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

In the Matter of Application No. 78/105,136  
Publication: *Official Gazette* of September 17, 2002



02-24-2003

U.S. Patent & TMOfc/TM Mail Rcpt Dt. #30

STARBUCKS U.S. BRANDS CORPORATION )  
and STARBUCKS CORPORATION DBA )  
STARBUCKS COFFEE COMPANY, )  
Opposers, )

v. )

Opposition No. 91154338

CAPPUCCINO AMERICANA CORPORATION, )  
Applicant. )

Assistant Commissioner for Trademarks  
BOX TTAB/NO FEE  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

**APPLICANT'S ANSWER TO NOTICE OF OPPOSITION**

Applicant, Cappuccino Americana Corporation, for its Answer to the Notice of Opposition filed by Starbucks U.S. Brands Corporation and Starbucks Corporation dba Starbucks Coffee Company, against application for registration of the trademark BARISTA PERSONALE, Application No. 78/105,136, filed January 28, 2002, and published in the *Official Gazette* on September 17, 2002, pleads and avers as follows:

1. Applicant admits the allegations of Paragraph 1 of the Notice of Opposition
2. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 2 of the Notice of Opposition, and accordingly denies the same.
3. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 3 of the Notice of Opposition, and accordingly denies the same.
4. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 4 of the Notice of Opposition, and accordingly denies the same.
5. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 5 of the Notice of Opposition, and accordingly denies the same.
6. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 6 of the Notice of Opposition, and accordingly denies the same.

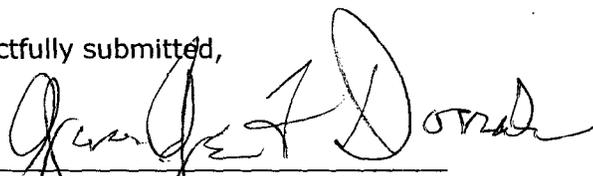
7. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 7 of the Notice of Opposition, and accordingly denies the same.

8. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 8 of the Notice of Opposition, and accordingly denies the same.

9. Applicant admits that it seeks to register the mark BARISTA PERSONALE, but denies the remaining allegations of Paragraph 9.

10. Applicant denies the allegations of Paragraph 10.

Respectfully submitted,



By: George F. Dvorak  
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Dated: February 18, 2003

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Trademarks, Box TTAB, 2900 Crystal Drive, Arlington, Virginia 22202-3513, on February 18, 2003.

  
\_\_\_\_\_  
Nadia Nalywajko

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the foregoing APPLICANT'S ANSWER TO NOTICE OF OPPOSITION was mailed by first class mail, postage prepaid, to Attorneys for Opposers: Julia Anne Matheson and Linda K. McLeod, Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P., 700 Hansen Way, Palo Alto, California 94304, this 18th day of February, 2003.

A handwritten signature in cursive script, reading "Nadia Nalywajko", is written over a horizontal line.

Nadia Nalywajko