

TTAB

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

General Pet Supply, Inc.)	Opposition No. 91158622
)	
Opposer)	Reg. No.: 76/435630
)	
v.)	Mark: OURCAT'S CHOICE LITTER
)	
OurPet's Copmany)	Filing Date: July 29, 2002
)	
Applicant)	Applicant's Answer
)	



01-12-2004

U.S. Patent & TMO/TM Mail Rcpt Dt. #78

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Box TTAB No Fee, Commissioner for Trademarks, 2900 Crystal Drive Arlington, VA 22202-3513

Name: John D. Gugliotta

1/6/04
Date

Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513
ATTN: BOX TTAB

Dear Sir:

ANSWER TO NOTICE OF OPPOSITION

Now comes Applicant, OurPet's Company., by and through undersigned counsel, and answers Opposer's Notice of Opposition as follows:

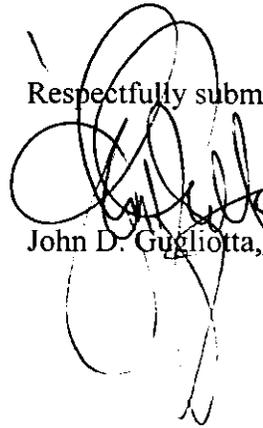
1. Applicant expressly denies allegation that registration of "OURCAT'S CHOICE LITTER" is likely to cause confusion, mistake, or deceive the relevant consuming public.
2. Applicant expressly denies allegation that registration of "OURCAT'S

CHOICE LITTER” is used for identical goods to Opposer’s use.

The examining attorney has thoroughly considered the issue of confusion between the Opposer’s mark and the Registrant’s mark. The examining attorney has indicated that the applicant’s mark does NOT create the same overall impression as the registrant’s mark and that the goods are NOT identical.

WHEREFORE, Registrant respectfully requests that the present Opposition to Registration be denied.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John D. Gugliotta", written over a circular stamp or seal.

John D. Gugliotta, P.E., Esq.

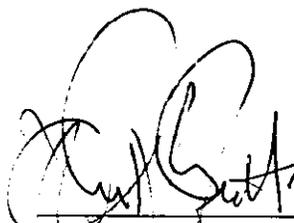
The Law Offices of John D. Gugliotta, P.E., Esq.
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Facsimile (330) 253-6658

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Answer has been sent by regular U.S.

Mail on this 6 day of January, 2004 to:

Robert A. Moakley
Beck, Chaet & Bamberger, S.C.
Two Plaza East, Suite 185
330 East Kilbourn Avenue
Milwaukee, WI 53202



John D. Gugliotta
Attorney for OurPet's Company.