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

Proceeding	91263649
Party	Defendant Maxxus Group GmbH & Co. KG
Correspondence Address	DEBORAH L SHAPIRO MOSES & SINGER LLP 405 LEXINGTON AVENUE THE CHRYSLER BUILDING NEW YORK, NY 10174 UNITED STATES Primary Email: trademarks@mosessinger.com 212-554-7800
Submission	Answer
Filer's Name	Deborah L. Shapiro
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Date	01/26/2021
Attachments	Answer to Notice of Opposition.pdf(91597 bytes)

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

In the Matter of Trademark Application Serial No. 79/282,117
For the mark: MAXXUS
Published in the Official Gazette on June 16, 2020

TRAXXAS, L.P.,

Opponent,

v.

MAXXUS GROUP GMBH & CO. KG,

Applicant.

Opposition No. 91263649

ANSWER TO NOTICE OF OPPOSITION

Maxxus Group GmbH & Co. KG (“Applicant”), via its undersigned counsel, hereby responds to the Notice of Opposition of TRAXXAS, L.P, as follows:

1. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 1 of the Notice of Opposition and therefore denies such allegations.

2. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 2 of the Notice of Opposition and therefore denies such allegations.

3. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 3 of the Notice of Opposition and therefore denies such allegations.

4. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 4 of the Notice of Opposition and therefore denies such allegations.

5. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 5 of the Notice of Opposition, and therefore, denies each of said allegations.

6. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 6 of the Notice of Opposition and therefore denies such allegations.

7. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 7 of the Notice of Opposition, and therefore, denies each of said allegations.

8. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 8 of the Notice of Opposition, and therefore, denies each of said allegations.

9. Applicant admits the allegations contained in Paragraph 9 of the Notice of Opposition.

10. Applicant admits the allegations contained in Paragraph 10 of the Notice of Opposition.

11. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 11 of the Notice of Opposition, and therefore, denies each of said allegations.

12. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 12 of the Notice of Opposition, and therefore, denies each of said allegations.

13. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraph 13 of the Notice of Opposition, and therefore, denies each of said allegations.

14. Applicant denies the allegations contained in Paragraph 14 of the Notice of Opposition.

15. Applicant admits the first sentence of Paragraph 15 of the Notice of Opposition. The remainder of Paragraph 15 consists of legal argument to which no answer is required.

16. Applicant denies the allegations contained in Paragraph 16 of the Notice of Opposition.

17. Applicant denies the allegations contained in Paragraph 17 of the Notice of Opposition.

18. Applicant denies the allegations contained in Paragraph 18 of the Notice of Opposition.

DEFENSES

1. The Petition fails to state a claim for relief.

2. Petitioner has not and will not be damaged by the registration of Registrant's mark MAXXUS.

WHEREFORE, Applicant respectfully requests that this Notice of Opposition be denied and the Trademark Application Serial No. 79282117 be granted federal registration.

Dated: New York, New York
January 26, 2021

Respectfully,

MOSES & SINGER LLP

/David Rabinowitz /

David Rabinowitz

Deborah L. Shapiro

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Attorneys for Applicant,

Maxxus Group GmbH & Co. KG

CERTIFICATE OF SERVICE

I hereby certify that on January 26, 2021, I caused a true and correct copy of the foregoing Answer to Notice of Opposition to be served upon Opponent Traxxas, L.P.'s counsel of record at CARR LAW FIRM PLLC, by sending same via electronic mail to:

gcarr@carrip.com, trademarks@carrip.com

/Phyllis Porter/

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