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

Proceeding	91255142
Party	Defendant Ubisoft Entertainment
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Attachments	Monster Energy v. Ubisoft Answer to Consolidated Opposition.pdf(17376 bytes )

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

MONSTER ENERGY COMPANY,

Opposer,

v.

UBISOFT ENTERTAINMENT,

Applicant.

Opposition No. 91255142

**ANSWER TO CONSOLIDATED NOTICE OF OPPOSITION**

Applicant Ubisoft Entertainment (“Ubisoft”) submits its Answer to the Consolidated Notice of Opposition filed by Monster Energy Company (“Opposer”). Except as expressly admitted below, Ubisoft denies the allegations and characterizations in the Consolidated Notice of Opposition. The Answer paragraphs are numbered to correspond to the numbered paragraphs of the Consolidated Notice of Opposition. The first unnumbered paragraph of the Consolidated Notice of Opposition contains an introduction to which no responsive pleading is required. To the extent a response is deemed necessary, Ubisoft denies that Opposer will be damaged by registration of Ubisoft’s marks and denies that Opposer is entitled to any relief.

1. Ubisoft admits the allegations contained in Paragraph 1.
2. Ubisoft has insufficient information to admit or deny the allegations contained in Paragraph 2, and therefore, Ubisoft denies the same.
3. Ubisoft has insufficient information to admit or deny the allegations contained in Paragraph 3, and therefore, Ubisoft denies the same.

4. Ubisoft has insufficient information to admit or deny the allegations contained in Paragraph 4, and therefore, Ubisoft denies the same.

5. Ubisoft has insufficient information to admit or deny the allegations contained in Paragraph 5, and therefore, Ubisoft denies the same.

6. Ubisoft has insufficient information to admit or deny the allegations contained in Paragraph 6, and therefore, Ubisoft denies the same.

7. Ubisoft has insufficient information to admit or deny the allegations contained in Paragraph 7, and therefore, Ubisoft denies the same.

8. Ubisoft has insufficient information to admit or deny the allegations contained in Paragraph 8, and therefore, Ubisoft denies the same.

9. Ubisoft has insufficient information to admit or deny the allegations contained in Paragraph 9, and therefore, Ubisoft denies the same.

10. Ubisoft has insufficient information to admit or deny the allegations contained in Paragraph 10 and therefore, Ubisoft denies the same.

11. Ubisoft has insufficient information to admit or deny the allegations contained in Paragraph 11, and therefore, Ubisoft denies the same.

12. Ubisoft denies that Opposer's alleged marks are famous and has insufficient information to admit or deny the remaining allegations contained in Paragraph 12 and therefore, Ubisoft denies the same.

13. Ubisoft has insufficient information to admit or deny the allegations contained in Paragraph 13, and therefore, Ubisoft denies the same.

14. Ubisoft has insufficient information to admit or deny the allegations contained in Paragraph 14, and therefore, Ubisoft denies the same.

15. Ubisoft has insufficient information to admit or deny the allegations contained in Paragraph 15, and therefore, Ubisoft denies the same.

16. Ubisoft has insufficient information to admit or deny the allegations contained in Paragraph 16, and therefore, Ubisoft denies the same.

17. Ubisoft has insufficient information to admit or deny the allegations contained in Paragraph 17, and therefore, Ubisoft denies the same.

18. Ubisoft has insufficient information to admit or deny the allegations contained in Paragraph 18, and therefore, Ubisoft denies the same.

19. Ubisoft has insufficient information to admit or deny the allegations contained in Paragraph 19, and therefore, Ubisoft denies the same.

20. Ubisoft has insufficient information to admit or deny the allegations contained in Paragraph 20, and therefore, Ubisoft denies the same.

21. Ubisoft has insufficient information to admit or deny the allegations contained in Paragraph 21, and therefore, Ubisoft denies the same.

22. Ubisoft has insufficient information to admit or deny the allegations contained in Paragraph 22, and therefore, Ubisoft denies the same.

23. Ubisoft has insufficient information to admit or deny the allegations contained in Paragraph 23, and therefore, Ubisoft denies the same.

24. Ubisoft has insufficient information to admit or deny the allegations contained in Paragraph 24, and therefore, Ubisoft denies the same.

25. Ubisoft has insufficient information to admit or deny the allegations contained in Paragraph 25, and therefore, Ubisoft denies the same.

