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Filing date: **07/31/2006**

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

Proceeding	91169854
Party	Defendant Harris Publications, Inc. Harris Publications, Inc. 1115 Broadway New York, NY 10010
Correspondence Address	Eli Schoenfield McLaughlin & Stern, LLP 260 Madison Avenue New York, NY 10016 ochernin@mclaughlinstern.com
Submission	Answer
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Signature	/Oliver R. Chernin/
Date	07/31/2006
Attachments	Answer To Notice of Opposition.pdf (9 pages)(613796 bytes)

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

-----x

Dennis Stuff, Inc.	:	
	:	Opposition No. 91169854
Opposer,	:	
	:	Serial No. 76/977,298
-against-	:	
	:	Mark: RIDES
Harris Publications, Inc.	:	
	:	
Applicant.	:	

-----x

ANSWER TO NOTICE OF OPPOSITION

Harris Publications, Inc. (hereinafter "Applicant" or "Harris"), pursuant to 37 C.F.R. §2.106, hereby answers the Notice of Opposition filed by Dennis Stuff, Inc. (hereinafter "Opposer" or "Dennis Stuff") as follows:

1. Is without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations set forth in paragraph 1 of the Notice of Opposition and, therefore, denies the same.
2. Is without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations set forth in paragraph 2 of the Notice of Opposition and, therefore, denies the same.
3. Denies the allegations set forth in paragraph 3 of the Notice of Opposition, except admits that Harris' identification of goods under RIDES application Serial No. 76/977,298 is a "magazine in the field of automobiles."

3. (duplicate)

Denies the allegations set forth in paragraph 3 (duplicate) of the Notice of Opposition, except admits that Harris has objected to Opposer's use of the mark "RIDES" to entitle a column in its magazine *Stuff* (pp. 90-91 of Volume 8, Number 11) (*see* Exhibit 1) and use of the term "RIDES" in a trademark sense on the cover of the same issue (*see* Exhibit 2), and that Opposer has rejected Applicant's demand.

4. Is without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations set forth in paragraph 4 of the Notice of Opposition and, therefore, denies the same.

5. Denies the allegations set forth in paragraph 5 of the Notice of Opposition, except admits that if Applicant's mark is registered, Applicant will attain the statutory benefits of a federally registered mark in RIDES.

AFFIRMATIVE DEFENSE

1. The Notice of Opposition fails to state a claim upon which relief can be granted.
2. Opposer does not have any valid, proprietary rights in the subject matter that it has invoked.
3. Applicant is the owner of Registration No. 2,996,121 for the mark RIDES for a magazine section in the field of automobiles.

WHEREFORE, Applicant prays that Opposer's Opposition be dismissed with prejudice.

