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

Proceeding	91253858
Party	Defendant International Trade Organization, Inc.; Lee, David H.
Correspondence Address	DAVID H LEE INTERNATIONAL TRADE ORGANIZATION, INC. 6606 SCHURTZ ST WTB ALEXANDRIA, VA 22310 info@iexim.org, dlee@iexim.org no phone number provided
Submission	Answer
Filer's Name	David Lee
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Signature	/David Lee/
Date	02/12/2020
Attachments	WTB Response to WTCA_02122020.pdf(941854 bytes )

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

<b>WORLD TRADE CENTERS ASSOCIATION, INC.</b>	)	<b>Opposition No.:</b> 91253858
	)	
<b>Opposer,</b>	)	<b>Application No.:</b> 88/451,819
	)	
<b>v.</b>	)	<b>Mark:</b> WTB
	)	
<b>INTERNATIONAL EXPORT IMPORT ORGANIZATION, INC.</b>	)	<b>Published in the Official</b>
<b>(aka: INTERNATINONAL TRADE ORGANIZATION, INC.)</b>	)	<b>Gazette on October 8, 2019</b>
<b>and DAVID H. LEE</b>	)	
<b>Applicant(s).</b>	)	<b>Cancellation No.:</b> _____
	)	
	)	<b>Registration No.:</b> _____

**ANSWER TO NOTICE OF OPPOSITION AND AFFIRMATIVE DEFENSES**

INTERNATINONAL TRADE ORGANIZATION, INC. and DAVID H. LEE (hereinafter “Applicant” jointly and severally) hereby answers the Notice of Opposition (“Notice”) of Opposer WORLD TRADE CENTERS ASSOCIATION, Inc. (“WTCA”) as follows:

1. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of the first unnumbered paragraph of the Notice, and accordingly denies the allegations contained therein. Applicant specifically denies that Opposer would be damaged by registration of Applicant’s mark shown in Application Serial No. 88/451,819.
2. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 1, and accordingly denies the allegations contained therein.
3. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 2, and accordingly denies the allegations contained therein. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 3, and accordingly denies the allegations contained therein.

4. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 4, and accordingly denies the allegations contained therein.

5. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 5, and accordingly denies the allegations contained therein.

6. Applicant admits that the following services are listed in Application Serial No. 88/451,819: Applicant seeks to register the mark WTB for “Barter exchange services, namely, providing commercial barter and trade exchange of products and services via a global computer information network” in International Class 35. Applicant denies any remaining allegations contained in Paragraph 6. Applicant seeks to register the mark

#### **COUNT I LIKELIHOOD OF CONFUSION**

7. Applicant incorporates by reference its responses to Paragraphs 1 through 6 of the Notice as though fully set forth herein.

8. Applicant denies the allegations of Paragraph 7.

9. Applicant denies the allegations of Paragraph 8.

10. Applicant denies the allegations of Paragraph 9.

#### **COUNT II FALSE SUGGESTION OF A CONNECTION**

11. Applicant incorporates by reference its responses to Paragraphs 1 through 9 of the Notice as though fully set forth herein.

12. Applicant denies the allegations of Paragraph 10.

13. Applicant denies the allegations of Paragraph 11.

14. Applicant denies the allegations of Paragraph 12.

15. Applicant denies each and every allegation of the Notice not heretofore specifically admitted, denied, or

otherwise controverted.

**AFFIRMATIVE DEFENSES**

FIRST AFFIRMATIVE DEFENSE

(Laches, Estoppel, and Acquiescence)

16. Opposer's claims are barred under the doctrines of laches, estoppel, and acquiescence.

SECOND AFFIRMATIVE DEFENSE

(Unclean Hands)

17. Opposer's claims are barred under the doctrine of unclean hands.

THIRD AFFIRMATIVE DEFENSE

(Failure to State a Claim)

18. Opposer's claims are barred for failure to state a claim upon which relief may be granted.

FOURTH AFFIRMATIVE DEFENSE

(No Likelihood of Confusion)

19. Opposer's claims fail because there is no likelihood of confusion between the parties' marks and goods/services thereunder. The marks themselves and goods/services are sufficiently dissimilar and unrelated to avoid any confusion or false connection.

20. Applicant hereby gives notice that it intends to rely upon additional defenses that become available or apparent during discovery or otherwise, and thus reserves the right to amend this Answer to assert such additional defenses.

WHEREFORE, Applicant prays that the Notice of Opposition be denied and dismissed with prejudice, that Application Serial No. 88/451,819 be permitted to proceed to registration on the Principal

Register, and for such other and further relief as the Board deems just and proper.

Respectfully submitted, Dated: February 12, 2020

A handwritten signature in black ink, appearing to read "David H. Lee". The signature is written in a cursive style with a large initial "D".

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By David H. Lee  
*on behalf of INTERNATIONAL TRADE ORGANIZATION, INC.  
and DAVID H. LEE, Applicant, jointly and severally*

## CERTIFICATE OF SERVICE

INTERNATIONAL EXPORT IMPORT ORGANIZATION, INC. and DAVID H. LEE (“Applicant”, jointly and severally) 6606 Schurtz St. Alexandria, VA 22310 Tel. (703) 887-8123 Fax. (703) 552-2877 Email: info@iexim.org & info@internationaltradeorganization.org

I, David H. Lee, hereby certify that on behalf of International Trade Organization, Inc. and DAVID H. LEE (“Applicant”. jointly and severally), I filed the foregoing ANSWER TO NOTICE OF OPPOSITION AND AFFIRMATIVE DEFENSES with the Trademark Trial and Appeal Board electronically via ESTTA on February 12, 2020. I further certify that on February 12, 2020, I served the foregoing ANSWER TO NOTICE OF OPPOSITION AND AFFIRMATIVE DEFENSES OPPOSITION on Counsel for Opposer via email by sending the document to the person(s) at the email addresses on record listed below.

Esq. Daniel P. Goldberger Dorsey & Whitney LLP 51 West 52nd Street New York, NY 10019-6119 UNITED STATES Email: ny.trademark@dorsey.com, edelman.sandra@dorsey.com, sunderji.fara@dorsey.com, goldberger.dan@dorsey.com Phone: 212.415.9200

Attorneys for Opposer

WORLD TRADE CENTERS ASSOCIATION INC  
120 BROADWAY SUITE 3350 NEW YORK, NY 10271 UNITED STATES

Dated: February 12, 2020



By **David H. Lee** on behalf of  
INTERNATINONAL TRADE ORGANIZATION,  
INC. and DAVID H. LEE, Applicant  
Jointly and severally