

ESTTA Tracking number: **ESTTA997526**

Filing date: **08/26/2019**

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

Proceeding	91248617
Party	Plaintiff WeWork Companies Inc.
Correspondence Address	LAURA POPP ROSENBERG FROSS ZELNICK LEHRMAN & ZISSU PC 151 WEST 42ND STREET 17TH FLOOR NEW YORK, NY 10036 UNITED STATES lpopp-rosenberg@fzlz.com, lkittay@fzlz.com, mgoldstein@fzlz.com 212-813-5900
Submission	Answer to Counterclaim
Filer's Name	Melissa Goldstein
Filer's email	mgoldstein@fzlz.com, lpopp-rosenberg@fzlz.com, lkittay@fzlz.com, ttabfiling@fzlz.com
Signature	/Melissa Goldstein/
Date	08/26/2019
Attachments	Answer to Counterclaim for Cancellation.PDF(161497 bytes)

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

WEWORK COMPANIES INC.,	X		
	:		
<i>Opposer,</i>	:		
	:		
- against -	:	Opposition No. 91248617	
	:		
ALEXANDRIA REAL ESTATE EQUITIES, INC.,	:		
	:		
<i>Applicant.</i>	:		
	X		

ANSWER TO COUNTERCLAIM FOR CANCELLATION

Opposer WeWork Companies Inc. (“Opposer”), by and through its attorneys Fross Zelnick Lehrman & Zissu, P.C., for its Answer to the Counterclaim for Cancellation filed by Alexandria Real Estate Equities, Inc. (“Applicant”), states as follows:

1. Opposer admits upon information and belief the allegations of Paragraph 1 of the Counterclaim for Cancellation.
2. Opposer admits the allegations in Paragraph 2 of the Counterclaim for Cancellation.
3. Opposer admits the allegations in Paragraph 3 of the Counterclaim for Cancellation.
4. Opposer admits that on December 23, 2013, an Examining Attorney issued an office action with respect to Application Serial No. 86/088,019 with the quoted language, but Opposer lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 4 of the Counterclaim for Cancellation and therefore denies same.

5. Opposer admits the allegations in Paragraph 5 of the Counterclaim for Cancellation.

6. Opposer admits that “LABS” has significance in connection with the Class 35 goods specified in Application Serial No. 86/088,019/Registration No. 4,818,019, lacks knowledge or information sufficient to form a belief as to whether “LABS” “has significance in connection . . . with other classes” generally, and otherwise denies the allegations in Paragraph 6 of the Counterclaim for Cancellation.

7. Opposer lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 7 of the Counterclaim for Cancellation and therefore denies same.

8. Opposer admits that the screenshot shown as part of Paragraph 8 of the Counterclaim for Cancellation was taken from Opposer’s website, and otherwise denies the allegations of Paragraph 8 of the Counterclaim for Cancellation.

9. Paragraph 9 of the Counterclaim for Cancellation is ambiguous. Accordingly, Opposer lacks information or belief sufficient to form a belief as to the truth of the allegations contained in Paragraph 9 of the Counterclaim for Cancellation and therefore denies same.

10. Opposer denies the allegations in Paragraph 10 of the Counterclaim for Cancellation.

11. Opposer denies the allegations in Paragraph 11 of the Counterclaim for Cancellation.

12. Opposer denies the allegations in Paragraph 12 of the Counterclaim for Cancellation.

13. Opposer denies the allegations in Paragraph 13 of the Counterclaim for Cancellation.

14. Opposer denies the allegations in Paragraph 14 of the Counterclaim for Cancellation.

WHEREFORE, Opposer demands that the Counterclaim for Cancellation be in all respects denied.

Respectfully submitted,

Dated: August 26, 2019

FROSS ZELNICK LEHRMAN & ZISSU, P.C.

By: /Melissa Goldstein/

Laura Popp-Rosenberg

Leo Kittay

Melissa Goldstein

151 West 42nd Street, 17th Floor

New York, New York 10036

Telephone: (212) 813-5900

Email: lpopp-rosenberg@frosszelnick.com

lkittay@frosszelnick.com

mgoldstein@frosszelnick.com

Attorneys for Opposer WeWork Companies Inc.

CERTIFICATE OF SERVICE

I hereby certify that on this 26th day of August, 2019, I have caused a true and correct copy of the foregoing **Answer to Counterclaim for Cancellation** to be sent by email to counsel for Applicant, John Paul Oleksiuk, Esq., Cooley LLP, at trademarks@cooley.com, jpo@cooley.com, droumiantseva@cooley.com, and schristoff@cooley.com.



Yuoseph Karzoan