

TTAB

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

In the Matter of Application No.: 76/570,501
Of the Mark: 167 NEW BOND STREET - LONDON - (Stylized)
Applicant: Asprey Holdings Limited Corporation

-----X		
Laurice El Badry Rahme Ltd. dba	:	
Laurice & Co.,	:	
	:	
Opposer,	:	Opposition No.: 91167945
	:	
v.	:	
	:	
Asprey Holdings Limited Corp.,	:	
	:	
Applicant.	:	
-----X		

**MEMORANDUM OF OPPOSER IN ANSWER
TO REPLY BRIEF OF APPLICANT**

This memorandum is submitted in answer to the reply brief of Applicant dated June 6, 2006.

As noted, Opposer surrendered its Registration No. 2,742,675 for cancellation.

37 C.FR. §2.127(d) states that when a motion for judgment is made, no papers should be filed expect those "germane to the motion." Certainly, the surrender of a registration, which is the subject of the motion, is "germane" to it, and is not in violation of said regulation.

Furthermore, since said registration is no longer in issue in this case, the allegations of fraud raised by Applicant, which allegations have been strongly denied by Opposer, are no longer in issue.



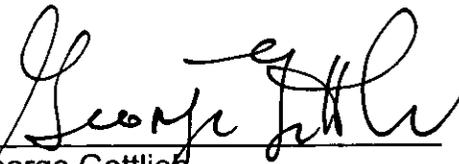
06-23-2006
U.S. Patent & TMO/c/TM Mail Rcpt Dt. #32

Finally, it is the intention of Opposer to continue this Opposition based upon its common law rights. That is an entitlement under the law, see Volkswagenwerk v. Wheeler, 2 U.S.P.Q. 2nd 1264, 1267 (1st Cir. 1987).

Dated: June 21, 2006
New York, New York

Respectfully submitted,

GOTTLIEB, RACKMAN & REISMAN, P.C.

By: 
George Gottlieb
Attorneys for Opposer
270 Madison Avenue
New York, NY 10016-0601
(212) 684-3900

CERTIFICATE OF MAILING

I hereby certify that this MEMORANDUM OF OPPOSER IN ANSWER TO REPLY BRIEF OF APPLICANT is being deposited with the United States Postal Service as first class mail in a postage prepaid envelope addressed to: Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451, on June 21, 2006.

Dated: New York, New York
June 21, 2006



Dahlia A. Bowie

CERTIFICATE OF SERVICE

I hereby certify that this MEMORANDUM OF OPPOSER IN ANSWER TO REPLY BRIEF OF APPLICANT is being deposited with the United States Postal Service as first class mail in a postage prepaid envelope addressed to: Terence A. Dixon, Esq., Dechert LLP, Cira Center, 2929 Arch Street, Philadelphia, PA 19104-2808, on June 21, 2006.

Dated: New York, New York
June 21, 2006



Dahlia A. Bowie

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

In the Matter of Application No.: 76/570,501
Of the Mark: 167 NEW BOND STREET - LONDON - (Stylized)
Applicant: Asprey Holdings Limited Corporation

-----X
Laurice El Badry Rahme Ltd. dba :
Laurice & Co., :
Opposer, : Opposition No.: 91167945
v. :
Asprey Holdings Limited Corp., :
Applicant. :
-----X

**MOTION BY OPPOSER FOR LEAVE TO FILE
BRIEF IN ANSWER TO THE REPLY BRIEF FILED BY APPLICANT**

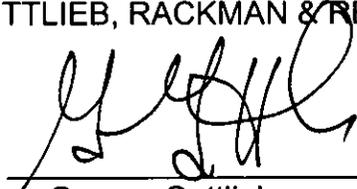
Opposer requests leave to file a brief in opposition to the reply brief filed by Applicant.

This request is made to answer points not previously raised by Applicant, which were made in connection with Opposer's voluntary surrender of its Registration No. 2,742,675.

Dated: June 21, 2006
New York, New York

Respectfully submitted,

GOTTLIEB, RACKMAN & REISMAN, P.C.

By: 
George Gottlieb
Attorneys for Opposer
270 Madison Avenue
New York, NY 10016-0601
(212) 684-3900

CERTIFICATE OF MAILING

I hereby certify that this MOTION BY OPPOSER FOR LEAVE TO FILE BRIEF IN ANSWER TO THE REPLY BRIEF FILED BY APPLICANT is being deposited with the United States Postal Service as first class mail in a postage prepaid envelope addressed to: Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451, on June 21, 2006.

Dated: New York, New York
June 21, 2006



Dahlia A. Bowie

CERTIFICATE OF SERVICE

I hereby certify that this MOTION BY OPPOSER FOR LEAVE TO FILE BRIEF IN ANSWER TO THE REPLY BRIEF FILED BY APPLICANT is being deposited with the United States Postal Service as first class mail in a postage prepaid envelope addressed to: Terence A. Dixon, Esq., Dechert LLP, Cira Center, 2929 Arch Street, Philadelphia, PA 19104-2808, on June 21, 2006.

Dated: New York, New York
June 21, 2006



Dahlia A. Bowie