

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

In the matter of application Serial No. 78/435952 for the mark MILLER.

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MILLER BREWING COMPANY and  
MILLER PRODUCTS COMPANY,

Opposers,

v.

Opposition No. 91165532

URIEL FERNANDO ACEVEDO,

Applicant.

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**ANSWER TO NOTICE OF OPPOSITION**

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Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3514

Responding to the allegations of the Notice of Opposition, in correspondingly numbered paragraphs, applicant, through the undersigned attorney, pleads as follows:

1. Applicant is without sufficient knowledge or information to form a belief as to the allegation and accordingly denies the allegation of paragraph 1.
2. Applicant is without sufficient knowledge or information to form a belief as to the allegation and accordingly denies the allegation of paragraph 2.
3. Applicant is without sufficient knowledge or information to form a belief as to the allegation and accordingly denies the allegation of paragraph 3.
4. Applicant is without sufficient knowledge or information to form a belief as to the allegation and accordingly denies the allegation of paragraph 4.
5. Applicant is without sufficient knowledge or information to form a belief as to the allegation and accordingly denies the allegation of paragraph 5.
6. Denied.
7. Denied.



07-25-2005

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #39

Opposition No. 91165532  
Serial No. 78435952

Affirmative Defenses

8. MILLER is an extraordinarily common name, found in dictionaries, used by myriad businesses and entities for goods and services other than beer without confusion and without any likelihood of confusion with opposers.
9. MILLER is the subject of myriad registrations in classes other than class 032 for goods and/or services other than beer without confusion and without any likelihood of confusion with opposers.

Wherefore, applicant prays that the opposition be dismissed.

Respectfully submitted,

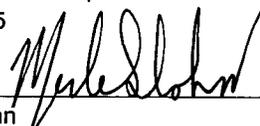


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Dated: July 20, 2005

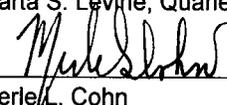
I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail, postage prepaid, in an envelope addressed to: Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3514 on

July 20, 2005

*mle*  
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Merle L. Cohn

I hereby certify that a copy of this Answer is being sent by first class mail, postage prepaid, to:

Marta S. Levine, Quarles & Brady LLP, 411 East Wisconsin Avenue, Milwaukee, WI 53202 on July 20, 2005

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Merle L. Cohn