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U.S. Patent & TMO/TM Mail Rpt Dt. #22

I hereby deposited with the United States Postal Service as first class mail in an envelope addressed to: BOX TTAB NO FEE, Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513 on July 3, 2002.

Eric H. Weimers

Name of applicant, assignee, or Registered Rep.

[Handwritten Signature] July 3, 2002
Signature Date

MAB

Docket No.:35046-10980

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

MANSFIELD PLUMBING PRODUCTS, LLC,)
)
Opposer,)
)
v.)
)
ELKAY MANUFACTURING COMPANY,)
)
Applicant.)

In re Serial No. 76/249,713
for ALLURE

Opposition No. 124,940

TRADEMARK TRIAL AND APPEAL BOARD

08 JUL 2002 AM 8:33

Box TTAB NO FEE
Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

ANSWER

Elkay Manufacturing Company ("Applicant") hereby answers the opposition filed by Mansfield Plumbing Products, LLC ("Opposer") as follows:

1. Applicant admits the allegations contained in paragraph 1.
2. Applicant admits that Opposer is the owner of record of U.S. Registration 1,926,376 for the mark "ALEUR" for TOILET BOWLS AND TANKS in International Class 11; that the trademark was registered on October 10, 1995; and that the registration claims a date of

[Handwritten Signature]

first use of February 24, 1994 and a date of first use in commerce of February 25, 1994. To the extent that Paragraph 2 may be deemed to allege that Opposer was actually using the mark in connection with the recited goods as of the claimed dates of first use and first use in commerce, Applicant has insufficient knowledge or information to admit or deny such allegations and therefore denies such allegations.

3. Applicant admits that Exhibit A to the Notice of Opposition is a photocopy of U.S. Registration 1,926,376. Applicant has insufficient knowledge or information to admit or deny the remaining allegations contained in paragraph 3 and therefore denies those allegations.

4. Applicant has insufficient knowledge or information to admit or deny the allegations contained in paragraph 4 and therefore denies the allegations.

5. Applicant has insufficient knowledge or information to admit or deny the allegations contained in paragraph 5 and therefore denies the allegations

6. Applicant denies the allegations contained in paragraph 6.

7. Applicant denies the allegations contained in paragraph 7.

8. Applicant has insufficient knowledge or information to admit or deny the allegations contained in paragraph 8 and therefore denies the allegations

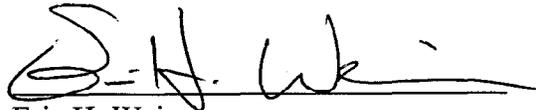
9. Applicant denies the allegations contained in paragraph 9.

10. Applicant denies the allegations contained in paragraph 10.

WHEREFORE, Applicant, Elkay Manufacturing Company, prays that this opposition be dismissed and that a certificate of registration issue to Applicant for the mark ALLURE, Application Serial No. 76/249,713.

Respectfully submitted,

ELKAY MANUFACTURING COMPANY



Eric H. Weimers
Attorney for Applicant

Dated: July 3, 2002

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CERTIFICATE OF SERVICE

I, Eric H. Weimers, attorney for Applicant, hereby certify that a copy of this ANSWER, which was filed with the TTAB on July 3, 2002, a copy of which is attached, was duly served upon Perry Reese Taylor, Esq., of Renner Kenner Grieve Bobak Taylor & Weber, at First National Tower, Fourth Floor, Akron, Ohio 44308-1456, attorney for Opposer, by First Class Mail, postage prepaid, on July 3, 2002.

