

ESTTA Tracking number: **ESTTA928098**

Filing date: **10/12/2018**

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

Proceeding	91241359
Party	Defendant IGT Global Solutions Corporation
Correspondence Address	DENISE TALIAFERRO IGT GLOBAL SOLUTIONS CORPORATION 10 MEMORIAL BOULEVARD PROVIDENCE, RI 02903 trademarks@igt.com no phone number provided
Submission	Answer
Filer's Name	Peter D. Siddoway
Filer's email	psiddoway@sagepat.com, jsteen@sagepat.com
Signature	/Peter D. Siddoway/
Date	10/12/2018
Attachments	Answer -- Pollard Banknote 4841-1833-6376.pdf(135934 bytes)

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

Pollard Banknote Limited,	:	
Opposer,	:	
	:	
	:	Opposition No. 91541359
v.	:	
	:	
IGT Global Solutions Corporation	:	
Applicant.	:	

Application Serial No.	:	87/582,355
Filed	:	August 24, 2017
Published for Opposition	:	April 24, 2018
Mark	:	LUCKY 7'S

Commissioner for Trademarks
Trademark Trial and Appeal Board
PO Box 1451
Alexandria, VA 22313-1451

ANSWER

Applicant IGT Global Solutions Corporation (“Applicant”), hereby answers the Notice of Opposition filed by Pollard Banknote Limited (“Opposer”), as follows:

1. Applicant lacks knowledge or information sufficient to form a belief about the truth of the allegations, and therefore the allegations of Paragraph 1 of the Notice of Opposition are denied.

2. Applicant lacks knowledge or information sufficient to form a belief about the truth of the allegations, and therefore the allegations of Paragraph 2 of the Notice of Opposition are denied.
3. Applicant lacks knowledge or information sufficient to form a belief about the truth of the allegations, and therefore the allegations of Paragraph 3 of the Notice of Opposition are denied.
4. Applicant admits that it filed, on August 24, 2017, an application to register the mark, LUCKY 7'S (stylized), for entertainment services, namely, providing on-line computer games; entertainment services, namely providing temporary use of non-downloadable computer games; lottery services; providing online non-downloadable game software, in International Class 41, based on an intent to use the mark in commerce. The remaining allegations of Paragraph 4 of the Notice of Opposition are denied.
5. The allegations of Paragraph 5 of the Notice of Opposition are denied.
6. Applicant admits that the respective marks are similar, and that the respective goods and services of the parties are similar at least in part. The remaining allegations of Paragraph 6 of the Notice of Opposition are denied. Moreover, Applicant's parent company is the registered owner of:
 - U.S. Trademark Registration No. 4076485 to LUCKY 7 BAR for gaming machines, namely devices which accept a wager, which was registered on December 27, 2011;

- Registration No. 2958462 to TRIPLE DOUBLE LUCKY 7S for gaming machines, namely slot machines with or without video output or video lottery terminals, which was registered on May 31, 2005;
- U.S. Registration No. 2595767 to TRIPLE LUCKY 7'S for gaming machines, which was registered on July 16, 2002; and
- U.S. Registration No. 1992719 to LUCKY 7S for gaming machines, namely slot machines with or without a video output, which was registered on August 13, 1996.

In view of IGT's prior trademark registrations for the same or essentially the same mark, for the same or essentially the same goods and services, there is no ground for sustaining this Opposition.

7. Applicant admits that if it is granted a registration for the mark LUCKY 7'S it would obtain at least a *prima facie* exclusive right to use the mark. The remaining allegations of Paragraph 7 of the Notice of Opposition are denied.

Respectfully submitted,

SAGE PATENT GROUP

By /s/ Peter D. Siddoway

Peter D. Siddoway

Lynne A. Borchers

4120 Main at North Hills Street, Suite 230

Raleigh, North Carolina 27609

(984) 219-3358 (telephone)

(984) 538-0416 (facsimile)

Attorneys for Applicant

Dated: October 12, 2018

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing Answer has been served on counsel for Opposer Pollard Banknote Limited by forwarding said copy on October 12, 2018 via email to:

Michael M. Zadrozny
Daniel T. Earle
Attorneys for Opposer
Shlesinger, Arkwright & Garvey LLP
5845 Richmond Highway, Suite 415
Alexandria, VA 22303
(703) 684-5600
mmz@sagllp.com
danearle@sagllp.com
nitasantiago@sagllp.com