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

Proceeding	91264765
Party	Defendant Microsoft Corporation
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Date	03/05/2021
Attachments	Answer to Amended Notice of Opposition 91264765 - POWER YOUR DREAMS - CL. 41 - 3.5.2021.pdf(166192 bytes)

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

HONDA MOTOR CO., LTD.,)	
Opposer,)	Opposition No.: 91264765
- vs -)	
)	Application No.: 88/743,538
MICROSOFT CORPORATION,)	
Applicant.)	Mark: POWER YOUR DREAMS
)	

ANSWER TO AMENDED 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. 88/743,538 (the “Application”). Applicant denies the averment in the first introductory paragraph of the Amended 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 Amended 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. Applicant is without sufficient knowledge or information to admit or deny the allegations contained in Paragraph 10 and therefore denies the same.

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.

15. Applicant admits only that Applicant filed a Partial Motion to Dismiss Opposer's priority and likelihood of confusion claim under Section 2(d). Applicant is without sufficient knowledge or information to admit or deny the remaining allegations contained in Paragraph 15 and therefore denies the same.

16. Applicant states there are no allegations contained in Paragraph 16, and therefore no response is required.

AFFIRMATIVE DEFENSES

Applicant submits the following affirmative defenses:

1. Opposer's Amended 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 services 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: March 5, 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 5th day of March, 2021:

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