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

Proceeding	91251530
Party	Defendant Bugsby Property LLC
Correspondence Address	KRISTIN S CORNUELLE ORRICK HERRINGTON & SUTCLIFFE LLP 2050 MAIN ST STE 100 IRVINE, CA 92614 UNITED STATES ipprosecution@orrick.com, kcornuelle@orrick.com, mweddington@orrick.com 503-943-4828
Submission	Answer
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Signature	/Richard Mooney/
Date	03/19/2020
Attachments	200319 answer 91251530.pdf(83771 bytes )

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

4 In the Matter of Serial Number 88/279,118

5 Trademark: CLUSTER OF CLUSTERS

6  
7 Alexandria Real Estate Equities, Inc.,

8 Opposer,

9 v.

10 Bugsby Property, LLC,

11 Applicant.  
12  
13  
14

OPPOSITION NO. 91251530

**Answer and Affirmative Defenses of Bugsby  
Property, LLC**

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16 **Answer and Affirmative Defenses of Bugsby Property, LLC**

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18 Applicant Bugsby Property, LLC (“Applicant”) hereby responds to and answers the  
19 October 9, 2019 Notice of Opposition (the “Opposition”) filed by Opposer Alexandria Real Estate  
20 Equities, Inc. (“ARE”) as follows:  
21

22 Applicant denies the allegations in the unnumbered preamble to the Opposition.

23 1. Applicant admits that it is Bugsby Property, LLC. To the extent so implied,  
24 Applicant denies that it is located or headquartered in Delaware. Except as thus expressly admitted,  
25 Applicant denies each allegation explicit or implicit in this paragraph.  
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1           2.       Applicant admits that it seeks to register the CLUSTER OF CLUSTERS  
2 trademark. Except as thus expressly admitted, Applicant denies each allegation explicit or implicit  
3 in this paragraph.

4           3.       Applicant admits the allegations of this paragraph.

5           4.       Applicant denies the allegations of this paragraph.

6           5.       Applicant denies the allegations of this paragraph.

7           6.       Applicant lacks sufficient information to form an opinion or belief regarding  
8 the veracity of the allegations in this paragraph, and on that basis denies them.

9           7.       Applicant lacks sufficient information to form an opinion or belief regarding  
10 the veracity of the allegations in this paragraph, and on that basis denies them.

11          8.       Applicant denies the allegations of this paragraph.

12          9.       Applicant lacks sufficient information to form an opinion or belief regarding  
13 the veracity of the allegations in this paragraph, and on that basis denies them.

14          10.      Applicant lacks sufficient information to form an opinion or belief regarding  
15 the veracity of the allegations in this paragraph, and on that basis denies them.

16          11.      Applicant lacks sufficient information to form an opinion or belief regarding  
17 the veracity of the allegations in this paragraph, and on that basis denies them.

18          12.      Applicant lacks sufficient information to form an opinion or belief regarding  
19 the veracity of the allegations in this paragraph, and on that basis denies them.

20          13.      Applicant lacks sufficient information to form an opinion or belief regarding  
21 the veracity of the allegations in this paragraph, and on that basis denies them

22          14.      Applicant lacks sufficient information to form an opinion or belief regarding  
23 the veracity of the allegations in this paragraph, and on that basis denies them.

24          15.      Applicant lacks sufficient information to form an opinion or belief regarding  
25 the veracity of the allegations in this paragraph, and on that basis denies them

26          16.      Applicant denies the allegations of this paragraph.

27          17.      Applicant denies the allegations of this paragraph.

1 18. Applicant denies the allegations of this paragraph.

2 19. Applicant denies the allegations of this paragraph.

3 20. Applicant denies the allegations of this paragraph.

4 21. Applicant lacks sufficient information to form an opinion or belief regarding  
5 the veracity of the allegations in this paragraph, and on that basis denies them.

6 22. Applicant lacks sufficient information to form an opinion or belief regarding  
7 the veracity of the allegations in this paragraph, and on that basis denies them.

8 23. Applicant lacks sufficient information to form an opinion or belief regarding  
9 the veracity of the allegations in this paragraph, and on that basis denies them.

10 24. Applicant lacks sufficient information to form an opinion or belief regarding  
11 the veracity of the allegations in this paragraph, and on that basis denies them.

12 25. Applicant admits the first sentence of this paragraph. Applicant lacks  
13 sufficient information to form an opinion or belief regarding the veracity of the remaining  
14 allegations in this paragraph, and on that basis denies them.

15 26. Applicant admits the first clause of this paragraph. Applicant lacks sufficient  
16 information to form an opinion or belief regarding the veracity of the allegations in this paragraph,  
17 and on that basis denies them.

18 27. Applicant denies the allegations of this paragraph.

19 28. Applicant denies the allegations of this paragraph.

20 29. Applicant denies the allegations of this paragraph.

21 Applicant denies the allegations of the unnumbered concluding paragraph.

22 **Affirmative Defenses**

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



**Certificate of Service**

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The undersigned certifies that a copy of the foregoing *Answer and Affirmative Defenses of Bugsby Property, LLC* is being served upon counsel for Opposer on March 19, 2020 to the following email address: [pto-oc@gibsondunn.com](mailto:pto-oc@gibsondunn.com).

By:           /s/ Richard Mooney            
Richard Mooney