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

Proceeding	91240071
Party	Defendant Continental Exchange Solutions, Inc.
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Date	04/24/2018
Attachments	RIA ADVANTAGE Answer.pdf(18915 bytes)

**UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Serial No. 87/388,249 for the mark RIA ADVANTAGE

American Airlines, Inc.,

Opposer,

Opposition No. 91240071

-v-

Application Serial No. 87/388,249

Continental Exchange Solutions, Inc.,

Applicant.

ANSWER TO NOTICE OF OPPOSITION

Applicant Continental Exchange Solutions, Inc. (“Applicant”), by and through its attorneys, Fox Rothschild LLP, in answer to the Notice of Opposition filed on March 15, 2018, by American Airlines, Inc. (“Opposer”), denies that Opposer, American Airlines, Inc., is or will be damaged by registration of Application Serial No. 87/388,249 (“the “Opposed Mark”), in the name of Continental Exchange Solutions, Inc. and, in response to said Notice of Opposition, states as follows:

1. Applicant admits the allegations set forth in Paragraph 1 of the Notice of Opposition.
2. Applicant is without knowledge or information to form a belief as to the truth of the allegations in Paragraph 2 of the Notice of Opposition and therefore denies the same.
3. Applicant is without knowledge or information to form a belief as to the truth of the allegations in Paragraph 3 of the Notice of Opposition and therefore denies the same.

4. Applicant admits that Opposer has used its A ADVANTAGE Marks since prior to Applicant's priority date but is without knowledge or information to form a belief as to the truth of the remaining allegations in Paragraph 4 of the Notice of Opposition and therefore denies the same.
5. Applicant admits that the online database of the U.S. Patent and Trademark Office ("USPTO") indicates that Opposer is the owner of the A ADVANTAGE Marks listed on Opposer's Exhibit A to the Notice of Opposition and that these registrations are subsisting and in effect as reflected on the records of the USPTO. Applicant is without knowledge or information to form a belief as to the truth of the remaining allegations in Paragraph 5 and therefore denies the same.
6. Applicant admits the allegations in Paragraph 6 of the Notice of Opposition.
7. Applicant admits the allegations in Paragraph 7 of the Notice of Opposition.
8. Applicant denies the allegations in Paragraph 8 of the Notice of Opposition.
9. Applicant is without knowledge or information to form a belief as to the truth of the allegations in Paragraph 9 of the Notice of Opposition and therefore denies the same.
10. Applicant denies the allegations of Paragraph 10 of the Notice of Opposition.

AFFIRMATIVE DEFENSES

By way of further answer, Applicant responds as follows:

1. The records of the USPTO show several marks registered or pending which contain the term ADVANTAGE. Based on the dilution of the term ADVANTAGE, Opposer does not have a claim of exclusive rights to the term ADVANTAGE for marks used to identify Opposer's goods and services.

2. Applicant reserves the right to raise additional affirmative defenses and to supplement those asserted herein upon discovery of further information and investigation into the Opposer's claims.

WHEREFORE, Applicant prays that Application Serial No. 87/388,249 be allowed to proceed to registration, and that the Opposition be dismissed with prejudice.

Respectfully submitted,

Dated: April 24, 2018

FOX ROTHSCHILD LLP

By: /Perla M. Kuhn/

Perla M. Kuhn
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Solutions, Inc.

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CERTIFICATE OF SERVICE

I hereby certify that I am over the age of 18 years, not a party to this action, and that on the 24th day of April, 2018, I caused to be served a true and correct copy of the foregoing ANSWER TO NOTICE OF OPPOSITION by electronic mail to the following attorneys for the Opposer:

Andrew Avsec
Amily T. Kappers
AAvsec@brinksgilson.com
ekappers@brinksqilson.com

Dated: April 24, 2018
New York, NY

By: /Varant Ekmekjian/
Varant Ekmekjian