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

Proceeding	91169101
Party	Defendant AIBE AIBE 983 Woodland Drive Turlock, CA 953827281
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Submission	Answer
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Attachments	Answer to Notice of Opposition.pdf (3 pages)

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

In the matter of trademark application Serial No. 78/624,734
Filed May 06, 2005
For the Mark INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS)
Published in the Official Gazette on January 10, 2006

Alans International Business Enterprise (AIBE))		
Applicant,)	Serial No.	78624734
)	Opposition No.	91169101
v.)		
)		
Academy of International Business)		
Opposer.)		

ANSWER TO NOTICE OF OPPOSITION

Applicant, Alans International Business Enterprise, a California corporation, having a principal business office at 983 Woodland Drive, Turlock, California 95382-7281 believes that registration of our mark INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) as shown in Application Serial No. 78/624,734 in International Class 41 has not or will not damage the Opposer, an unincorporated association called Academy of International Business, or claimed mark(s) of the Opposer and, therefore, the opposition be dismissed and registration of the mark be issued thereon to the Applicant.

The grounds for issuance of the mark to the Applicant are as follows:

1. The Applicant has been using distinct mark, INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS). The mark represents the name of a scholarly research journal in the field of business administration. The mark also includes the natural acronyms (IJBS) of the journal's name INTERNATIONAL JOURNAL OF BUSINESS STUDIES. Therefore, the Applicant applied for the registration of this original mark INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS).
2. The Applicant's journal with mark INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) offers an excellent choice to the academic faculty, research scholars, business executives, and students. The field of Business Administration has grown rapidly since 1950s and many universities/ colleges around the world are offering new undergraduate/graduate degree programs

in this field. Our journal with mark INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) offers publications opportunities in the rapidly growing field of Business Administration to academic faculty, research scholars, business executives, and students from universities and businesses around the world. Our journal with mark INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) focuses on the growing field of research of Business Administration. The focus of our journal is not in the field of generic International Business. The Opposer's publication, namely JOURNAL OF INTERNATIONAL BUSINESS STUDIES, publishes in the generic field of International Business. The international business is a part of business administration field. Therefore, our journal with mark INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) has a distinct role and opportunity in the growing field of Business Administration that is not met by the Opposer's journal in International Business. Therefore, the Applicant's journal with mark INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) is a natural fit with the emerging market opportunity identified by the Applicant in business administration. The journal with mark INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) is a perfect natural choice to represent the publication in the business subjects.

3. Applicant's journal with mark INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) is not identical or similar to Opposer's claimed journal mark JOURNAL OF INTERNATIONAL BUSINESS STUDIES. Neither the Opposer nor any other entity has a registration or exclusive claim to the generic terms journal or international business. Applicants mark has distinct words (IJBS) that are different, distinct, and clear from the generic words in the Opposer's claimed marks. To pint out obvious distinctiveness, the Applicant's mark is printed below with the Opposer's claimed marks:

Applicant's Mark: International Journal of Business Studies (IJBS)

Opposer's Claimed Mark: Journal of International Business Studies

And,

Applicant's Mark: International Journal of Business Studies (IJBS)

Opposer's Claimed Mark: Journal of International Business Studies

Furthermore,

Applicant's Mark: International Journal of Business Studies (IJBS)

Opposer's Claimed Mark: JIBS

4. As demonstrated above, the Applicant's mark is easily distinguishable from those of the Opposer's claimed marks. The claim of the Opposer that the "Applicant's mark is likely to be confusing" is totally baseless because the readers, the authors/researchers, the managing editors, and the editorial board of the Applicant's journal with mark INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS) are highly educated members of university faculties/ individuals with doctorates and/or masters level education from well known universities around the world. These scholars know the distinction of our mark.
5. As stated by the Opposer in the Notice of Opposition, the claimed mark Journal of International Business Studies is in use and customers/clients are aware of claimed mark and, therefore, the Opposer's customers or clients are not likely to be confused. We believe that the Opposer would not disagree that the readers/authors/researchers/coHORTS and others involved in the Opposer's journal with their claimed mark are educated individuals who know/can identify not only the clear differences but also the finest differences between the two obviously distinct marks. No confusion!
6. The Applicant's mark is distinct in appearance from those of the Opposer's claimed marks. The connotation of the Applicant's mark is distinct and very precise in its distinctiveness. Finally, the marketplace of highly educated readers/authors/researchers is gifted enough to know and differentiate the Applicant's distinct mark from those claimed marks of the Opposer. Therefore, the marketplace is not mistaken or not likely to make mistake with or get confused with the Applicant's mark and those of Opposer's claimed marks.

Wherefore, the Applicant strongly believes that there has been no damage or there will be no damage to any entity including the Opposer and prays that the Opposition be over ruled and the registration be granted to the Applicant's mark INTERNATIONAL JOURNAL OF BUSINESS STUDIES (IJBS).

Respectfully submitted,

Dated: March 11, 2006

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