

February 20, 2006

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

U.S. Patent and Trademark Office
Trademark Trial and Appeal Board
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I hereby certify that this correspondence is being deposited with the United States Postal Services as first class mail in an envelope addressed to the U.S. Patent and Trademark Office, Trademark Trial and Appeal Board, P.O. Box 1451, Alexandria VA 22313-1451 on 2-20-06.
(Date of Deposit)

CAROL B. JANSEN

Printed or Typed Name of the Person Signing the Certificate

Carol B. Jansen

Signature

February 20, 2006

Date of Signature

Re: *Answer to Opposition*
Applicant: Clabber Girl Corporation
Opposition No.: 91168540
Mark: FLEISCHMANN'S
Serial No.: 78/427,203
Our File No.: OT02670-US-01 (04292.0006)

Dear Sir/Madam:

Enclosed please find Applicant's Answer to Opposition No. 91168540 against Application Serial No. 78/427,203. A copy of the Answer to the Notice of Opposition is being served on Opposer's attorneys Mark Sableman and Matthew Braunel.



02-24-2006

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If you have any questions concerning the Answer to Opposition, please contact the undersigned.

Sincerely,

ICE MILLER LLP



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RLS/cj
Enclosures: Answer to Opposition
Return postcard

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

In the matter of Application Serial No. 78/427,203
for the mark FLEISCHMANN'S

AB MAURI FOOD INC.)

Opposer,)

v.)

CLABBER GIRL CORPORATION)

Applicant.)

Opposition No. 91168540

ANSWER

Clabber Girl Corporation ("Applicant"), by its undersigned legal counsel, in response to the Notice of Opposition ("Notice") filed by AB Mauri Food Inc. ("Opposer"), states:

Applicant's Mark

1. Applicant admits the allegations set forth in Paragraph 1 of the Notice.
2. Applicant denies the allegations set forth in Paragraph 2 of the Notice to the extent that such allegations imply that Applicant has not used the FLEISCHMANN'S mark on products containing baking soda.

Background Of The FLEISCHMANN'S Trademark

3. Applicant is without knowledge or information sufficient to form a belief as to the truth of Opposer's allegations set forth in Paragraph 3 of the Notice and, therefore, denies the same.

4. Applicant is without knowledge or information sufficient to form a belief as to the truth of Opposer's allegations set forth in Paragraph 4 of the Notice and, therefore, denies the same.

5. Applicant is without knowledge or information sufficient to form a belief as to the truth of Opposer's allegations set forth in Paragraph 5 of the Notice and, therefore, denies the same.

6. Applicant is without knowledge or information sufficient to form a belief as to the truth of Opposer's allegations set forth in Paragraph 6 of the Notice and, therefore, denies the same.

7. Applicant is without knowledge or information sufficient to form a belief as to the truth of Opposer's allegations set forth in Paragraph 7 of the Notice and, therefore, denies the same.

8. Applicant denies the allegations of Paragraph 8 of the Notice.

9. Applicant denies the allegations of Paragraph 9 of the Notice.

Applicant's FLEISCHMANN'S Mark For Baking Powder

10. Applicant admits the allegation set forth in Paragraph 10 regarding its acquisition of certain rights in the FLEISCHMANN'S mark. Applicant is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations set forth in Paragraph 10 of the Notice and, therefore, denies the same.

11. Applicant admits the allegation set forth in the first sentence of Paragraph 11 of the Notice regarding its ownership of a design mark including the word FLEISCHMANN'S for baking power (Reg. No. 701,453). Applicant denies the remaining allegations of Paragraph 11 of the Notice.

12. Applicant admits the allegations set forth in Paragraph 12 of the Notice regarding its ownership of Registration Nos. 333,295 and 280,290. Applicant denies the remaining allegations of Paragraph 12 of the Notice.

13. Applicant admits the allegations of Paragraph 13 of the Notice.

14. Applicant denies the allegations of Paragraph 14 of the Notice.

15. Applicant denies the allegations of Paragraph 15 of the Notice.

Opposer's Mark

16. Applicant is without knowledge or information sufficient to form a belief as to the truth of Opposer's allegations set forth in Paragraph 16 of the Notice and, therefore, denies the same.

COUNT I

17. Applicant incorporates the answers of Paragraphs 1 through 16 as this Paragraph 17.

18. Applicant denies the allegations of Paragraph 18 of the Notice.

19. Applicant is without knowledge or information sufficient to form a belief as to the truth of Opposer's allegations set forth in Paragraph 19 of the Notice and, therefore, denies the same.

20. Applicant is without knowledge or information sufficient to form a belief as to the truth of Opposer's allegations set forth in Paragraph 20 of the Notice and, therefore, denies the same.

21. Applicant denies the allegations of Paragraph 21 of the Notice.

22. Applicant denies the allegations of Paragraph 22 of the Notice.

23. Applicant denies the allegations of Paragraph 23 of the Notice.

COUNT II

24. Applicant incorporates the answers of Paragraphs 1 through 23 as this Paragraph 24.

25. Applicant is without knowledge or information sufficient to form a belief as to the truth of Opposer's allegations set forth in Paragraph 25 of the Notice and, therefore, denies the same.

26. Applicant is without knowledge or information sufficient to form a belief as to the truth of Opposer's allegations set forth in Paragraph 26 of the Notice and, therefore, denies the same.

27. Applicant is without knowledge or information sufficient to form a belief as to the truth of Opposer's allegations set forth in Paragraph 27 of the Notice and, therefore, denies the same.

28. Applicant denies the allegations of Paragraph 28 of the Notice.

29. Applicant denies the allegations of Paragraph 29 of the Notice.

COUNT III

30. Applicant incorporates the answers of Paragraphs 1 through 29 as this Paragraph 30.

31. Applicant is without knowledge or information sufficient to form a belief as to the truth of Opposer's allegations set forth in Paragraph 31 of the Notice and, therefore, denies the same.

32. Applicant denies the allegations of Paragraph 32 of the Notice.

33. Applicant denies the allegations of Paragraph 33 of the Notice.

34. Applicant denies the allegations of Paragraph 34 of the Notice.

35. Applicant denies the allegations of Paragraph 35 of the Notice.
36. Applicant denies the allegations of Paragraph 36 of the Notice.
37. Applicant denies the allegations of Paragraph 37 of the Notice.

PRAYER FOR RELIEF

WHEREFORE, Applicant prays that Opposer's Notice be denied and dismissed, with prejudice, and that Applicant's FLEISCHMANN'S mark, Application Serial No. 78/427,203, be allowed, and for all other proper relief in the premises.

Respectfully submitted,

Clabber Girl Corporation

Date: 2/20/06

By: Rachel St. Peter

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing has been deposited in the U.S. mail, first class postage prepaid, on this 20th day of February, 2006, addressed to:

Mark Sableman
Matthew Braunel
Thompson Coburn LLP
Attorneys for Opposers
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