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I hereby certify that this correspondence is being deposited with the United States Postal Service 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.

on 1-25-05 Kamran Fattahi

Kamran Fattahi, Reg. No. 35,758

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

THE COCA-COLA COMPANY Opposer,	)	In Re Application of Kaveh Harounian Mark: Miscellaneous Design Applic. Serial No. 78/314,247 Filing Date: October 15, 2003
v.	)	
KAVEH HAROUNIAN Applicant.	)	Attorney Docket No.: 10139-Harounian
	)	Opposition No. 91163260

Box: TTAB/No Fee
Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

APPLICANT'S ANSWER TO NOTICE OF OPPOSITION

Kaveh Harounian ("Applicant"), through its attorneys, hereby submits its Answer to the Notice of Opposition filed by The Coca-Cola Company ("Opposer") in connection with the above-identified application as follows, wherein the paragraph numbers below correspond to the paragraph numbers set forth in the Notice of Opposition:

1. On information and belief, admitted.

2. Admitted.

02-07-2005
U.S. Patent & TMOfc/TM Mail Rcpt Dt. #72

3. Admitted.

4. Admitted.

5. Denied.

6. Denied.

7. Denied.

8. On information and belief, the allegations in the first and second sentences in this paragraph are admitted. The allegations in the third sentence in this paragraph are denied.

9. Denied.

10. Denied.

AFFIRMATIVE DEFENSES

11. Opposer has failed to state a claim upon which relief can be granted.

12. Opposer's claims in this opposition are barred by the doctrine of laches.

13. Opposer's claims in this opposition are barred by the doctrine of estoppel.

14. Opposer's claims in this opposition are barred by the doctrine of unclean hands.

15. Opposer's claims in this opposition are barred on grounds that Harounian's representations and statements made to the United States Patent and Trademark Office ("PTO") in applying to register the mark in Application Serial No. 78/314,247 were undertaken in good

faith, in the absence of malicious intent, and with the belief of the accuracy of the representations and statements made therein.

16. Opposer's claims in this opposition proceeding are barred on grounds that Applicant possesses superior and prior rights over Opposer regarding the use of the design mark that is the subject of Applicant's instant application that is the subject of this opposition proceeding.

WHEREFORE, Applicant prays that the Notice of Opposition be dismissed in its entirety with prejudice.

Please recognize and direct all future communications to the undersigned as counsel for Applicant concerning all matters in the instant opposition proceeding.

Respectfully submitted,

Dated: January 25, 2005

Kamran Fattahi

Kamran Fattahi (Reg No. 35,758)
LAW OFFICES OF KAMRAN FATTAHI
Attorneys for Applicant, Kaveh Harounian

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Opposition No. 91163260
Mark: Miscellaneous Design
Applicant: Kaveh Harounian
Opposer: The Coca-Cola Company

CERTIFICATE OF SERVICE

As counsel for Registrant, I hereby certify that I caused a true and correct copy of the attached APPLICANT'S ANSWER TO NOTICE OF OPPOSITION to be served on this date via U.S. first class mail, postage prepaid, upon counsel for Opposer:

Robert N. Phillips
Lisa S. Buccino
Ethan B. Andelman
Howrey Simon Arnold & White, LLP
525 Market Street, Suite 3600
San Francisco, CA 94105
Tel: (415) 848-4900
Fax: (415) 848-4999

Dated: January 25, 2005

Kamran Fattahi

Kamran Fattahi, Esq.
LAW OFFICES OF KAMRAN FATTAHI
Attorneys for Applicant, Kaveh Harounian

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on 1-25-05 Kamran Fattahi

Kamran Fattahi, Reg. No. 35,758

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KAVEH HAROUNIAN Applicant.	)	Attorney Docket No.: 10139-Harounian
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STIPULATED MOTION TO EXTEND OR REOPEN APPLICANT'S TIME TO ANSWER OR RESPOND TO THE NOTICE OF OPPOSITION

Kaveh Harounian ("Applicant") and The Coca-Cola Company ("Opposer"), through their attorneys, hereby stipulate and request that the Board extend or reopen Applicant's deadline up to and including January 26, 2005 to answer or otherwise respond to the Notice of Opposition.

This extension has become necessary because counsel for the parties needed additional time beyond Applicant's deadline to file its answer to discuss the opposition and whether or not a responsive pleading needed to be filed by Applicant.

Specifically, on January 14, 2005, four days prior to the date when Applicant's responsive pleading was due, Applicant inquired whether or not Opposer would want to stay the instant proceeding in light of the on-going litigation between the parties. Opposer's counsel, Rob Phillips, informed Applicant's counsel, Kamran Fattahi, that he would need to discuss the issue with his client, and agreed to extend Applicant's time to respond to January 21, 2005. On January 21, 2005, Mr. Phillips informed Mr. Fattahi that Opposer would not agree to a stay and Applicant should file a responsive pleading. Mr. Phillips also agreed to extend Applicant's deadline to file its responsive pleading until January 26, 2005.

Accordingly, good cause for approving this extension is shown, and if there has been any delay in seeking this extension, it is as a result of excusable neglect.

In view of the foregoing, it is respectfully requested that the Board grant the extension sought in this Stipulated Motion.

Dated: January 25, 2005

Kamran Fattahi

Kamran Fattahi (Reg No. 35,758)
LAW OFFICES OF KAMRAN FATTAHI
Attorneys for Applicant, Kaveh Harounian

Dated: January 25, 2005

~~Rob N. Phillips / Lisa S. Buccino~~ Ethan B. Andaman
HOWREY SIMON ARNOLD & WHITE, LLP
Attorneys for Opposer, The Coca-Cola Company

Opposition No. 91163260
Mark: Miscellaneous Design
Applicant: Kaveh Harounian
Opposer: The Coca-Cola Company

CERTIFICATE OF SERVICE

As counsel for Registrant, I hereby certify that I caused a true and correct copy of the attached STIPULATED MOTION TO EXTEND OR REOPEN APPLICANT'S TIME TO ANSWER OR RESPOND TO THE NOTICE OF OPPOSITION to be served on this date via U.S. first class mail, postage prepaid, upon counsel for Opposer:

Robert N. Phillips
Lisa S. Buccino
Ethan B. Andelman
Howrey Simon Arnold & White, LLP
525 Market Street, Suite 3600
San Francisco, CA 94105
Tel: (415) 848-4900
Fax: (415) 848-4999

Dated: January 25, 2005

Kamran Fattahi

Kamran Fattahi, Esq.
LAW OFFICES OF KAMRAN FATTAHI
Attorneys for Applicant, Kaveh Harounian