

ESTTA Tracking number: **ESTTA961575**

Filing date: **03/20/2019**

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

Proceeding	91244073
Party	Defendant IGT
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Date	03/20/2019
Attachments	91244073 Answer -- Pollard Banknote RED WHITE and BLUE.pdf(114351 bytes)

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

Pollard Banknote Limited,	:	
Opposer,	:	
	:	
	:	Opposition No. 91244073
v.	:	
	:	
IGT Corporation	:	
Applicant.	:	

Application Serial No.	:	87/782,077
Filed	:	February 2, 2018
Published for Opposition	:	June 12, 2018
Mark	:	RED WHITE & BLUE

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

ANSWER

Applicant IGT 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 February 2, 2018, an application to register the mark, RED WHITE & BLUE, for lottery cards; lottery tickets; scratch cards for playing lottery games, in International Class 28, 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. 1884749 to RED WHITE & BLUE for gaming machines; namely, slot machines with or without a video output, which was registered on March 21, 1995, and first used in commerce in April 1990;
 - U.S. Trademark Registration No. 2798677 to TRIPLE DOUBLE RED WHITE & BLUE for gaming machines, namely, slot

machines with or without video output, which was registered on December 23, 2003, and first used in commerce on November 13, 2001;

- U.S. Trademark Registration No. 2839987 to DOUBLE RED WHITE & BLUE for gaming machines, namely, slot machines with or without video output or video lottery terminals, which was registered on May 11, 2004, and first used in commerce in August 1994;
- U.S. Trademark Registration No. 2895671 to FIVE TIMES PAY 5 RED WHITE & BLUE for gaming machines, namely, slot machines with or without video output or Video lottery terminals, which was registered on October 19, 2004, and first used in commerce on December 6, 2002;
- U.S. Trademark Registration No. 2895672 to TEN TIMES PAY 10 RED WHITE & BLUE for gaming machines, namely, slot machines with or without video output or [video lottery terminals], which was registered on October 19, 2004, and first used in commerce on April 4, 2003;
- U.S. Trademark Registration No. 2936469 to TRIPLE RED WHITE & BLUE for gaming machines, namely, devices which accept a wager [and components therefor, namely, controllers, displays, button panels, bolsters, electrical wiring, and computer hardware and software associated therewith], which was registered on March 29, 2005, and first used in commerce on January 3, 1997;

- U.S. Trademark Registration No. 2964401 to DOUBLE DOLLARS RED WHITE & BLUE for gaming machines, namely, slot machines with or without video output or video lottery terminals, which was registered on June 28, 2005, and first used in commerce on May 2, 2003;
- U.S. Trademark Registration No. 2984019 to BIG TIMES RED WHITE & BLUE for gaming machines, namely, slot machines with or without video output or video lottery terminals, which was registered on August 9, 2005, and first used in commerce on January 24, 2005;
- U.S. Trademark Registration No. 4544382 to RED WHITE & BLUE BLAZE OF GLORY in International Class 028 for gaming machines, namely, devices which accept a wager, which was registered on June 3, 2014, and first used in commerce on February 13, 2014; and
- U.S. Trademark Registration No. 4810299 to RED WHITE & BLUE for entertainment services, namely, providing on-line computer games, which was registered on September 8, 2015, and first used in commerce on June 23, 2015.

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 Application Serial No. 87/782,077 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

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Dated: March 20, 2019

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 March 20, 2019 via email to:

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