

ESTTA Tracking number: **ESTTA11504**

Filing date: **07/12/2004**

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

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| Proceeding | 91160722 |
| Party | Defendant J. Farrow & Sons Ltd. J. Farrow & Sons Ltd. No. 17 Pagaxis House 61 Victoria Road GBX Surbiton Surrey, KT6 4JX |
| Correspondence Address | David M. Rogero DAVID M ROGERO P A 2600 S DOUGLAS RD STE 600 CORAL GABLES, FL 33134-6100 |
| Submission | Answer |
| Filer's Name | David M. Rogero |
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| Signature | /David M. Rogero/ |
| Date | 07/12/2004 |
| Attachments | Answer 071204.pdf (2 pages) |

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

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|---|---|-------------------------|
| IKB INDUSTRIES NIGERIA |) | |
| LIMITED, |) | |
| |) | Opposition No. 91160722 |
| Petitioner, |) | Serial No. 78258347 |
| |) | Mark: IKB |
| v. |) | |
| |) | |
| J. FARROW & SONS LTD., |) | |
| |) | |
| Applicant. |) | |
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ANSWER TO NOTICE OF OPPOSITION

Applicant J. Farrow & Sons Ltd. answers the Notice of Opposition filed by
Petitioner IKB Industries Nigeria Limited as follows:

1. Applicant admits that it is a corporation organized and existing under the laws of the United Kingdom, that its full company name is J. Farrow & Sons (Batteries) Limited, that its registered address is Regent House, 316 Beulah Hill, London, and that its trading address is No. 17 Pagaxis House, 61 Victoria Road, Surbiton, Surrey.
2. Applicant admits that it is the owner of U.S. Application Serial No. 78258347, which was filed on June 4, 2003 and published for opposition on March 2, 2004, for the mark IKB for use with skin soaps, medicated skin soaps, skin lotions, skin creams and skin cleansers in International Class 3 and for use with medicated skin lotions and medicated skin care preparations in International Class 5.
3. Applicant admits that the prior registration of the mark IKB by Petitioner, Registration No. 1989807, was cancelled for failure to file a declaration of continued use.

4. Applicant denies that Petitioner has made exclusive and continuous use of the mark IKB in the United States.

5. If Petitioner ever made any use of the mark IKB in the United States, it abandoned the mark through years of non-use.

6. Applicant denies each and every allegation contained in the Notice of Opposition not specifically admitted in this Answer.

Respectfully submitted,

/s/David M. Rogero/
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Attorney for Applicant, J. Farrow & Sons
Ltd.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Answer to Notice of Opposition was sent by U.S. Mail with proper postage affixed, the 12th day of July, 2004, to the following counsel:

David M Carter, Esq.
Carter, DeLuca, Farrell & Schmidt LLP
445 Broad Hollow Road, Suite 225
Melville, NY 11747

/s/David M. Rogero/