

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

In the matter of Application Serial No.  
For the Mark GILLETTE VENUS  
Published in the Official Gazette on October 11, 1005



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U.S. Patent & TMO/TM Mail Rcpt Dt. #11

KELEMATA, S.P.A.,

Opposer,

v.

Opposition No. 91169102

THE GILLETTE COMPANY,

Applicant.

Hon. Commissioner for Trademarks  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451

**ANSWER TO NOTICE OF OPPOSITION**

Applicant, The Gillette Company ("Applicant") hereby answers Opposer's Notice of Opposition. As to the specific grounds of allegation, Applicant answers the correspondingly numbered paragraphs as follows:

**CERTIFICATE OF MAILING BY FIRST CLASS MAIL**

I hereby certify under 37 CFR §2.197 that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451

March 3, 2006

Date of Deposit

Darlene J. Morin

Signature

Darlene J. Morin

Typed or Printed Name of Person Signing Certificate

Applicant : Attorney's Docket No.: 13760-084PP1

Serial No. : 78/495,643

Filed: : October 6, 2004

Mark : GILLETTE VENUS

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1. Applicant admits that it has applied to register the trademark GILLETTE VENUS and Design with the United States Patent and Trademark Office. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations of paragraph 1 of the Notice of Opposition, which are therefore denied.

2. Applicant lacks knowledge or information sufficient to form a belief as to the truth of allegations of paragraph 2 of the Notice of Opposition, which are therefore denied.

3. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 3 of the Notice of Opposition, which are therefore denied.

4. Admit that the records of the United States Patent and Trademark Office indicate that: (1) Opposer filed Application Serial No. 78,286,068 of the mark VENUS and Design on August 12, 2003, that Opposer subsequently filed an Amendment to Allege use claiming a first use in commerce date of October 28, 2003, and that this application was suspended on May 31, 2005, and (2) that Opposer filed Application Serial No. 78.326,804 of the mark V VENUS and Design on November 12, 2003 claiming a first use in commerce date of April 30, 2001, and that this application was suspended on May 20, 2005.

5. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 5 of the Notice of Opposition, which are therefore denied..

6. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 6 of the Notice of Opposition, which are therefore denied.

7. Denied.

8. Admit that Opposer and Applicant entered into a Settlement Agreement in 2002, but deny that this Settlement Agreement was applicable worldwide or that it precluded the filing of the application which is the subject of this action. Applicant is

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currently seeking interpretation of the Settlement Agreement in a declaratory action in the Court of Milan.

9. Denied.

10. Admit.

11. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 11 of the Notice of Opposition, which are therefore denied.

WHEREFORE, Applicant requests that the Notice of Opposition be denied in all respects and that application Serial No. 78/495,643 be allowed to issue.

Please direct all further communications regarding this matter to the undersigned.

Respectfully Submitted,

Date: \_\_\_\_\_

March 7, 2006



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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing ANSWER TO NOTICE OF OPPOSITION has this 3<sup>rd</sup> day of March 2006 been served by First Class Mail, postage prepaid, to the following counsel of record for Opposer:

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