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

Proceeding	91175052
Party	Defendant Uriel Tzvi Laber Uriel Tzvi Laber 1521 Alton Road Suite #133 Miami Beach, FL 33139
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Date	06/18/2007
Attachments	Answer.pdf ( 3 pages )(77921 bytes )

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

In the matter of U.S. Application Serial No. 78/747,912

Mark: EUROTIRE

Filed: November 5, 2005

Published: July 4, 2006

BIG O TIRES,	)	
	)	
Opposer,	)	
	)	
v,	)	Opposition No. 91-175,052
	)	
URIEL TZVI LABER	)	
	)	
Applicant	)	
	)	

**APPLICANT'S ANSWER TO OPPOSITION**

COMES NOW Applicant, Uriel Tzvi Laber, an individual with a mailing address of 1521 Alton Road Suite 133 Miami Beach, Florida 33139 and Answers the above identified Opposition as follows.

1. Applicant admits the first sentence of paragraph one but has insufficient information to admit or deny the second sentence alleged in paragraph one which is therefore denied.
2. Applicant is without sufficient information to admit or deny the allegations in paragraph two which are therefore denied.

3. Applicant is without sufficient information to admit or deny the allegations in paragraph three which are therefore denied.

4. Applicant is without sufficient information to admit or deny the allegations in paragraph three which are therefore denied.

5. Admitted.

6. Denied.

7. Denied.

8. Denied.

9. Denied.

10. Denied.

#### **AFFIRMATIVE PLEADINGS**

17. The terms EURO and TOUR are both used by other entities to identify tire-related goods and services.

18. The term TOUR used for a passenger vehicle tire is generic for a "touring" tire.

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19. The term EURO used on in connection with goods specifically designed for "European" manufactured passenger vehicles is generic.

20. Opposer's attempt to broadly protect its EURO TOUR mark by asserting its rights against any similar mark remotely related to the field of tires as in this case against a mark which is different and used in the unique and different field of off-road mining tires, is anticompetitive and not supported by the facts of this case.

WHEREFORE, Applicant prays the Board dismiss this Opposition and mature the application to registration.

Respectfully submitted,  
LOWE HAUPTMAN & BERNER, LLP



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Date: June 18, 2007  
JHG

Certificate of Service

I hereby certify that a copy of the foregoing APPLICANT'S ANSWER TO OPPOSITION was served on the Opposer by First Class Mail on June 18, 2007, addressed to Matthew J. Cuccias, Esq., Jacobsen Holman, PLLC, 400 7th Street, NW, Washington, DC 20004, Attorney for Opposer.

