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Filing date: **08/21/2006**

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

Proceeding	91171901
Party	Defendant Advanced Nutritional Biosystems, Inc. Advanced Nutritional Biosystems, Inc. Suite 401 8034 Sunport Drive Orlando, FL 32809
Correspondence Address	DAVID L. SIGALOW ALLEN, DYER, DOPPELT, MILBRATH & GILCHRI 255 S ORANGE AVE STE 1401 ORLANDO, FL 32801-3460
Submission	Answer
Filer's Name	David L. Sigalow
Filer's e-mail	dsigalow@addmg.com
Signature	/David L. Sigalow/
Date	08/21/2006
Attachments	Executed Answer to the Notice of Opposition.pdf (3 pages)(90742 bytes)

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

Gakic US Trademark Ltd.,

Opposer,

vs.

Advanced Nutritional Biosystems, Inc.,

Applicant.

Opposition No: 91171901
Application No. 78/728625
Mark: **G-KICK**

APPLICANT'S ANSWER TO THE NOTICE OF OPPOSITION

Applicant, Advanced Nutritional Biosystems, Inc., a Florida corporation, whose address is 8034 Sunport Drive, Suite 401, Orlando, Florida 32809, hereby responds to the Notice of Opposition as follows:

1. Applicant admits the allegations in Paragraph 1 of the Notice of Opposition.
2. Applicant is without sufficient information or knowledge to form a belief as to the truth of the allegations of Paragraph 2 of the Notice of Opposition and therefore denies same.
3. Applicant is without sufficient information or knowledge to form a belief as to the truth of the allegations of Paragraph 3 of the Notice of Opposition and therefore denies same.
4. Applicant admits the allegation in Paragraph 4 of the Notice of Opposition.
5. Applicant is without sufficient information or knowledge to form a belief as to the truth of the allegations of Paragraph 5 of the Notice of Opposition and therefore denies same.
6. Applicant is without sufficient information or knowledge to form a belief as to the truth of the allegations of Paragraph 6 of the Notice of Opposition and therefore denies same.
7. Applicant is without sufficient information or knowledge to form a belief as to the truth of the allegations of Paragraph 7 of the Notice of Opposition and therefore denies same.
8. Applicant is without sufficient information or knowledge to form a belief as to the truth of the allegations of Paragraph 8 of the Notice of Opposition and therefore denies same.
9. Applicant is without sufficient information or knowledge to form a belief as to the truth of the allegations of Paragraph 9 of the Notice of Opposition and therefore denies same.
10. Applicant denies the allegations in Paragraph 10 of the Notice of Opposition.

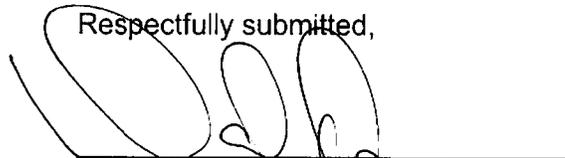
AFFIRMATIVE DEFENSES

11. Opposer's mark **GAKIC** is descriptive.
12. Opposer's mark **GAKIC** is generic.
13. Opposer is barred from opposing the registration of this mark based on laches.
14. Opposer is barred from opposing the registration of this mark based on acquiescence.
15. Opposer's mark **GACIK** and Applicant's mark **G-KICK** are not confusingly similar so as to cause a likelihood of confusion in the mind of the prospective or actual purchasers of the respective products.
16. The parties' marks **GACIK** and Applicant's mark **G-KICK** are, respectively, directed at different products sold to different consumers through disparate channels of trade such that there can be no confusion as to the origin and sponsorship of the respective products.
17. The use and registration of Applicant's mark **G-KICK** by Applicant is not likely to cause damage or injury to Opposer.

WHEREFORE, Applicant prays that this Notice of Opposition be denied.

Dated: 2/21/06

Respectfully submitted,

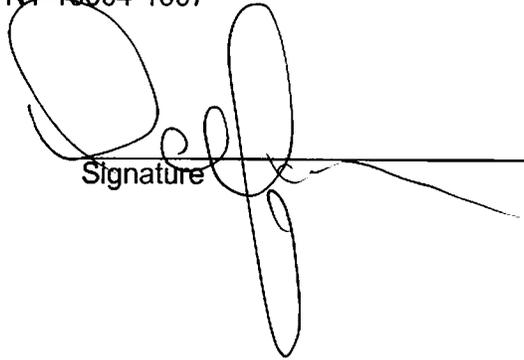


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CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing document was served by U. S. Mail on August 21, 2006 to counsel of the Opposer, as follows:

Howard J. Shire, Esq.
Kenyon & Kenyon LLP
One Broadway
New York, NY 10004-1007


Signature