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

Proceeding	91264424
Party	Defendant Southern Web, LLC
Correspondence Address	RUSSELL SANDIDGE RUSSELL L SANDIDGE INTELLECTUAL PROPERTY LAW 2310 PEACHFORD ROAD ATLANTA, GA 30338 UNITED STATES Primary Email: rlsandidge@att.net Secondary Email(s): akaiser@stoutkaiser.com 770-605-0200
Submission	Answer
Filer's Name	Russell L. Sandidge
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Date	10/05/2020
Attachments	AnswertoNOA.pdf(63902 bytes)

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

Sitecore Corporation A/S)	
Opposer)	
)	
V.)	Opposition NO. 91264424
)	
Southern Web, LLC)	
Applicant)	
)	
)	

Filed via ETTSA

ANSWER TO NOTICE OF OPPOSITION

Applicant Southern Web, LLC (“Applicant”) hereby answers the notice of opposition of Opposer Sitecore Corporation A/S (“Opposer”) as follows. All allegations not specifically admitted herein are denied.

1. Applicant admits that Exhibit A of the Notice of Opposition contains true and correct copies of the Trademark Registrations referenced in paragraph 1. Applicant is without sufficient notice to admit or deny the remaining allegations of Paragraph 1, and therefore denies them.

2. Applicant is without sufficient knowledge or information to admit or deny whether the alleged “SITECORE marks” are subsisting and have not been abandoned, and therefore denies the allegation.

3. Applicant is without sufficient knowledge or information to admit or deny the allegations of Paragraph 3 of the Notice of Opposition, and therefore denies the allegations.

4. Applicant is without sufficient knowledge or information to admit or deny the allegations in Paragraph 4, and therefore, denies the allegations.

5. Applicant is without sufficient knowledge or information to admit or deny the allegations in Paragraph 5, and therefore, denies the allegations.

6. Applicant is without sufficient knowledge or information to admit or deny the allegations in Paragraph 6, and therefore, denies the allegations.

7. Applicant admits the allegations in Paragraph 7.

8. Applicant is without sufficient knowledge or information to admit or deny the allegations in Paragraph 8, and therefore, denies the allegations. Applicant states that the Trademark Registrations cited in Paragraph 8 speak for themselves.

9. Applicant denies the allegations of Paragraph 9, and states that Applicant and Opposer provide different services to different types of customers. Opposer has oversimplified the variant services offered by the two parties in an attempt to claim a confusing similarity.

10. Applicant denies the allegations of paragraph 10. Applicant specifically denies Opposer has properly set forth a claim of dilution.

11. Applicant admits that registration of its mark will provide it certain statutory rights in the use of that mark in connection with the services set forth in the Application. Applicant denies any and all other allegations of Paragraph 11, and specifically denies that registration of Applicant's mark would be a source of damage and injury to Opposer..

AFFIRMATIVE DEFENSES

12. No likelihood of confusion exists between Applicant's use of its SITECORE mark and Opposer's use of its alleged marks.

13. Opposer's requested relief is barred by the equitable doctrine of laches, estoppel, and/or acquiescence. Applicant's predecessor-in-interest used the mark WP SITECARE for over 8 years without damage to Opposer.

14. Opposer's claims fail to satisfy the standard for dilution as set forth in 15 U.S.C. § 1125 because its marks are not famous.

Respectfully submitted,

Dated: October 5, 2020
By: /Russell L. Sandidge/
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ATTORNEY FOR APPLICANT

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CERTIFICATE OF SERVICE

I hereby certify that on October 5, 2020, a true and correct copy of the foregoing was served via email upon Opposer's counsel at the following via email:

Julie E. Hofer, jhofer@donahue.com

Padmini Cheruvu, pcheruvu@donahue.com

DONAHUE FITZGERALD LLP

October 5, 2020: /Russell L. Sandidge/

