



THE  
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Faxed and by Reg. Mail

**Opposition Number 91169178**  
**Serial Number 78387272**  
**Applicants response to Opposition Notice**

**TTAB**

1. The applicants, Michael James and Susan Mary Poyzer are the owners of the above company, which is a world wide distributor of Bicycles, Bicycle components and accessories and affiliated goods. Amongst there range of goods, they manufacture and distribute a range of exclusive cycle components under the brand name of Tensile which is a registered Trade mark in the United Kingdom, the European Union, Canada, Australia, New Zealand, Japan and several other countries worldwide. They have sold products under this brand name since 2002 and in the USA since 2004.

2. The applicants considers that the name Tensile is sufficiently different to the opponents brand Tensor for there to be no likelihood of confusion.

3. The applicants further consider that the opponent has no registration in place for the class 12 items which they are opposing and with which the applicant already has a worldwide reputation. They therefore would reject that opposition completely. The applicants have a wealth of evidence to support their position on this

5. The applicant has asked to register the brand name under class 25 additionally to cover the limited range of bicycle promotional clothing which they sell for race team use and sponsorship.

6. While the applicant does not consider that there is a likelihood of confusion, they accept that the opponents have a reputation with their brand name in class 25 and are willing to consider limiting the scope of their class 25 range of products to cycle specific items and enter into a co existence agreement with the opponents to their requirements in consideration of the withdrawal of their opposition to the registration.

7. The applicants have already written to the opponents attorneys with this suggestion but have to date not received any reply. We therefore await their response before proceeding any further with this opposition.

Michael James Poyzer

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Susan Mary Poyzer

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