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

Proceeding	92048324
Party	Defendant NEW M-TECH CORPORATION
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Date	01/07/2008
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

WOLO MANUFACTURING CORP.,)	
)	
Petitioner)	Cancellation No. 92048324
)	
v.)	
)	
NEW M-TECH CORPORATION,)	
)	
Registrant)	
)	

United States Patent and Trademark Office
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

ANSWER

Registrant New M-Tech Corporation (“Registrant”), by and through its undersigned counsel, hereby answers and asserts affirmative defenses to the Petition of Cancellation of Petitioner Wolo Manufacturing Corp. (“Petitioner”).

1. Registrant admits that Petition is a Corporation organized under the laws of the State of New York, with offices at 1 Saxwood Street, Deer Park, NY 11729.
2. Registrant admits that Petitioner is the owner of the Applications set forth in Paragraph 2 of the Petition of Cancellation, which documents speak for themselves.
3. Registrant lacks knowledge or information sufficient to form a belief with respect to the allegations set forth in Paragraph 3 of the Petition for Cancellation.
4. Registrant admits the allegations set forth in Paragraph 4 of the Petition of Cancellation.

5. Registrant admits that Registrant is the owner of the Registration set forth in Paragraph 5 of the Petition of Cancellation, which documents speak for themselves.
6. Registrant admits that Registrant's mark was registered on the Principal Register on June 11, 1974.
7. Registrant admits that Registrant received the mark by way of an assignment, which documents speak for themselves.
8. Registrant lacks knowledge or information sufficient to form a belief as to the allegations set forth admits in Paragraph 8 of the Petition of Cancellation.
9. Registrant denies the allegations set forth in Paragraph 9 of the Petition for Cancellation.
10. Registrant denies the allegations set forth in Paragraph 10 of the Petition for Cancellation.
11. Registrant lacks knowledge or information sufficient to form a belief with respect to the allegations set forth in Paragraph 11 of the Petition for Cancellation.
12. Registrant denies the allegations set forth in Paragraph 12 of the Petition for Cancellation.

AFFIRMATIVE DEFENSES

13. The Petition for Cancellation fails to state any claim upon which relief can be granted.
14. There is no likelihood of confusion, mistake or deception because, *inter alia*, Registrant's and Petitioner's marks are not confusingly similar based on the difference in the marks.
15. Petitioner will not be damaged by Registrant's Registration No. 985,837.
16. Petitioner's claims are barred because of laches, estoppel and/or acquiescence.

WHEREFORE, Registrant prays that Cancellation No. 92048324 be denied, and that the Board grant such other and further relief as it may deem just and proper.

Dated: January 7, 2008

Respectfully submitted,

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Certificate of Service

I hereby certify that on November 6, 2007, Registrant PRL USA Holdings, Inc.'s Answer has been sent by First Class Mail, certified return receipt, to counsel for Petitioner at the following address:

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Dana Schuessler