

TTAB
TRADEMARK
TL-62356/RBC/DJM

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

In the matter of Registration No. 2,129,371
Registered on January 13, 1998
For the mark: BRIDGEPOINT and design

Bridgepoint Capital Ltd.,)
Petitioner)
)
v.)
)
BridgePoint Systems, Inc.)
Registrant.)
_____)



08-26-2002
U.S. Patent & TMO/c/TM Mail Rcpt Dt. #61

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TRADEMARK TRIAL AND APPEAL BOARD

Cancellation No. 92040398

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box TTAB, NO FEE, Assistant Commissioner for Trademarks, Washington, D.C. 22202-3513 on August 23, 2002.

Lisa Jeanetta

Lisa Jeanetta

Box TTAB NO FEE
Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

REGISTRANT'S ANSWER TO PETITION TO CANCEL

Registrant, BRIDGEPOINT SYSTEMS, INC., a California corporation, located 520 3rd Street, Suite 109, Oakland, CA 94607, hereby responds to the similarly numbered paragraphs of the Petition to Cancel, of Petitioner, BRIDGEPORT CAPITAL LIMITED, as follows:

1. Registrant admits the allegations of paragraph 1 of the Petition to Cancel.

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2. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 2 of the Petition to Cancel and therefore denies the same.
3. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 3 of the Petition to Cancel and therefore denies the same.
4. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 4 of the Petition to Cancel and therefore denies the same.
5. Registrant incorporates by reference its responses to paragraphs 1 through 4 of the Petition to Cancel.
6. Registrant admits the allegations of paragraph 6 of the Petition to Cancel.
7. Registrant admits the allegations of paragraph 7 of the Petition to Cancel.
8. Registrant denies the allegations of paragraph 8 of the Petition to Cancel.
9. Registrant denies the allegations of paragraph 9 of the Petition to Cancel.
10. Registrant requests that Petitioner's requested relief in paragraph 10 of the Petition to Cancel be denied.
11. Registrant incorporates by reference its responses to paragraphs 1 through 10 of the Petition to Cancel.
12. Registrant denies the allegations of paragraph 12 of the Petition to Cancel.
13. Registrant requests that Petitioner's requested relief in paragraph 13 of the Petition to Cancel be denied.

Further answering:

14. Registrant first used its mark in interstate commerce in connection with its services in class 36 and class 42 by at least June 1996, and has used the mark in connection with its services in class 36 and class 42 continuously since then. Registrant therefore has priority of use of its service mark.

15. The Patent and Trademark Office accepted Registrant's specimen filed for its services in class 36 and class 42, and mailed a Notice of Acceptance of Statement of Use on December 4, 1997.

AFFIRMATIVE DEFENSES

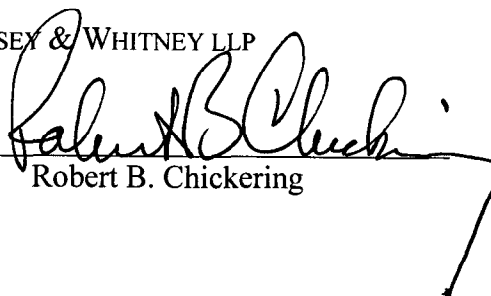
16. Petitioner is barred from relief by laches.

In view of the foregoing, Registrant contends that this cancellation is groundless and baseless in fact; that Registrant has priority of use of its mark for services in class 36, and has continuously used its mark for its services in class 36 since at least June 1996. Wherefore, Registrant respectfully prays that the Petition to Cancel be dismissed with prejudice.

Respectfully submitted,

DORSEY & WHITNEY LLP

By



Robert B. Chickering

Dated: August 23, 2002

Four Embarcadero Center, Suite 3400
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CERTIFICATE OF SERVICE

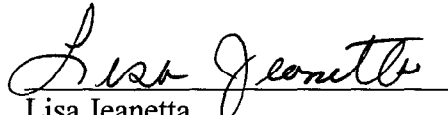
The undersigned certifies that on August 23, 2002 a true copy of the following:

REGISTRANT'S ANSWER TO PETITION TO CANCEL

was served by mailing the same first-class, postage prepaid to:

Clyde L. Smith
Thompson Coburn LLP
One US Bank Plaza
St. Louis MO 63101

Date: August 23, 2002


Lisa Jeanetta