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

Proceeding	91264502
Party	Defendant Microsoft Corporation
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Date	04/16/2021
Attachments	Answer to Notice of Opposition 91264502 - POWER YOUR DREAMS - CL. 28. pdf(166648 bytes )

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

HONDA MOTOR CO., LTD.,	)	
Opposer,	)	Opposition No.: 91264502
-vs-	)	
	)	Application No.: 88/739,730
MICROSOFT CORPORATION,	)	
Applicant.	)	Mark: POWER YOUR DREAMS
	)	

**ANSWER TO NOTICE OF OPPOSITION**

Applicant, Microsoft Corporation (“Microsoft”), a Washington Corporation with its principal place of business at One Microsoft Way, Redmond, Washington 98052, owns U.S. Trademark Application Serial No. 88/739,730 (the “Application”). Applicant denies the averment in the first introductory paragraph of the Notice of Opposition that the registration of Applicant’s trademark POWER YOUR DREAMS will damage Opposer, Honda Motor Co., Ltd. (“Opposer”).

Applicant denies each and every allegation contained in Opposer’s Notice of Opposition, unless otherwise admitted or responded to as follows:

1. Applicant is without sufficient knowledge or information to admit or deny the allegations contained in Paragraph 1 and therefore denies the same.
2. Applicant admits that according to the publicly available records of the U.S. Trademark Office, Opposer is listed as the current owner of U.S. Trademark Reg. No. 3,843,591. Applicant is without sufficient knowledge or information to admit or deny the remaining allegations contained in Paragraph 2 and therefore denies the same.
3. Applicant is without sufficient knowledge or information to admit or deny the allegations contained in Paragraph 3 and therefore denies the same.

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

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

6. Insofar as Paragraph 6 calls for a legal conclusion, it requires no answer. To the extent an answer is required, Applicant denies the allegations contained therein.

7. Insofar as Paragraph 7 calls for a legal conclusion, it requires no answer. To the extent an answer is required, Applicant denies the allegations contained therein.

8. Applicant admits the allegations contained in Paragraph 8.

9. Applicant admits the allegations contained in Paragraph 9.

10. Insofar as Paragraph 10 calls for a legal conclusion, it requires no answer. To the extent an answer is required, Applicant denies the allegations contained therein.

11. Insofar as Paragraph 11 calls for a legal conclusion, it requires no answer. To the extent an answer is required, Applicant denies the allegations contained therein.

12. Applicant admits only that Opposer and Applicant have a licensing relationship in connection with some of Applicant's products. Applicant is without sufficient knowledge or information to admit or deny the remaining allegations contained in Paragraph 12 and therefore denies the same.

13. Insofar as Paragraph 13 calls for a legal conclusion, it requires no answer. To the extent an answer is required, Applicant denies the allegations contained therein.

14. Insofar as Paragraph 14 calls for a legal conclusion, it requires no answer. To the extent an answer is required, Applicant denies the allegations contained therein.

## **AFFIRMATIVE DEFENSES**

Applicant submits the following affirmative defenses:

1. Opposer's Notice of Opposition fails to state a claim upon which relief can be granted.
2. Opposer's THE POWER OF DREAMS mark has not become famous within the meaning of the Lanham Act Section 43(c), 15 U.S.C. § 1125(c).
3. There is no likelihood that registration of the Application will cause dilution by blurring Opposer's THE POWER OF DREAMS mark that is the subject of U.S. Trademark Reg. No. 3,843,591.
4. Opposer will sustain no damage, injury, or prejudice as a result of the issuance of a registration to Applicant for the goods described in the Application.

Applicant reserves the right to assert additional affirmative defenses as they may become known through the process of discovery.

## **PRAYER FOR RELIEF**

**WHEREFORE**, Microsoft Corporation, prays that:

- A. This action be dismissed in its entirety with prejudice; and
- B. That Applicant have such other and further relief as the Board may deem just and proper.

Date: April 16, 2021

Respectfully submitted,

DINSMORE & SHOHL LLP

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing has been served upon the following by e-mail this 16th day of April, 2021:

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By:           /April L. Besl/            
April L. Besl, Esq.