96577 bytes)

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

Securrency, Inc.,

Opposer,

v.

Luigi Boschin,

Applicant.

Opposition No. 91230403
Application Serial No. 86/904,230
Mark: SECURRENCY

**APPLICANT LUIGI BOSCHIN’S OPPOSITION TO MOTION TO STRIKE
AND REQUEST THAT THE BOARD ACCEPT APPLICANT’S LATE-FILED ANSWER**

Applicant Luigi Boschin (“Applicant”) inadvertently filed his answer two days late due his counsel’s calendaring error. Pursuant to the Board’s February 28, 2017 Order (Docket No. 8) granting Applicant’s Motion to Dismiss, Applicant’s Answer was due on April 10, 2017 if Opposer Securrency, Inc. failed to file an amended notice of opposition. Applicant filed his answer two days later on April 12, 2017 (Docket Entry No. 9).¹ Applicant apologizes for filing the Answer late.

However, Applicant respectfully requests that the Board accept the late-filed answer. In this regard, the failure to file on April 10 was due to a calendaring error. It was not due to willful conduct or gross neglect. Moreover, Opposer has not been prejudiced in any way by the two delay. And as detailed in Applicant’s Answer, Applicant has a meritorious defense to this opposition proceeding. TBMP § 312.02.

¹ Opposer takes issue with the certificate of service. The certificate of service contained two dates – one was the correct April 12th date. The other date was obviously simply a typographical error in that an old date on a previously used certificate of service was not updated. Moreover, Opposer admits to receiving service on April 12th, so that is a non-issue.

Accordingly, Applicant respectfully requests that the Board accept the late-filed Answer in light of the “policy of law to decide cases on their merits.” *Id.*

Dated: April 26, 2017

Respectfully submitted,



Bruno W. Tarabichi
OWENS TARABICHI LLP
4750 Almaden Expressway 124-359
San Jose, California 95118
Tel. (408) 298-8204
Fax (408) 521-2203
btarabichi@owenstarabichi.com
Attorneys for Applicant
Luigi Boschini

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copies of the following documents:

**APPLICANT LUIGI BOSCHIN'S OPPOSITION TO MOTION TO STRIKE AND
REQUEST THAT THE BOARD ACCEPT APPLICANT'S LATE-FILED ANSWER**

has been served on

Kevin Keener
kevin.keener@keenerlegal.com
Keener & Associates, PC
161 North Clark Street, Suite 4700
Chicago, IL 60601

by emailing such document on April 26, 2017.

I declare under penalty of perjury under the laws of the State of California and the United States of America that the foregoing is true and correct.

Dated: April 26, 2017



Bruno W. Tarabichi