Respectfully submitted,

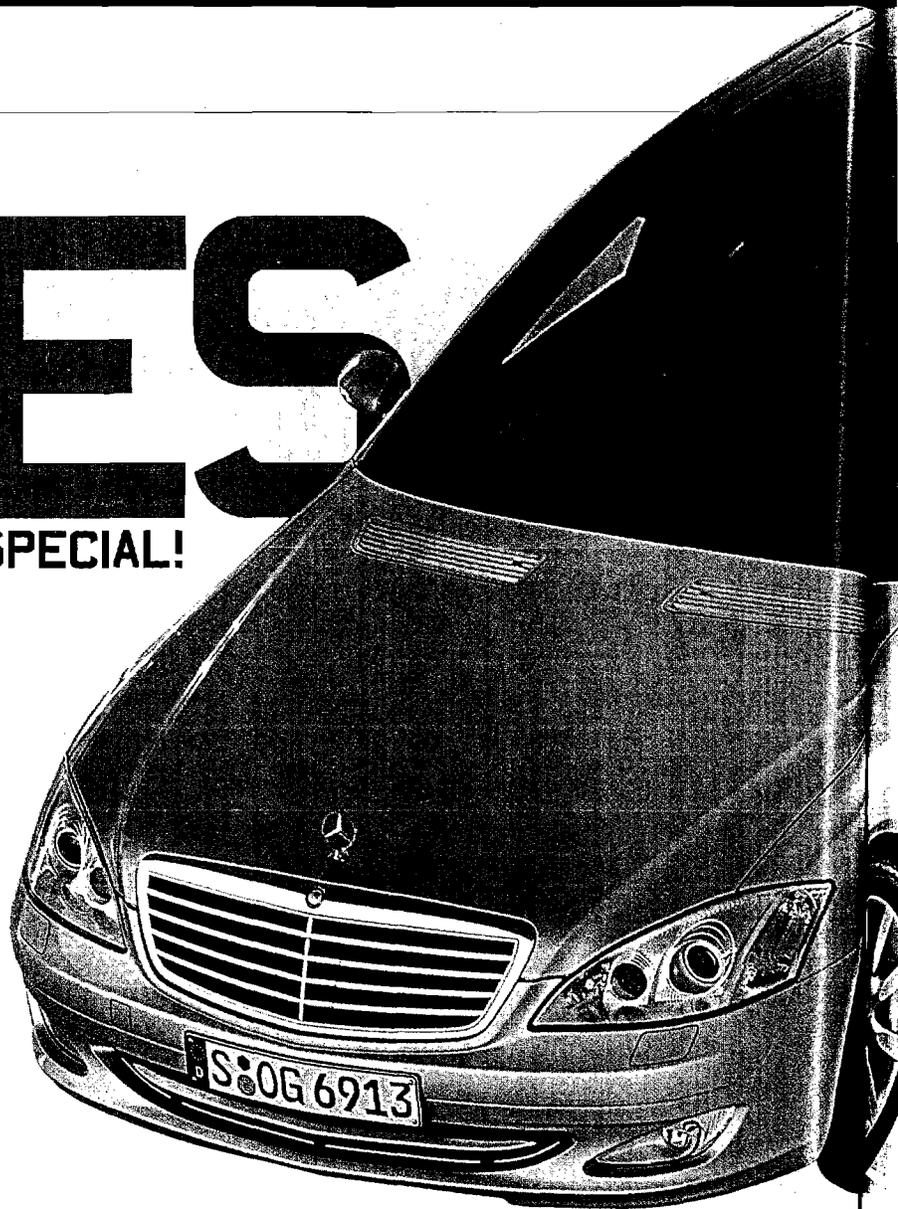
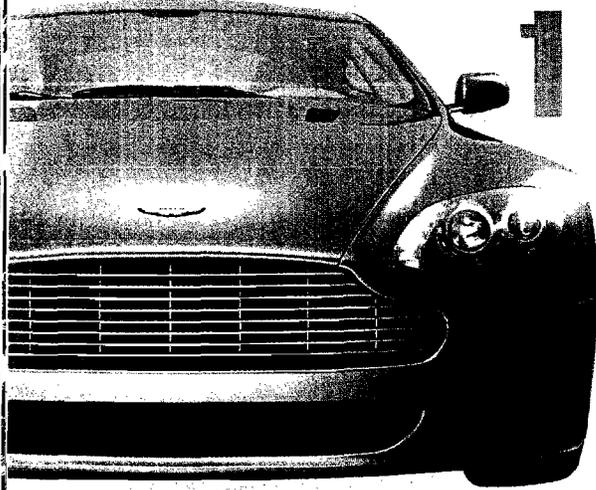
By: 
Eli D. Schoenfield
Oliver R. Chernin
McLaughlin & Stern, LLP
Attorneys for Applicant
260 Madison Avenue
New York, NY 10016
(212) 448-1100

Dated: July 31, 2006

EXHIBIT 1

RIDES

THE 2005 STUFF CAR SPECIAL!



NEW-CAR SMELL

THE '06 MODELS ARE HERE TO MAKE YOU SAY, "OH, SHIT!"

1 BRIT ROCK ASTON MARTIN V-8 VANTAGE

Thanks to Aston's new V-8 Vantage—a \$110,000 supercar that is humorously thought of as Aston's most affordable—snobbery has never come so cheap.

astonmartin.com

PRICE \$110,000

THE GOODS 4.3-liter, 380-hp V-8; six-speed manual gearbox; antilock brakes; stability control; leather interior; six-CD changer

SPEED Scream to 60 mph in 4.9 seconds; top out at 175 mph

THE X FACTOR The closest you can get to British royalty this side of a scope and a high-powered rifle

2 MERC FOR HIRE MERCEDES-BENZ S-CLASS

Benz's 2007 line of S-Class vehicles are all about the options. Pick from an auto buffet that ranges from a 500-hp V-12 to a stealthy new night-vision system for driving in low light or when loosely blindfolded.

mbusa.com

PRICE \$85,000–\$115,000

THE GOODS 382-hp V-8 with seven-speed automatic or 510-hp V-12 with five-speed automatic transmission

SPEED 60 mph in about 5.4 seconds with the V-8; top speed likely electronically limited to 130 mph

