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Filing date: **05/15/2006**

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

| | |
|------------------------|-------------------------------------------------------------------------------------------------------------|
| Proceeding | 91170232 |
| Party | Defendant AFB PRODUCTIONS, INC. AFB PRODUCTIONS, INC. 23 BELLE TERRE ROAD WEST ORANGE, NJ 07052 |
| Correspondence Address | STEVEN C. SCHECHTER MONDELLO & SCHECHTER, P.A. 0-100 27TH STREET FAIR LAWN, NJ 07410 |
| Submission | Answer |
| Filer's Name | Kenneth L. Wilton |
| Filer's e-mail | kwilton@seyfarth.com, kelko@seyfarth.com |
| Signature | /Kenneth L. Wilton/ |
| Date | 05/15/2006 |
| Attachments | Answer to Notice of Opposition.pdf (5 pages)(238741 bytes) |

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

THE VERSAILLES FOUNDATION, INC.,

Opposer,

v.

AFB PRODUCTIONS, INC.,

Applicant.

Opposition No. 91170232

CERTIFICATE OF ONLINE FILING

I hereby certify that on May 15, 2006, this paper is being filed online with the Trademark Trial and Appeal Board.



Eleanor Elko

PRELIMINARY STATEMENT

This Opposition is identical to the opposition filed by Opposer The Versailles Foundation, Inc. (“Opposer”) and assigned Opposition No. 91170116. It appears that Opposer filed its opposition both electronically and by mail, thereby resulting in duplicate opposition proceedings being docketed by the Trademark Trial and Appeal Board. Opposer’s error should be rectified, and this opposition proceeding dismissed and the earlier-filed proceeding allowed to continue.

ANSWER TO NOTICE OF OPPOSITION

Applicant AFB Productions, Inc. (“Applicant”) hereby answers the Notice of Opposition (“Opposition”) filed by Opposer The Versailles Foundation, Inc. (“Opposer”), and responds to the averments contained therein as follows:

1. Applicant is without information sufficient to form a belief as to the truth of the averments contained in Paragraph 1 of the Opposition and, on that basis, denies each of them.

2. Applicant is without information sufficient to form a belief as to the truth of the averments contained in Paragraph 2 of the Opposition and, on that basis, denies each of them.

3. Applicant is without information sufficient to form a belief as to the truth of the averments contained in Paragraph 3 of the Opposition and, on that basis, denies each of them.

4. Applicant is without information sufficient to form a belief as to the truth of the averments contained in Paragraph 4 of the Opposition and, on that basis, denies each of them.

5. Applicant is without information sufficient to form a belief as to the truth of the averments contained in Paragraph 5 of the Opposition and, on that basis, denies each of them.

6. Answering Paragraph 6 of the Opposition, Applicant admits that United States Trademark Registration No. 2,259,484 was issued by the United States Patent and Trademark Office, that a copy of the registration is attached as Exhibit B to the Opposition, and that the registration speaks for itself. With regard to the remaining averments contained in Paragraph 6 of the Opposition, Applicant has no information sufficient to form a belief as to the truth of those averments and, on that basis, denies each of them.

7. Answering Paragraph 7 of the Opposition, Applicant admits that United States Trademark Registration No. 2,489,271 was issued by the United States Patent and Trademark Office, that a copy of the registration is attached as Exhibit C to the Opposition, and that the registration speaks for itself. With regard to the remaining averments contained in Paragraph 7 of the Opposition, Applicant has no information sufficient to form a belief as to the truth of those averments and, on that basis, denies each of them.

8. Answering Paragraph 8 of the Opposition, Applicant admits that Opposer filed Trademark Application Serial No. 76-635,973 with the United States Patent and Trademark Office, and that the application speaks for itself. With regard to the remaining averments

contained in Paragraph 8 of the Opposition, including the description of the contents of the referenced application, Applicant has no information sufficient to form a belief as to the truth of those averments and, on that basis, denies each of them.

9. Applicant is without information sufficient to form a belief as to the truth of the averments contained in Paragraph 9 of the Opposition and, on that basis, denies each of them.

10. Applicant is without information sufficient to form a belief as to the truth of the averments contained in Paragraph 10 of the Opposition and, on that basis, denies each of them.

11. Answering Paragraph 11 of the Opposition, Applicant admits that it intends to use the mark at issue on or in connection with videocassettes, paints, jewelry, flowers, foods and beverages, wine, dinnerware, bedding and assorted foods and spices, denies that it was required to obtain “endorsement” or permission from Opposer to do so, and denies the remaining averments contained therein.

12. Applicant admits the allegations in Paragraph 12 of the Opposition.

13. Applicant admits the allegations in Paragraph 13 of the Opposition.

14. Answering Paragraph 14 of the Opposition, Applicant admits that it had not commenced use of the mark at issue on or in connection with the goods identified in the applications at issue prior to their respective filing dates, that the basis for filing each of those applications was Section 1(b) of the Trademark Act, and denies the remaining averments contained therein.

15. Answering Paragraph 15 of the Opposition, Applicant admits that it owns the applications at issue by assignment from Aileen Bordman, and that that assignment was recorded with the United States Patent and Trademark Office in or about September, 2005, and denies the remaining averments contained therein.

16. Applicant denies the averments contained in Paragraph 16 of the Opposition.
17. Applicant denies the averments contained in Paragraph 17 of the Opposition.
18. Applicant denies the averments contained in Paragraph 18 of the Opposition.
19. Applicant denies the averments contained in Paragraph 19 of the Opposition.
20. Applicant denies the averments contained in Paragraph 20 of the Opposition.
21. Applicant denies the averments contained in Paragraph 21 of the Opposition.
22. Applicant denies the averments contained in Paragraph 22 of the Opposition.

AFFIRMATIVE DEFENSE

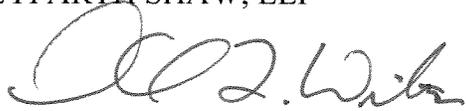
The Notice of Opposition, and each claim therein, fails to aver facts sufficient to constitute a ground for opposition.

WHEREFORE, Applicant AFB Productions, Inc. prays for judgment dismissing the Notice of Opposition with prejudice and allowing Applicant's registration of the marks shown in the opposed applications upon Applicant's satisfaction of the requirements of Section 1(d) of the Trademark Act.

Respectfully submitted,

SEYFARTH SHAW, LLP

By: _____


Kenneth L. Wilton
Attorneys for Applicant
AFB PRODUCTIONS, INC.

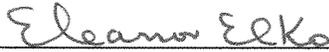
Dated: May 15, 2006

2029 Century Park East, Suite 3300
Los Angeles, CA 90067-3063
Telephone: (310) 277-7200
Facsimile: (310) 201-5219

CERTIFICATE OF SERVICE

I hereby certify that on May 15, 2006, I served the foregoing Answer to Notice of Opposition on the Opposer by depositing a true copy thereof in a sealed envelope, postage prepaid, in First Class U.S. mail addressed to Opposer's counsel as follows:

James Reisman, Esq.
Gottlieb, Rackman & Reisman, P.C.
270 Madison Avenue
New York, NY 10016
Telephone: (212) 684-3900
Facsimile: (212) 684-3999



Eleanor Elko