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

Proceeding no.	92081654
Party	Defendant Aircall.io, Inc
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Date	04/03/2023
Attachments	Cancellation 92081654 - Registrant Answer.pdf(103685 bytes)

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

**GLOBAL TELECOMMUNICATIONS
CORPORATION,**

Petitioner,

v.

AIRCALL.IO, INC.

Registrant.

Cancellation No. 92081654

**Registrations: 5,405,567 (AIRCALL)
6,426,912 (AIRCALL)**

ANSWER TO PETITION TO CANCEL

Registrant Aircall.io, Inc. (“Registrant”) responds to the Petition to Cancel filed by Petitioner Global Telecommunications Corporation (“Petitioner”) as follows.

In response to the preamble, Registrant denies that Petitioner will be damaged by the continued registration of U.S. Registration Nos. 5,405,567 and 6,426,912. Registrant admits that Registrant owns U.S. Registration Nos. 5,405,567 and 6,426,912 and the registration details identified in the tables in the preamble for U.S. Registration Nos. 5,405,567 and 6,426,912. Registrant further admits that it is a Delaware corporation. Registrant’s current address is 381 Park Avenue South, Floor 16, New York, New York 10016. As to the remainder of the preamble, Registrant does not have sufficient information to admit or deny the allegations and therefore they are denied.

The numbered paragraphs are answered as follows:

1. Admitted.
2. Admitted.

3. Admitted.

4. Admitted.

5. Admitted.

6. Admitted.

7. Denied.

8. Denied.

9. Denied.

10. Denied.

11. Denied.

12. Denied.

13. Denied.

14. Denied.

15. Registrant does not have sufficient information to admit or deny the allegations in paragraph 15 and therefore they are denied.

16. Admitted.

17. Registrant does not have sufficient information to admit or deny the allegations in paragraph 17 and therefore they are denied.

18. Denied.

19. Denied.

20. Denied.

21. Denied.

22. Denied.

23. Denied.

24. Denied.
25. Denied.
26. Denied.
27. Denied.
28. Denied.
29. Denied.
30. Denied.

AFFIRMATIVE DEFENSES

Without assuming any burden of proof they would not otherwise bear, Registrant asserts the following affirmative or other defenses. Registrant reserves the right to assert further defenses as discovery proceeds.

First Affirmative Defense

1. Petitioner fails to state a claim upon which relief can be granted.

Second Affirmative Defense

2. Petitioner has no rights in or to the AIRCALL mark and the cancellation should be dismissed.

Third Affirmative Defense

3. Registrant's rights in and to the AIRCALL mark are long prior and superior to any claim of rights to the AIRCALL mark by Petitioner.

Fourth Affirmative Defense

4. Petitioner's claims are barred by the doctrines of waiver, laches, acquiescence, and estoppel.

WHEREFORE, Registrant prays that this cancellation be dismissed and that the continued registration of Registrant's U.S. Registration Nos. 5,405,567 and 6,426,912 be granted.

Respectfully submitted,
BANNER & WITCOFF, LTD.
Attorneys for Registrant

Dated: April 3, 2023

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