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

Proceeding no.	91274670
Party	Defendant Jiangsu GenScript Probio Biotech Co., Ltd.
Correspondence address	ANDREW D. BOCHNER BOCHNER IP, PLLC 295 MADISON AVENUE 12TH FLOOR NEW YORK, NY 10017 UNITED STATES Primary email: andrew@bochnerip.com Secondary email(s): uspto@bochnerip.com 646-971-0685
Submission	Answer
Filer's name	Andrew D. Bochner
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Signature	/Andrew D Bochner/
Date	03/24/2022
Attachments	PowerS Opposition Answer.pdf(142613 bytes)

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

In the Matter of Application Serial No. 79310330
For the mark: PowerS
Published: October 26, 2021

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QIAGEN SCIENCES, LLC,

Opposer,

-against-

Opposition No. 91274670

JIANGSU GENSCRIPT PROBIO BIOTECH CO. LTD.,

Applicant.

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ANSWER

Applicant Jiangsu GenScript Probio Biotech Co. Ltd. ("Applicant") hereby answers the allegations pleaded by Opposer Qiagen Sciences, LLC ("Opposer") in its Notice of Opposition filed on February 17, 2022 (the "Notice") and denies that Opposer will be damaged by registration of Application Serial No. 79310330 (the "Application"), as follows:

1. Admitted.

2. Admitted, to the extent that Opposer is referring to the filing date of Applicant's Application at the United States Patent and Trademark Office.

3. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 3 of the Notice and, therefore, denies the same.

4. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 4 of the Notice and, therefore, denies the same.

5. Applicant is without knowledge or information sufficient to form a belief as to the

truth of the allegations of Paragraph 5 of the Notice and, therefore, denies the same.

6. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations that "Opposer has invested a great deal of time and money in promoting its scientific reagents and preparations business, and is continuing to spend substantial amounts of time and money in the promotion of its scientific reagents and preparations brand using the POWERSOIL trademark, and in the protection of the POWERSOIL trademark in the United States." Applicant denies the remaining allegations in Paragraph 6 of the Notice.

7. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations that "Opposer has furthermore invested a great deal of time and money in the promotion of its scientific reagents and preparations brand using the POWERSOIL trademark, and in the protection of its family of "POWER" marks in the United States." Applicant denies the remaining allegations in Paragraph 7 of the Notice.

8. Denied.

9. Denied.

AFFIRMATIVE DEFENSES

First Affirmative Defense

Opposer's Notice of Opposition fails to state a claim for which relief should be granted.

Second Affirmative Defense

Opposer's claims are barred by the doctrine of unclean hands.

Third Affirmative Defense

Opposer's claims are barred by laches.

Fourth Affirmative Defense

Opposer's claims are barred by the doctrine of estoppel.

Fifth Affirmative Defense

Opposer's claims are barred by acquiescence.

Sixth Affirmative Defense

Opposer's claims are barred by fraud.

Seventh Affirmative Defense

Opposer's claims are barred by mistake.

Eighth Affirmative Defense

Opposer's claims are barred by prior registration.

Ninth Affirmative Defense

Opposer's claims are barred by prior judgment.

WHEREFORE, Applicant prays that this Notice of Opposition be denied in favor of Applicant, and that judgment be entered against Opposer in seeking to oppose the Application.

Dated: March 24, 2022

Respectfully Submitted,

By: */Andrew D. Bochner/*

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To: Commissioner for Trademarks
Attn: Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

I hereby certify that a true and complete copy of the foregoing ANSWER has been served on opposing counsel by electronic mail on March 24, 2022, to:

usdocketing@scmv.com
perlin@scmv.com
alspaugh@scmv.com

*/s/*Andrew D. Bochner
Andrew D. Bochner, Esq.
Attorney for Applicant