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Filing date: **12/09/2019**

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

| | |
|------------------------|---|
| Proceeding | 91251959 |
| Party | Defendant FB CORPORATION |
| Correspondence Address | PETE SALSICH III CAPES SOKOL 7701 FORSYTH BLVD., 12TH FLOOR CLAYTON, MO 63105 salsich@capessokol.com, lilburn@capessokol.com, trademarks@capessokol.com no phone number provided |
| Submission | Answer |
| Filer's Name | Peter W. Salsich III |
| Filer's email | salsich@capessokol.com, trademarks@capessokol.com |
| Signature | /Peter W. Salsich III/ |
| Date | 12/09/2019 |
| Attachments | BELAY FINANCIAL - Belay Mortgage - Answer to Notice of Opposition - Filed 12-09-19.pdf(22288 bytes) |

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

| | | |
|---------------------------------|---|-------------------------|
| Belay Mortgage Group, Inc., |) | Opposition No. 91251959 |
| |) | |
| |) | |
| vs. Opposer, |) | Serial No. 88/311,089 |
| |) | |
| FB Corporation, |) | Mark: BELAY FINANCIAL |
| |) | |
| Applicant. |) | |

ANSWER TO NOTICE OF OPPOSITION

FB Corporation (“Applicant”), with offices at 11901 Olive Blvd., Creve Coeur, Missouri 63141, hereby files its Answer to the Notice of Opposition (“Opposition”) filed by Belay Mortgage Group, Inc. (“Opposer”), with respect to U.S. Trademark Application Serial No. 88/311,089 (the "Application") for the mark BELAY FINANCIAL ("Applicant's Mark"), and in support thereof states:

1. Applicant is without knowledge or information sufficient to determine the truth or falsity of the allegations in Paragraph 1 of the Opposition and therefore denies the same.

2. Applicant Admits the allegations of Paragraph 2 of the Opposition but denies that Opposer is entitled to any rights under Application Serial No. 88/403,714.

3. Applicant is without knowledge or information sufficient to determine the truth or falsity of the allegations in Paragraph 3 of the Opposition and therefore denies the same.

4. Applicant is without knowledge or information sufficient to determine the truth or falsity of the allegations in Paragraph 4 of the Opposition and therefore denies the same.

5. Applicant admits the allegations in Paragraph 5 of the Opposition.

6. With respect to the allegations in Paragraph 6 of the Opposition, Applicant states that its Application speaks for itself, and is without knowledge or information sufficient to determine the truth or falsity of the remaining allegations in Paragraph 6 of the Opposition and therefore denies the same.

7. With respect to the allegations in Paragraph 7 of the Opposition, Applicant admits that both its Application and Opposer's alleged mark both contain the word "Belay." Applicant denies the remaining allegations in Paragraph 7 of the Opposition.

8. Applicant denies the allegations in Paragraph 8 of the Opposition.

9. Applicant denies the allegations in Paragraph 9 of the Opposition.

WHEREFORE, Applicant respectfully requests that the Opposition be denied and/or dismissed with prejudice, and that its Application be allowed to proceed to registration.

Dated: December 9, 2019

Respectfully submitted,

By: */Peter W. Salsich III/*
Peter W. Salsich III
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St. Louis, MO 63105
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Attorney for Applicant
FB Corporation

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and complete copy of the foregoing Answer to Notice of Opposition has been served on counsel of record for Opposer, Krista A. Wittman, Cascadia Intellectual Property, 12360 Lake City Way NE, Suite 501, Seattle, WA 98125, by forwarding said copy on December 9, 2019 via email to: krista@cascadiaip.com and info@cascadiaip.com.

Dated: December 9, 2019

Respectfully submitted,

By: */Peter W. Salsich III/*
Peter W. Salsich III

Attorney for Applicant
FB Corporation