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

Proceeding	91239532
Party	Defendant American National Bank of Texas
Correspondence Address	LEKHA GOPALAKRISHNAN WINSTEAD PC P.O. BOX 131851 DALLAS, TX 75313-1851 tmdocket@winstead.com, lgopalakrishnan@winstead.com, awalker@winstead.com no phone number provided
Submission	Answer
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Date	10/23/2018
Attachments	91239532_Answer.pdf(15357 bytes )

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

In the Matter of Application No. 87/315,217  
For the Trademark YOUR BANK. FOR LIFE.

Old National Bank,	§	
	§	
Opposer,	§	
	§	
v.	§	Opposition No. 91239532
	§	
	§	
American National Bank of Texas	§	
	§	
Applicant.	§	

**ANSWER TO NOTICE OF OPPOSITION**

Applicant, American National Bank of Texas, by and through its undersigned counsel hereby files its Answer to the Notice of Opposition (“the Notice”), as follows:

1. With respect to the introductory paragraphs of the Notice, Applicant specifically denies Opposer’s claim that it will be damaged by the registration of YOUR BANK. FOR LIFE. (“Applicant’s Mark”). As to the allegations regarding the description of Applicant’s Mark, Applicant admits that it is the owner of U.S. Application No. 87/315,217 for “Banking Services” in International Class 036.
2. With respect to paragraph 1 of the Notice, Applicant is without sufficient knowledge of the allegations contained in this paragraph and therefore denies same.
3. With respect to paragraph 2 of the Notice, Applicant is without sufficient knowledge of the allegations contained in this paragraph and therefore denies same.
4. With respect to paragraph 3 of the Notice, Applicant is without sufficient knowledge of the allegations contained in this paragraph and therefore denies same.

5. With respect to paragraph 4 of the Notice, Applicant is without sufficient knowledge of the allegations contained in this paragraph and therefore denies same.
6. With respect to paragraph 5 of the Notice, Applicant is without sufficient knowledge of the allegations contained in this paragraph regarding Opposer's prior rights and therefore denies same. Applicant admits that it is seeking to register Applicant's Mark for "Banking Services" in International Class 036.
7. With respect to paragraph 6 of the Notice, Applicant is without sufficient knowledge of the allegations contained in this paragraph and therefore denies same.
8. With respect to paragraph 7 of the Notice, Applicant is without sufficient knowledge of the allegations contained in this paragraph and therefore denies same.
9. With respect to paragraph 8 of the Petition, Registrant admits the allegations contained in this paragraph.
10. With respect to paragraph 9 of the Notice, Applicant is without sufficient knowledge of the allegations contained in this paragraph and therefore denies same.
11. With respect to paragraph 10 of the Notice, Applicant is without sufficient knowledge of the allegations contained in this paragraph and therefore denies same.
12. With respect to paragraph 11 of the Notice, Applicant denies the allegations contained in this paragraph.
13. With respect to paragraph 12 of the Notice, Applicant denies the allegations contained in this paragraph.
14. With respect to paragraph 13 of the Notice, Applicant denies the allegations contained in this paragraph.
15. All allegations that are not expressly admitted herein are hereby denied.

## **AFFIRMATIVE DEFENSES**

Applicant undertakes the burden of proof only as to those defenses deemed affirmative defenses by law, regardless of how such defenses are denominated below. Applicant expressly reserves the right to plead additional affirmative and other defenses should any such defenses be revealed by discovery in this case. As and for its affirmative and other defenses, Applicant states as follows:

1. Applicant affirmatively alleges that the Notice fails to state a claim upon which relief can be granted.
2. Applicant affirmatively alleges on information and belief that as a result of Opposer's own acts and/or omissions, the opposition is barred by the doctrine of laches.
3. Applicant affirmatively alleges on information and belief that the opposition is barred by the doctrine of estoppel.
4. Applicant affirmatively alleges on information and belief that as a result of its own acts and omissions, Opposer has waived any right to pursue this opposition.
5. Applicant affirmatively alleges on information and belief that the opposition is barred by the doctrine of acquiescence.
6. Any and all acts alleged to have been committed by Applicant were performed with lack of knowledge and lack of willful intent.

WHEREFORE, Applicant requests that the Notice be dismissed with prejudice, together with whatever other relief the Board may deem appropriate.

Respectfully submitted,

Date: October 23, 2018

/Lekha Gopalakrishnan/

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ATTORNEYS FOR APPLICANT  
American National Bank of Texas

**CERTIFICATE OF SERVICE**

The undersigned certifies that a true and correct copy of the foregoing has been served on this 23<sup>rd</sup> day of October 2018, by electronic mail to the following persons:

Caitlin R. Byczko  
[Caitlin.Byczko@btlaw.com](mailto:Caitlin.Byczko@btlaw.com)  
Julia Gard  
[Julia.Gard@btlaw.com](mailto:Julia.Gard@btlaw.com)  
Joe Witkowski  
[Joe.Witkowski@btlaw.com](mailto:Joe.Witkowski@btlaw.com)

ATTORNEYS FOR OPPOSER  
Old National Bank

/Lekha Gopalakrishnan/

**CERTIFICATE OF ELECTRONIC FILING**

The undersigned hereby certifies that the foregoing is being submitted electronically through the Electronic System for the Trademark Trial and Appeal Board (“ESTTA”) on this 23<sup>rd</sup> day of October 2018.

/Lekha Gopalakrishnan/