

TTAB

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

In re: Application Serial No. 76/295724  
Filed: August 6, 2001  
For the Mark: BLUEMAN  
Published in the *Official Gazette* on August 20, 2002

  
01-29-2003  
U.S. Patent & TMO/TM Mail Rcpt Dt. #61

BLUE MAN PRODUCTIONS, INC.,  
Opposer,  
v.  
ERICH TARMANN,  
Applicant

ANSWER TO NOTICE  
OF OPPOSITION

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

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SEP 10 2002  
U.S. PATENT & TRADEMARK OFFICE

Applicant, Erich Tarmann, a citizen of Austria, who resides at Wallmodengasse 11, Vienna 1190, Austria ("Applicant"), through its attorneys hereby submits this Answer to the Notice of Opposition filed by Blue Man Productions, Inc. ("Opposer"), with respect to Application Serial No. 76/295724 for the mark BLUEMAN, as follows:

1. With reference to the allegations contained in Opposer's paragraph 1, the Applicant is without knowledge or information sufficient to form a belief as to the truth thereof.

2. With reference to the allegations contained in Opposer's paragraph 2, the Applicant is without knowledge or information sufficient to form a belief as to the truth thereof.

3. With reference to the allegations contained in Opposer's paragraph 3, the

Applicant is without knowledge or information sufficient to form a belief as to the truth thereof.

4. With reference to the allegations contained in Opposer's paragraph 4, the Applicant is without knowledge or information sufficient to form a belief as to the truth thereof.

5. With reference to the allegations contained in Opposer's paragraph 5, the Applicant is without knowledge or information sufficient to form a belief as to the truth thereof.

6. With reference to the allegations contained in Opposer's paragraph 6, the Applicant is without knowledge or information sufficient to form a belief as to the truth thereof.

7. The Applicant admits the allegations contained in Opposer's paragraph 7.

8. The Applicant denies the allegations contained in Opposer's paragraph 8.

9. The Applicant denies the allegations contained in Opposer's paragraph 9.

10. The Applicant denies the allegations contained in Opposer's paragraph 10.

11. The Applicant denies the allegations contained in Opposer's paragraph 11.

12. The Applicant denies the allegations contained in Opposer's paragraph 12.

13. The Applicant denies the allegations contained in Opposer's paragraph 13.

WHEREFORE, the Applicant requests the dismissal of the Opposition to Applicant's registration of the mark BLUEMAN and registration of the mark.

Dated this 28<sup>th</sup> day of January, 2003.

Respectfully submitted,

MCINTYRE, HARBIN & KING LLP  
For the Applicant, Erich Tarmann

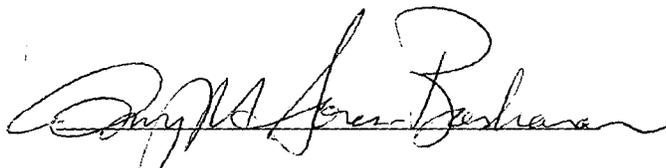
By:

  
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Lawrence Harbin, D.C. Bar # 236190  
Amy M. Jones-Baskaran, D.C. Bar # 417293  
McIntyre Harbin & King LLP  
One Massachusetts Avenue, N.W., Suite 330  
Washington, D.C. 20001  
Tel. 202-408-2770

**CERTIFICATE OF MAILING**

I HEREBY CERTIFY that on this 28<sup>th</sup> day of January,

2003, a copy of the foregoing was served upon counsel for the Opposer, Blue Man  
Productions, Inc., Robert W. Clarida, Esquire, COWAN, LIEBOWITZ & LATMAN,  
P.C., 1133 Avenue of the Americas, New York, NY 10036, by pre-paid, first-class mail.

  
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Amy M. Jones-Baskaran, D.C. Bar # 417293  
McIntyre Harbin & King LLP  
One Massachusetts Avenue, N.W.  
Suite 330  
Washington, D.C. 20001  
Tel. 202-408-2770

Amy M. Jones-Baskaran, D.C. Bar # 417293  
McIntyre Harbin & King LLP  
One Massachusetts Avenue, N.W.  
Suite 330  
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Tel. 202-408-2770