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

Proceeding	91181757
Party	Defendant VillageProfile.com, Inc.
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Collegetown Relocation, LLC)
)
 vs.)
)
VillageProfile.com, Inc.)

Opposition No. 91181757

ANSWER TO OPPOSITION

Applicant, VillageProfile.com, Inc. (hereinafter “Village Profile” or “Applicant”), who resides at the address of 33 North Geneva, Elgin, Illinois 60172, and filed trademark applications for the marks COLLEGE TOWN PROFILE and COLLEGETOWNPROFILE.COM, serial numbers 78764020 and 78763994, respectively, hereby submits an answer to the opposition filed on January 8, 2008 by Collegetown Relocation, LLC (hereinafter “CR” or “Opposer”), having a place of business at 217 Nassau Street, Princeton, New Jersey 08542. The Answer to the Opposition is as follows:

I. Facts Common to Both Oppositions

1. The word COLLEGETOWN has been used by Opposer or its predecessors in interest since 1995 to identify its business, and Opposer has, since April 20, 2000, done business under the registered name “COLLEGETOWN.”

ANSWER: Applicant lacks knowledge or information sufficient to form a belief as to the truth or falsity of the allegations set forth in this paragraph and, therefore, denies said allegations and demands strict proof thereof.

2. Opposer is the owner of several trademark registrations comprising the term "COLLEGETOWN":
- A. US REG. 2011820 for COLLEGETOWN in class 42 for "providing multiple-user access to a global computer information network for the transfer and dissemination of a wide range of information involving education and educational institutions."
 - B. US REG. 2604309 for COLLEGETOWN in class 41 for provision of information via a computer network in fields of cultural activities, community events, college campus events arts and entertainment, civic organizations, fund raisers and recreation.
 - C. US REG. 2569674 for COLLEGETOWN for providing a website on global computer networks featuring information in the field of real estate relocation-related services and resources available to persons and companies moving to a new location; namely goods and services, advertising, consumer information, governmental services, public libraries, newspapers, child care, k-12 education, employment and senior resources.
 - D. US REG. 2714706 for COLLEGETOWN for pencils
 - E. US REG. 2635839 for COLLEGETOWNS.COM for provision of information in the field of real estate and related services, namely availability of of real estate for lease and/or purchase, form rental applications, mortgage and insurance information, and moving and storage information via on line communications network.

ANSWER: Applicant lacks knowledge or information sufficient to form a belief as to the truth or falsity of the allegations as stated in this paragraph, including all subparagraphs, and, therefore, denies said allegations as stated and demands strict proof thereof. Answering further, Applicant admits that the United States Patent and Trademark Office records indicate that CR owns trademark registration numbers 2011820, 2604309, 2569674, 2714706 and 2635839.

3. All of the foregoing uses by Opposer of the term COLLEGETOWN predate any use by Applicant of the marks which are the subject of this opposition proceeding.

ANSWER: Applicant lacks knowledge or information sufficient to form a belief as to the truth or falsity of the allegations set forth in this paragraph and, therefore, denies said allegations and demands strict proof thereof.

II. Count I

Opposition to Application for College Town Profile (Serial No. 78764020)

1. Village Profile Inc. ("Applicant"), has submitted an application for the mark "college town profile" (Serial Number 78764020) in international Class 35 for providing marketing services for others including through distribution of printed, electronic audio and video materials, and providing searchable online retail store services for many goods and services, and for certain printed materials in Class 16 comprising, *inter alia*, "community guides, community directories and publications providing information on community schools, businesses and organizations, municipal services and local economic development issues."

ANSWER: Applicant admits that it has submitted an application for the mark “College Town Profile,” Serial Number 78764020, in International Classes 16 and 35. Applicant denies that Opposer has accurately stated Applicant’s goods and services and, therefore, denies the remaining allegations as stated in this paragraph.

2. Although Applicant described its services in general terms, the services which Applicant provides under its marks are virtually identical to the services provided by Opposer, and the specimens submitted by Applicant support this contention.

ANSWER: Applicant denies the allegations set forth in this paragraph.

3. Applicant’s specimens are annexed hereto as Exhibits 1, 2 and 3. Exhibit 1, a table of contents published by Applicant for Wayne State University (an educational institution) shows that Applicant publishes “a wide range of information involving education and educational institutions” and information about local communities including local education, health care, arts and entertainment and community organizations. These are all services covered by Opposer’s trademark registrations.

ANSWER: Applicant admits that Opposer annexed, as Exhibits 1, 2 and 3 to the Notice of Opposition, three specimens submitted by Applicant in support of registration of its proposed mark “College Town Profile.” Applicant denies that Exhibit 1 is a table of contents published by Applicant for Wayne State University, but admits that Exhibit 1 is a table of contents published by Applicant for Wright

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