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

Proceeding	91233968
Party	Defendant Besurance Corporation
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Date	05/10/2017
Attachments	20170510 Answer And Affirmative Defenses.pdf(189507 bytes )

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

*In the matter of:*

Application Serial No. 87/089,945  
International Class: 036  
Mark: BESURANCE CORPORATION  
Published in the Official Gazette on December 13, 2016

Application Serial No. 87/089,957  
International Class: 042  
Mark: BESURANCE CORPORATION  
Published in the Official Gazette on December 13, 2016

**Esurance Insurance Services, Inc.**

**Opposer,**

v.

**Besurance Corporation,**

**Applicant.**

**Opposition No. 91233968**

**Answer and Affirmative Defenses**

Applicant Besurance Corporation, ("Applicant") hereby through counsel submits the following Answer and Affirmative Defenses in response to the Notice of Opposition ("Notice") filed by opposer Esurance Insurance Services, Inc. ("Opposer") on April 12, 2017.

1. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 1 of the Notice, and thus denies these allegations.

2. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 2 of the Notice, and thus denies these allegations.

3. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 3 of the Notice, and thus denies these allegations.

4. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 4 of the Notice, and thus denies these allegations.

5. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 5 of the Notice, and thus denies these allegations.

6. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 6 of the Notice, and thus denies these allegations.

7. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 7 of the Notice, and thus denies these allegations.

8. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 8 of the Notice, and thus denies these allegations.

9. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 9 of the Notice, and thus denies these allegations.

10. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 10 of the Notice, and thus denies these allegations.

11. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 11 of the Notice, and thus denies these allegations.

12. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 12 of the Notice, and thus denies these allegations.

13. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 13 of the Notice, and thus denies these allegations.

14. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 14 of the Notice, and thus denies these allegations.

15. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 15 of the Notice, and thus denies these allegations.

16. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 16 of the Notice, and thus denies these allegations.

17. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 17 of the Notice, and thus denies these allegations.

18. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 18 of the Notice, and thus denies these allegations.

19. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 19 of the Notice, and thus denies these allegations.

20. Applicant denies the allegations concerning Opposer's alleged prior established rights. Applicant admits the remaining allegations contained in Paragraph 20 of the Notice.

21. Denied.

22. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 22 of the Notice, and thus denies these allegations.

23. Denied.

24. Denied.

25. Applicant admits the allegations concerning the specific services identified in the applications subject to this proceeding. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the remainder of the allegations contained in Paragraph 25 of the Notice, and thus denies these allegations.

26. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 26 of the Notice, and thus denies these allegations.

27. Denied.

28. Denied.

29. Denied.

30. Denied.

31. Denied.

32. Denied.

**AFFIRMATIVE DEFENSES**

1. Opposer has failed to state a claim upon which relief may be granted.

2. Opposer's claims are barred in whole or in part by the doctrine of unclean hands.

3. Opposer's claims are barred in whole or in part by the doctrine of waiver.

4. Opposer's claims are barred in whole or in part by the doctrine of acquiescence.

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

6. Applicant hereby gives notice that it may rely upon such other and further defenses as may arise during discovery or otherwise in this proceeding, and reserves its right to amend this Answer and Affirmative Defenses to assert such defenses.

WHEREFORE, Applicant requests that the Notice be denied in all respects.

Dated: May 10, 2017

Respectfully Submitted,

By:           /Benjamin Ashurov/            
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*Attorneys for Applicant*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and complete copy of the foregoing **Answer and Affirmative Defenses** has been served on opposing counsel by forwarding said copy on May 10, 2017 via email to:

Jami A. Gekas  
Foley & Lardner LLP  
321 North Clark Street Suite 2800  
Chicago, IL 60654-5313  
UNITED STATES  
jgekas@foley.com

Signature: /Benjamin Ashurov/  
Benjamin Ashurov

Dated: May 10, 2017