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

Proceeding	92045288
Party	Defendant KINETIC MARKETING INC. KINETIC MARKETING INC. 1133 BROADWAY NEW YORK, NY 10010
Correspondence Address	KINETIC MARKETING INC. 1133 BROADWAY NEW YORK, NY 10010
Submission	Answer
Filer's Name	Julie B. Seyler
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Date	01/31/2006
Attachments	qinetiq answer.pdf (4 pages)

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

In re Registration No. 1,454,926
Registered September 1, 1987

Qineiq Limited Petitioner	:	
v.	:	Cancellation No. 92045288
Kinetic Marketing Inc. Registrant	:	

Answer to Petition to Cancel

1. Registrant admits Paragraph 1.

2. Registrant admits Paragraph 2.

3. Registrant has insufficient information about Petitioner and Petitioner's goods and therefore denies the allegations in Paragraph 3.

4. Registrant has insufficient information about Petitioner and Petitioner's business and therefore denies the allegations in Paragraph 4.

5. Registrant has insufficient information about Petitioner and Petitioner's application and therefore denies the allegations in Paragraph 5.

6. Registrant has insufficient information about Petitioner and Petitioner's application and therefore cannot affirm or deny the allegations in Paragraph 6.

7. Registrant denies Paragraph 7.

8. Paragraph 8 speaks to "current guidelines in the Trademark Manual of Examining Procedure". This is not a statement of fact related to Registrant, and Registrant has no obligation to affirm or deny this allegation. It is noted that said "current guidelines" were not in effect on September 1, 1987, the date Registration No. 1,454,926 issued.

9. Paragraph 9 speaks to "Section 18 of the Trademark Act." Registrant has no obligation to affirm or deny this allegation. It is not a statement of fact related to Registrant.

10. Registrant admits it submitted a Declaration under Section 8 & 15 and complied with the requirements for said submission.

11. Registrant has insufficient information as to what is meant by the "commonly commercially understood meaning of "computer programs" and therefore can neither affirm nor deny the allegations set forth in Paragraph 11.

12. Registrant has insufficient information as to the print-outs referred to in Paragraph 12 and therefore can neither affirm nor deny the allegations related thereto.

13. Registrant has insufficient information as to "Petitioner's Section 8 & 15 Declaration" and therefore can neither affirm nor deny the allegations related thereto.

14. Registrant denies Paragraph 14.

15. Registrant denies Paragraph 15.

16. Registrant denies Paragraph 16.

17. Registrant has insufficient information as to the allegations set forth in Paragraph 17 and therefore denies same.

18. Registrant has insufficient information as what the trademark examining attorneys have done and therefore can neither admit nor deny the allegations set forth in Paragraph 18.

19. Registrant denies Paragraph 19.

20. Petitioner has insufficient information as to what the commonly commercially understood meaning of computer programs: is and therefore can neither affirm nor deny the allegation set forth in Paragraph 20 and other wise denies the allegation related to alleged abandonment of its mark.

21. Registrant has insufficient information as to the print-outs referred to in Paragraph 21 and therefore can neither affirm nor deny the allegations related thereto.

22. Registrant denies Paragraph 22.

23. Registrant denies Paragraph 23.

24. Registrant denies Paragraph 24.

25. Registrant has insufficient information as to the allegations set forth in Paragraph 25 and therefore denies same.

26. Registrant has insufficient information as what the trademark examining attorneys have done and therefore can neither admit nor deny the allegations set forth in Paragraph 26.

27. Registrant denies all allegations relate to the alleged defectiveness and invalidity of Registration No. 1,454,926 and otherwise has insufficient information as to the allegations set forth in Paragraph 27 and therefore denies same.

28. Registrant has insufficient information as to the allegations set forth in Paragraph 28 and therefore denies same.

29. Registrant denies Paragraph 29.

WHEREFORE, it is requested that the cancellation be dismissed with prejudice.

Respectfully submitted,

JULIE B. SEYLER
Attorney for Registrant

ABELMAN, FRAYNE & SCHWAB
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CERTIFICATE OF SERVICE

I hereby certify that the foregoing Answer to the Petition to Cancel was served by first class mail, postage prepaid this 31st day of January 2006 upon the following:

Stanley C. Spooner, Esq.
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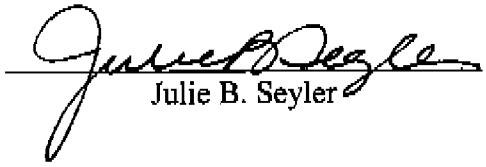

Julie B. Seyler