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

Proceeding	92065178
Party	Defendant The General Conference Corporation of Seventh-day Adventists
Correspondence Address	BASSAM N IBRAHIM BUCHANAN INGERSOLL & ROONEY PC 1737 KING STREET, SUITE 500 ALEXANDRIA, VA 22314-1404 UNITED STATES Email: SaundersA@gc.adventist.org, bassam.ibrahim@bipc.com
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Date	11/16/2017
Attachments	Answer to Second Amended Petition for Cancellation.pdf(233398 bytes )

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

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Philanthropist.com, Inc.,	)	
	)	
Petitioner,	)	
	)	
v.	)	Cancellation No. 92065178 (parent case)
	)	Cancellation No. 92065255
	)	
General Conference Corporation of Seventh-Day	)	
Adventists,	)	
	)	
Registrant.	)	

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**ANSWER TO SECOND AMENDED PETITION FOR CANCELLATION**

Registrant General Conference Corporation of Seventh-Day Adventists (“Registrant”) hereby responds to the allegations in Petitioner Philanthropist.com, Inc.’s (“Petitioner”) Second Amended Petition for Cancellation (the “Petition”) in the above-captioned proceedings as follows:

1. Denied.
2. Registrant admits that it previously instituted a UDRP proceeding against Petitioner in connection with the domain name, Adventist.com. Registrant admits that the Affidavit of Greg Everett, attached to the Petition as Exhibit A<sup>1</sup>, was filed as part of that UDRP proceeding. Registrant denies that Petitioner has standing to bring these cancellation proceedings or that it has a direct commercial interest in the outcome of this proceeding. Registrant further denies Petitioner’s characterization of its ownership of the domain name, Adventist.com, as “legitimate and rightful.” As to the remaining allegations in Paragraph 2 and the cited Affidavit

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<sup>1</sup> Registrant objects to Petitioner’s improper attempts to rely upon the exhibits as evidence in the Petition and reserves all rights with respect to the exhibits cited in the Petition, including, without limitation, the right to object to their admissibility at trial.

of Greg Everett, Registrant lacks knowledge or information sufficient to form a belief as to these allegations, and therefore denies the same.

3. Registrant admits that it sent a cease and desist letter to Petitioner, dated November 10, 2016. Registrant lacks knowledge or information sufficient to form a belief as to any remaining allegations contained in Paragraph 3, and therefore denies the same.

4. To the extent this paragraph refers to documents, such documents speak for themselves, and Petitioner's characterization thereof is denied.

5. To the extent this paragraph refers to documents, such documents speak for themselves, and Petitioner's characterization thereof is denied.

6. Registrant is without knowledge or information sufficient to form a belief as to the assertions made in Paragraph 6 where the Petitioner fails to identify the communication, writing, or document to which it is referring, and therefore denies the same in its entirety.

7. Registrant admits that Registrant filed a proceeding against Petitioner under ICANN's Uniform Domain-Name Dispute Resolution Policy (UDRP). Registrant lacks knowledge or information sufficient to form a belief as to any remaining allegations contained in Paragraph 7, and therefore denies the same.

8. Registrant denies that Registrant has asserted any active threat to bring a federal action for trademark infringement against Petitioner. Registrant lacks knowledge or information sufficient to form a belief as to any remaining allegations contained in Paragraph 8, and therefore denies the same.

9. Denied.

10. Registrant denies that Petitioner is unable to sell the <adventist.com> domain name. Registrant lacks knowledge or information sufficient to form a belief as to the remaining allegations contained in Paragraph 10, and therefore denies the same in its entirety.

11. Denied.

12. Denied.

13. Denied.

14. Paragraph 14 of the Petition contains legal conclusions for which no response is required. To the extent a response is deemed required, denied.

15. Denied.

16. Registrant admits that the word “advent” can refer to the coming or second coming of Jesus Christ. Registrant denies that this is the only use or definition of “advent.”

17. Registrant admits that the word “advent” can refer to the coming or second coming of Jesus Christ. Registrant denies that this is the only use or definition of “advent.” To the extent this paragraph refers to documents, such documents speak for themselves, and Registrant denies any allegations or characterizations inconsistent therewith.

18. Registrant denies the “advent” is a generic term. Registrant admits that the word “advent” can refer to a period beginning four Sundays before Christmas that is observed by some religions. Registrant denies that this is the only use or definition of “advent.” To the extent this paragraph refers to documents, such documents speak for themselves, and Registrant denies any allegations or characterizations inconsistent therewith.

19. Denied.

20. Denied.

21. Denied.

22. Denied.
23. Denied.
24. Denied.
25. Denied.
26. Denied.
27. Denied.
28. Denied.
29. Denied.
30. Denied.
31. Denied.

#### **AFFIRMATIVE DEFENSES**

1. Petitioner has failed to state a claim upon which relief can be granted.
2. Petitioner lacks standing to bring the present proceedings.
3. The relief sought by Petitioner is barred because Petitioner cannot establish likelihood of harm or actual injury.
5. Petitioner's claims are barred by laches, acquiescence, and Petitioner's unclean hands.
6. Registrant specifically gives notice that it intends to rely on such other defenses that may become available by law or during the case and expressly reserves the right to amend its answer to amend its Answer and assert such defenses.

WHEREFORE, Registrant requests that the Board deny the request for relief that the requests for cancellation be denied.

Respectfully submitted,

GENERAL CONFERENCE CORPORATION OF  
SEVENTH-DAY ADVENTISTS

By:



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Date: November 16, 2017

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the foregoing ANSWER TO SECOND AMENDED PETITION FOR CANCELLATION was served this 16<sup>th</sup> day of November, 2017 via electronic mail on:

Eve J. Brown  
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Florence Goodman