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

TTAB
78799221

Zurn Industries, Inc. and Zurnco, Inc. Opposers, v. American Standard International, Inc. Applicant.	)	Opposition No. 91175382

ANSWER TO NOTICE OF OPPOSITION

Applicant American Standard International, Inc. ("Applicant") by its undersigned attorneys of record, as and for its Answer to the Notice of Opposition herein ("the Notice"), states as follows:

1. Applicant admits that it is a corporation and has offices at 1370 Avenue of the Americas, New York, NY 10019, and to the extent paragraph 1 of the Notice contains any other allegations, they are denied.

2. Applicant admits the allegations of paragraph 2 of the Notice.

3. Applicant refers to the referenced U.S. Registrations Nos. 3,030,515 and 3,077,424 for their content. Otherwise, Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 3 of the Notice, and accordingly denies same.

4. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 4 of the Notice, and accordingly denies same.

[redacted]
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U.S. Patent & TMOfc/TM Mail Rcpt Dt. #:
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5. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 5 of the Notice, and accordingly denies same.

6. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 6 of the Notice, and accordingly denies same.

7. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 7 of the Notice, and accordingly denies same.

8. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 8 of the Notice, and accordingly denies same.

9. Applicant admits the allegations of paragraph 9 of the Notice.

10. Applicant denies the allegations of paragraph 10 of the Notice.

11. Applicant denies the allegations of paragraph 11 of the Notice.

12. Applicant denies the allegations of paragraph 12 of the Notice.

13. Applicant denies the allegations of paragraph 13 of the Notice.

AFFIRMATIVE DEFENSES

FIRST AFFIRMATIVE DEFENSE

The Notice fails to state a claim upon which the relief requested by Opposers can be granted.

SECOND AFFIRMATIVE DEFENSE

There is no likelihood of confusion, mistake or deception because, *inter alia*, Applicant's mark is different in sight, sound and meaning from Opposers' marks; and because the goods bearing the respective marks are different and are not marketed in the same channels of trade to the same consumers or class of consumers.

WHEREFORE, Applicant prays that the Notice of Opposition be dismissed in its entirety, that applicant's Serial No. 78/799,221 is granted forthwith, and that the Board grants such further relief as is just and proper.

Dated: New York, New York
March 8, 2007

FROMMER LAWRENCE & HAUG LLP

By: _____

Edgar H. Haug
James K. Stronski
Magali Rozenfeld
745 Fifth Avenue
New York, New York 10151
(212) 588-0800

Attorneys for Applicant
American Standard International, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing ANSWER was served upon Opposers' counsel by first class mail postage pre-paid on March 8, 2007 as follows:

Russel D. Orkin
John W. McIlvaine
THE WEBB LAW FIRM
700 Koppers Building
436 Seventh Avenue
Pittsburg, PA 15219

Magali Rozenfeld