26. Ubisoft has insufficient information to admit or deny the allegations contained in Paragraph 26, and therefore, Ubisoft denies the same.

27. Ubisoft has insufficient information to admit or deny the allegations contained in Paragraph 27, and therefore, Ubisoft denies the same.

28. Ubisoft has insufficient information to admit or deny the allegations contained in Paragraph 28, and therefore, Ubisoft denies the same.

29. Ubisoft has insufficient information to admit or deny the allegations contained in Paragraph 29, and therefore, Ubisoft denies the same.

30. Ubisoft has insufficient information to admit or deny the allegations contained in Paragraph 30, and therefore, Ubisoft denies the same.

31. Ubisoft has insufficient information to admit or deny the allegations contained in Paragraph 31, and therefore, Ubisoft denies the same.

32. Ubisoft has insufficient information to admit or deny the allegations contained in Paragraph 32, and therefore, Ubisoft denies the same.

33. Ubisoft has insufficient information to admit or deny the allegations contained in Paragraph 33, and therefore, Ubisoft denies the same.

34. Ubisoft has insufficient information to admit or deny the allegations contained in Paragraph 34, and therefore, Ubisoft denies the same.

35. Ubisoft has insufficient information to admit or deny the allegations contained in Paragraph 35, and therefore, Ubisoft denies the same.

36. Ubisoft has insufficient information to admit or deny the allegations contained in Paragraph 36, and therefore, Ubisoft denies the same.

37. Ubisoft has insufficient information to admit or deny the allegations contained in Paragraph 37, and therefore, Ubisoft denies the same.

38. Ubisoft has insufficient information to admit or deny the allegations contained in Paragraph 38, and therefore, Ubisoft denies the same.

39. Ubisoft has insufficient information to admit or deny the allegations contained in Paragraph 39, and therefore, Ubisoft denies the same.

40. Ubisoft has insufficient information to admit or deny the allegations contained in Paragraph 40, and therefore, Ubisoft denies the same.

41. The allegations contained in Paragraph 41 are legal conclusions to which no response is required. To the extent a response is required Ubisoft has insufficient information to admit or deny the allegations contained in Paragraph 41, and therefore, Ubisoft denies the same.

42. The allegations contained in Paragraph 42 are legal conclusions to which no response is required. To the extent a response is required Ubisoft has insufficient information to admit or deny the allegations contained in Paragraph 42, and therefore, Ubisoft denies the same.

43. Ubisoft denies Opposer's alleged marks are famous and has insufficient information to admit or deny the remaining allegations contained in Paragraph 43, and therefore, Ubisoft denies the same.

44. Ubisoft admits that it seeks federal registrations for GODS & MONSTERS in International Classes 9, 14, 16, 18, 25, 28, and 41 for the goods and services specified in its applications. The allegation in the second sentence of Paragraph 44 is a legal conclusion to which no response is required.

45. Ubisoft denies the allegations contained in Paragraph 45. There are nearly 300 live federal applications and registrations for marks with the word "MONSTER" in International

Class 9; there are over 25 live federal applications and registrations for marks with the word “MONSTER” in International Class 14; there are over 141 live federal applications and registrations for marks with the word “MONSTER” in International Class 16; there are over 30 live federal applications and registrations for marks with the word “MONSTER” in International Class 18; there are over 175 live federal applications and registrations for marks with the word “MONSTER” in International Class 25; there are over 250 live federal applications and registrations for marks with the word “MONSTER” in International Class 28; and there are nearly 300 live federal applications and registrations for marks with the word “MONSTER” in International Class 41.

46. Ubisoft denies the allegations contained in Paragraph 46.

WHEREFORE, Applicant Ubisoft respectfully requests that the Trademark Trial and Appeal Board dismiss the Consolidated Notice of Opposition with prejudice.

Dated: May 15, 2020

Respectfully submitted,

**STINSON LLP**

/Joel D. Leviton/

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing CONSOLIDATED NOTICE OF OPPOSITION was served on May 18, 2020, upon the following attorney for Petitioner by First Class Mail:

Arey Feinstein  
Knobbe Martens Olson & Bear LLP  
1717 Pennsylvania Avenue NW, Suite 900  
Washington, D.C. 20006

/Joel D. Leviton/

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