

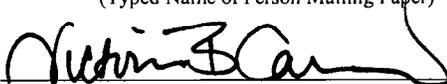
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of	:	Opposition No. 91/159,163
	:	
Transtar Autobody Technologies, Inc.,	:	
	:	
Opposer,	:	
	:	
v.	:	Application No. 78/205,298
	:	
PPG Industries Ohio, Inc.,	:	Mark: PPG TRUEFINISH
	:	
Applicant.	:	

APPLICANT'S ANSWER TO NOTICE OF OPPOSITION

And now comes Applicant, PPG Industries Ohio, Inc. (PPG), before the Trademark Trial and Appeal Board (TTAB), to assert the following responses to the numbered paragraphs in the Notice of Opposition filed by Opposer, Transtar Autobody Technologies, Inc. (Transtar).

1. Admitted.
2. PPG is without sufficient information to admit or deny the allegations in paragraph 2 of the Notice, and PPG therefore denies such allegations.
3. Based on the electronic records (TESS/TARR) of the Trademark Office, PPG admits the allegations in paragraph 3 of the Notice of Opposition, except PPG is without

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to TTAB Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3514 on March 23, 2004	
Victoria B. Caruso (Typed Name of Person Mailing Paper)	
	3/23/04
Signature	Date

sufficient information to admit or deny the present status of Transtar's application and PPG therefore denies such allegation.

4. PPG is without sufficient information to admit or deny the allegations in paragraph 4 of the Notice, and PPG therefore denies such allegations.

5. PPG admits that its mark is PPG TRUEFINISH and that Transtar purports its mark to be TRUE FINISH and PPG denies the balance of the allegations in paragraph 5 of the Notice of Opposition.

6. PPG is without sufficient information to admit or deny the allegations in paragraph 6 of the Notice, and PPG therefore denies such allegations.

7. PPG admits that registration of a mark grants *prima facie* exclusive rights in that mark to that registrant; PPG is without sufficient information to admit or deny the allegations relating to the prosecution of Transtar's TRUE FINISH application; and, PPG denies the balance of the allegation recited in paragraph 7 of the Notice of Opposition.

8. Denied.

9. No reply is required to the allegations recited in paragraph 9 of the Notice of Opposition.

AFFIRMATIVE DEFENSES

10. Transtar's TRUE FINISH mark is not famous.

11. Upon information and belief, PPG's PPG TRUEFINISH mark is not confusingly similar to Transtar's cited TRUE FINISH mark. PPG TRUEFINISH creates a substantially different commercial impression than TRUE FINISH despite the alleged relation between the goods (and services) associated with the Applicant's mark and the Opposer's mark. PPG TRUEFINISH has a substantially different visual appearance than TRUE FINISH, is

perceived on an entirely different aural basis, and neither mark has any particular meaning as to result in confusion between them in the minds of the purchasing public. Lastly, upon information and belief, the channels of trade in which the parties' marks are used are sufficiently different to preclude the likelihood of confusion between them.

WHEREFORE, PPG requests that Transtar's Notice of Opposition be dismissed with prejudice.

Respectfully submitted,

Dated: March 23, 2004

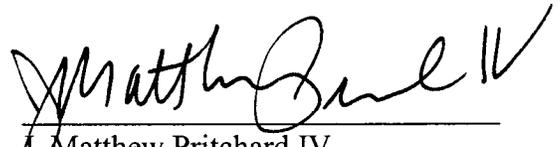


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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the within **APPLICANT'S ANSWER TO NOTICE OF OPPOSITION** was served by first class mail, postage prepaid, this 23rd day of March 2004 upon the following:

George L. Pinchak, Esq.
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Attorney for Applicant

TRADEMARK
APPLICATION NO.: 78/205,298
OPPOSITION NO.: 91/159,163
Date March 23, 2004
Case Docket No. 4801-036415

COMMISSIONER FOR TRADEMARKS
2900 CRYSTAL DRIVE
ARLINGTON, VA 22202-3514

Madame:

Transmitted herewith for filing with the United States Patent and Trademark
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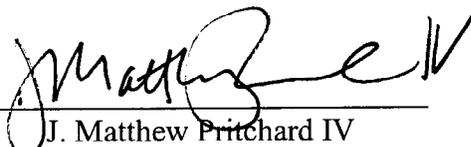
APPLICANT: PPG Industries Ohio, Inc. (PPG TRUEFINISH, Serial No. 78/205,298)

INCLUDING: Transmittal Form in Triplicate; Applicant's Answer to Notice of
Opposition (3 pp.); Certificate of Service (1 p.)

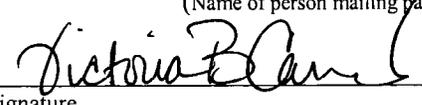
The Commissioner of Patents and Trademarks is hereby authorized to charge any
additional payment of the fees associated with this communication to Deposit Account No. 23-
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The original and two copies of this transmittal sheet are enclosed.

Respectfully submitted,
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Victoria B. Caruso
(Name of person mailing paper)
 3/23/04
Signature Date



03-26-2004

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