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Filing date: **08/25/2023**

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

Proceeding no.	91286609
Party	Defendant ModernaTx, Inc.
Correspondence address	JOVAN N. JOVANOVIC THE WATSON IP GROUP, PLC 3133 HIGHLAND DR., SUITE 200 HUDSONVILLE, MI 49426 UNITED STATES Primary email: globaltm@msa-iplaw.com Secondary email(s): moderna@watson-ip.com 6167971000
Submission	Answer
Filer's name	James D. Weinberger
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Date	08/25/2023
Attachments	F5235847.pdf(109380 bytes )

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

GLAXOSMITHKLINE BIOLOGICALS SA,

Opposer,

-against-

MODERNATX, INC.,

Applicant.

**Opp. No. 91286609**

**ANSWER**

ModernaTX, Inc. (“Applicant”), by its attorneys Fross Zelnick Lehrman & Zissu, P.C., for its Answer to the Notice of Opposition, states as follows:

In response to the unnumbered initial paragraph of the Notice of Opposition, Applicant denies knowledge or information sufficient to form a belief as to the truth of Opposer’s corporate form or business address, denies knowledge or information sufficient to form a belief as to the truth of the statement that Opposer “believes” it will be damaged by registration of the opposed application but denies that Opposer will in fact be damaged; admits that the application herein opposed was filed and published for opposition on the dates stated and covers the indicated goods and admits that Opposer has opposed same.

1. Denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 1 of the Notice of Opposition and therefore denies the same.
2. Admits the allegations of Paragraph 2 of the Notice of Opposition.
3. Avers that the records of the U.S. Patent & Trademark Office speak for themselves and otherwise admits the allegations of Paragraph 3 of the Notice of Opposition.

4. Denies the allegations of Paragraph 4 of the Notice of Opposition.
5. Paragraph 5 of the Notice of Opposition is an incorporation by reference of the paragraphs 1-4 of the Notice of Opposition . Applicant hereby incorporates by reference its responses to paragraphs 1 through 4.
6. Denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 6 of the Notice of Opposition and therefore denies the same.
7. Denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 7 of the Notice of Opposition and therefore denies the same.
8. Denies the allegations of Paragraph 8 of the Notice of Opposition.
9. Paragraph 9 of the Notice of Opposition is an incorporation by reference of the paragraphs 1-8 of the Notice of Opposition . Applicant hereby incorporates by reference its responses to paragraphs 1 through 8.
10. Denies the allegations of Paragraph 10 of the Notice of Opposition.
11. Denies the allegations of Paragraph 11 of the Notice of Opposition.
12. Denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 12 of the Notice of Opposition and therefore denies the same.
13. Avers that the allegations of Paragraph 13 of the Notice of Opposition are legal conclusions and citations not appropriate for notice pleading and on that basis denies the allegations of Paragraph 13 of the Notice of Opposition.
14. Denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 14 of the Notice of Opposition and therefore denies the same.
15. Denies knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 15 of the Notice of Opposition and therefore denies the same.

16. Denies the allegations of Paragraph 16 of the Notice of Opposition.

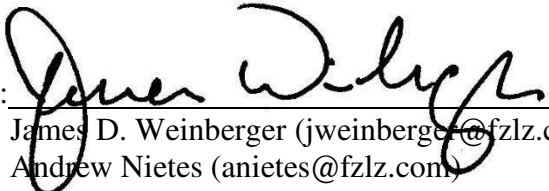
17. Denies the allegations of Paragraph 17 of the Notice of Opposition.

Denies the allegations of the second to last, unnumbered paragraph of the Notice of Opposition.

WHEREFORE, Applicant demands judgment dismissing the Notice of Opposition with prejudice and granting to Applicant such other and further relief as the Board may deem just and proper.

Dated: New York, New York  
August 25, 2023

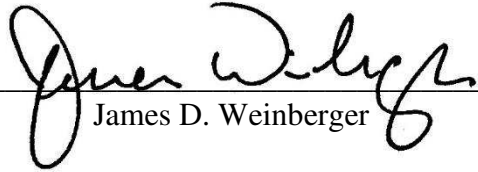
FROSS ZELNICK LEHRMAN & ZISSU, P.C.

By:   
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*Attorneys for Applicant*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 25th day of August, 2023, a copy of the foregoing was sent by email to Opposer's counsel of record at jhamid@debevoise.com, sjallaman@debevoise.com and trademarks@debevoise.com.

  
James D. Weinberger