THE X FACTOR Big on power, even bigger on gadgets

3 MILITARY BRAT HUMMER H3

The new H3 has an awesome 9.1 inches of ground clearance, meaning you'll rumble over boulders and rabid soccer mom-mobiles unscathed. And, at a hair under 30 g's, it's the least expensive Hummer ever—as long as we're talking about the kind with wheels.

hummer.com

PRICE \$29,500

THE GOODS 220-hp five-cylinder engine; full-time four-wheel drive; optional 33-inch tires

SPEED 60 mph in about 10 seconds; 98 mph at the top

THE X FACTOR A Swiss Army truck with go-anywhere, invade-anything goods

4 GOT HEMI? CHRYSLER 300C SRT8

You want to be more Snoop-like, but the braid job was a huge mistake and the hoopty '86 Excel just isn't cutting it. Your total image makeover requires emergency measures, and the 425-hp SRT8 of Chrysler's bling-ready 300C is just the thing to do the job.

chrysler.com

PRICE \$42,595

THE GOODS 425-hp HEMI V-8; five-speed automatic; performance leather interior

SPEED Hit 60 mph in 5.0 seconds; stretch it out to 170 mph

THE X FACTOR Who needs nice hair when you've got a HEMI under the hood?

5 SUN GUN PONTIAC SOLSTICE

Drop the top (the manual convertible roof is simple enough even for Jessica Simpson to use) and worship the sun in Pontiac's slick little rear-wheel-drive roadster. Celebrating the spring equinox hasn't been this fun since we stopped sacrificing goats.

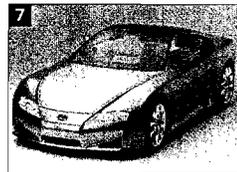
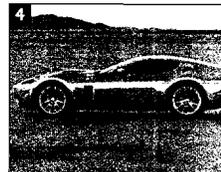
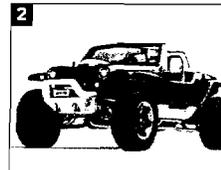
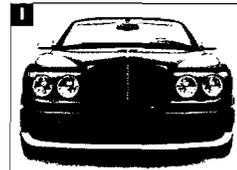
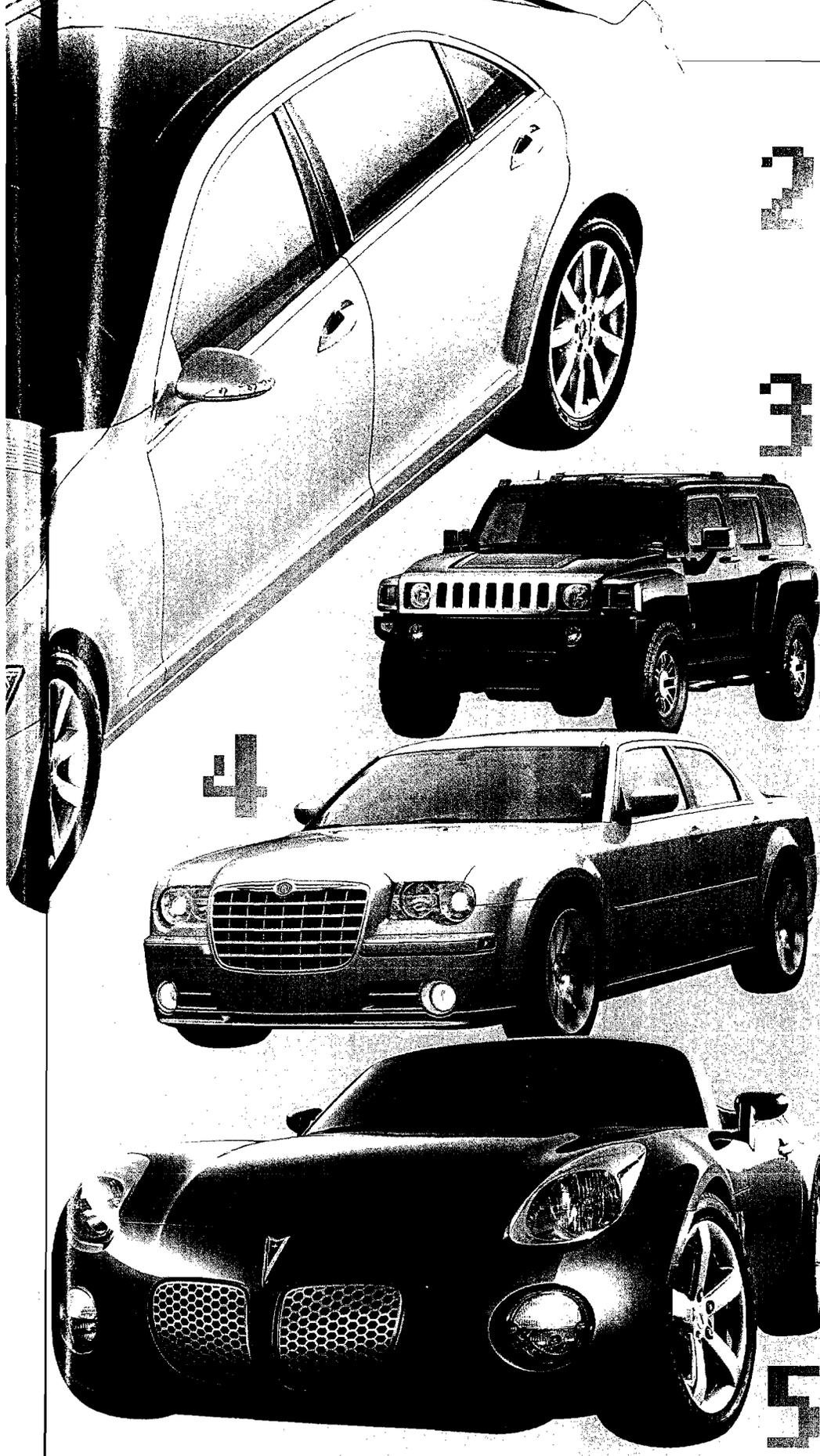
pontiac.com

