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Filing date: **03/19/2013**

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

Proceeding	92056635
Party	Defendant FIN.ING. S.r.l.
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Submission	Answer
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Date	03/19/2013
Attachments	J154-047-Answer.pdf ( 4 pages )(179338 bytes )

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

In the Matter of Registration No. 3,514,885  
Registrant: Fin.Ing. S.r.L.  
Mark: REPORTER  
App. Serial No.: 77/235,011  
Reg. Date: October 14, 2008

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RICHEMONT INTERNATIONAL S.A.,	:
	:
Petitioner,	:
	:
v.	:
	:
FIN.ING. S.r.l.,	:
	:
Respondent.	:
-----X	

Cancellation No. 92056635

**RESPONDENT’S ANSWER AND AFFIRMATIVE DEFENSES**

Respondent FIN.ING. S.r.l., by and through its attorneys, Notaro, Michalos & Zaccaria P.C., in answer and affirmative defense to the Petition for Cancellation, responds as follows:

**Answer**

1. Respondent FIN.ING. S.r.l. lacks knowledge or information sufficient to form a belief about the truth of the allegations in paragraph 1 of the Petition for Cancellation.
2. Respondent FIN.ING. S.r.l. lacks knowledge or information sufficient to form a belief about the truth of the allegations in paragraph 2 of the Petition for Cancellation.
3. Respondent FIN.ING. S.r.l. lacks knowledge or information sufficient to form a belief about the truth of the allegations in paragraph 3 of the Petition for Cancellation.
4. Respondent FIN.ING. S.r.l. admits the allegations in paragraph 4 of the Petition for

Cancellation, except denies that United States Trademark Application Serial No. 77/235,011 was filed based on Section 1(b) of the Trademark Act, 15 U.S.C. § 1051(b).

5. Respondent FIN.ING. S.r.l. denies the allegations in paragraph 5 of the Petition for Cancellation.
6. Respondent FIN.ING. S.r.l. lacks knowledge or information sufficient to form a belief about the truth of the allegations in paragraph 6 of the Petition for Cancellation.
7. Respondent FIN.ING. S.r.l. lacks knowledge or information sufficient to form a belief about the truth of the allegations in paragraph 7 of the Petition for Cancellation, except admits that U.S. Registration No. 3,514,885 provides statutory rights and presumptions to Respondent, and denies that Respondent is not entitled to statutory rights and presumptions, and that U.S. Registration No. 3,514,885 is no longer valid and an improper obstacle.
8. Respondent FIN.ING. S.r.l. lacks knowledge or information sufficient to form a belief about the truth of the allegations in paragraph 8 of the Petition for Cancellation.

#### **Affirmative Defenses**

9. The Petition for Cancellation fails to state a claim upon relief can be granted.
10. The Petition for Cancellation fails to state a claim for abandonment, under 15 U.S.C. § 1051 *et. seq.*

**WHEREFORE**, Respondent demands judgment denying the relief requested by Petitioner and dismissing the Petition for Cancellation.

Dated: March 19, 2013

Respectfully submitted,

  
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Attorneys for Respondent

**CERTIFICATE OF SERVICE**

I hereby certify that a complete copy of the foregoing RESPONDENT'S ANSWER AND AFFIRMATIVE DEFENSES has been served on Paul J. Reilly, Esq. and Lauren B. Emerson, Esq., Attorneys for Petitioner, by mailing said on March 19, 2013 via First Class Mail, postage prepaid, to:

Paul J. Reilly, Esq.  
Lauren B. Emerson, Esq.  
Baker Botts LLP  
30 Rockefeller Plaza  
New York, New York 10112-0228

  
John Zaccaria