PRICE \$19,995

THE GOODS 177-hp four-cylinder; Aisin five-speed manual gearbox

SPEED 60 mph in about 7.2 seconds; top speed of about 123 mph

THE X FACTOR A breezy American Miata that even sounds like summer



HIGH CONCEPTS

Prototype whips to crack in the years to come, provided we still have gas.

1 2007 BENTLEY AZURE

Our pimp cup overfloweth! Bentley's Azure concept will go into production in early '06. bentleymotors.com

2 JEEP HURRICANE

The American icon takes four-wheel drive to the next level. Jeep, if you ever make it for real, change the name. jeep.com

3 LAMBORGHINI CONCEPT S

Lambo may never produce this concept, but it wasn't like you were going to buy a Gallardo anyway. lamborghini.com

4 FORD SHELBY GR-1

Nothing says "death metal" better than a 605-hp prototype. ford.com

5 CHRYSLER FIREPOWER

Should the Firepower roll into production, this poor man's Viper would sport the classic 425-hp HEMI. chrysler.com

6 SMART CAR

A prototype of a kinder, gentler microcompact, now in killer camo. smartusa.com

7 LEXUS LF-A

Underneath its sleek Formula One-inspired lines breathes a fiery...Toyota. lexus.com

8 SATURN SKY

The first-ever convertible from Saturn will graduate from concept status to the streets in early 2006. saturn.com

TEXT: MARTY PRUDGETT

EXHIBIT 2

THE ONLY MAGAZINE THAT MATTERS

Stuff



**BY THE WAY
RIDES**

P.90

↘ AWESOME GEAR!

372 WAYS TO KICK ASS!

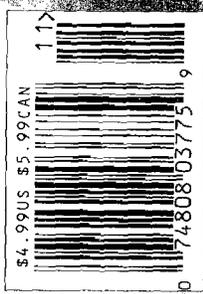
↘ PRIME TIME!

BURN BABY BURN!

KITCHEN CONFIDENTIAL BONNIE SOMERVILLE!

↘ PLUS!

**DAVE ATTELI
ON OBESITY!
STACY
KEIBLER
ON INNER
THIGHS!
CHRIS
PONTIUS ON
LADY BOYS!**

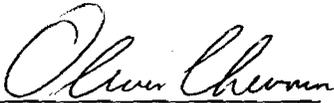


STUFFMAGAZINE.COM
NOVEMBER 2005

CERTIFICATE OF SERVICE

I hereby certify that on July 31, 2006, I caused one true copy of the foregoing ANSWER TO NOTICE OF OPPOSITION to be served by first class mail upon Opposer, Dennis Stuff, Inc. by causing a true and correct copy thereof to be deposited in the United States mail, postage prepaid, addressed to Opposer's counsel of record as follows:

Peter M. Langrind, Esq.
JACOBS DEBRAUWERE LLP
1040 Avenue of the Americas
New York, NY 10018


Oliver R. Chernin
Oliver R. Chernin