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December 19, 2006

TTAB

Commissioner for Trademarks
BOX TTAB
P.O. Box 1451
Alexandria, Virginia 22313-1451

Re: Giorgifred Company;
F & F Foods, Inc.
Opposition to Serial No. 78/861,340 - FRESH N' CLEAN
Our Reference: 1030807-000217

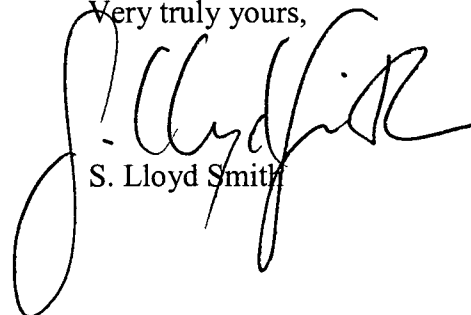
Dear Commissioner:

Attached hereto with respect to the above-identified application is the following:

- a Notice of Opposition, in duplicate;

Please charge \$300.00 to cover the statutory fees to the undersigned's American Express account. A Credit Card Payment Form authorizing payment is attached. Should the above amount prove insufficient, please charge any additional fees to our Deposit Account No. 02-4800.

Very truly yours,



S. Lloyd Smith

SS/fjg
Enclosure

12-19-2006

U.S. Patent & TMO/c/TM Mail Rpt Dt. #11

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

Giorgifred Company,

Opposer,

v.

F & F Foods, Inc.,

Applicant.

Attorney Docket No. : 1030807-000217

Opposition No. _____

NOTICE OF OPPOSITION

Commissioner for Trademarks
BOX TTAB
P.O. Box 1451
Alexandria, Virginia 22313-1451

Sir:

Giorgifred Company ("Giorgifred") believes it will be damaged by the registration of Application Serial No. 78/861,340 for FRESH 'N CLEAN filed on April 13, 2006, by F & F Foods, Inc. ("F & F") published in the Official Gazette on November 21, 2006, and opposes the same. The grounds for this opposition are as follows:

1. Opposer Giorgifred is a Delaware corporation, located and doing business at 300 Delaware Avenue, Suite 900, Wilmington, Delaware 19801.
2. Applicant F & F is an Illinois corporation, located and doing business at 3501 West 48th Place, Chicago, Illinois 60632.

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3. Opposer Giorgifred is the owner of U.S. Registration No. 2,795,863 for FRESH N' CLEAN for "mushrooms" ("Opposer's FRESH N' CLEAN Mark").

4. Applicant F & F is the owner of U.S. Application Serial No. 78/861,340 for the mark FRESH 'N CLEAN ("Applicant's FRESH 'N CLEAN Mark") based on intent-to-use for "confectionary, namely, breath mints" ("Applicant's Goods").

5. Since long prior to April 13, 2006, Applicant F & F's filing date of its intent to use Application Serial No. 78/861,340 for Applicant's FRESH 'N CLEAN Mark for Applicant's Goods, Opposer has been and is now engaged in the business of advertising, offering for sale and selling Opposer's Goods and Services under Opposer's FRESH N' CLEAN Mark in commerce in the United States.

6. Since long prior to any use of Applicant's FRESH 'N CLEAN Mark by Applicant for Applicant's Goods in commerce in the United States, Opposer has been and is now engaged in the business of advertising, offering for sale and selling Opposer's Goods and Services under the Opposer's FRESH N' CLEAN Mark in commerce in the United States.

7. Due to Opposer's long, established and exclusive use of Opposer's FRESH N' CLEAN Mark in connection with Opposer's Goods and Services, the Opposer's FRESH N' CLEAN Mark has become famous and well known as designating Opposer's Goods and Services throughout the United States. Opposer's FRESH N' CLEAN Mark became famous and well known for Opposer's Goods prior to the filing date of Application Serial No. 78/861,340 and any use of Applicant's FRESH 'N CLEAN Mark.

8. Opposer enjoys substantial and exclusive goodwill and a fine reputation throughout the United States in connection with Opposer's FRESH N' CLEAN Mark for

Opposer's Goods and Services. Opposer's goodwill and reputation will be harmed by the use and registration of the Applicant's FRESH 'N CLEAN Mark for Applicant's Goods.

9. Applicant's FRESH 'N CLEAN Mark so resembles Opposer's previously used and registered Opposer's FRESH N' CLEAN Mark as to be likely, when applied to the Applicant's Goods, to cause a likelihood of confusion, mistake or to deceive persons by creating the erroneous impression that the Applicant's Goods originate with or are associated with the Opposer, or that the Applicant's Goods are authorized, endorsed or sponsored by the Opposer.

10. Applicant's filing of U.S. Application Serial No. 78/861,340 for Applicant's FRESH 'N CLEAN Mark is without license, authorization or permission from Opposer.

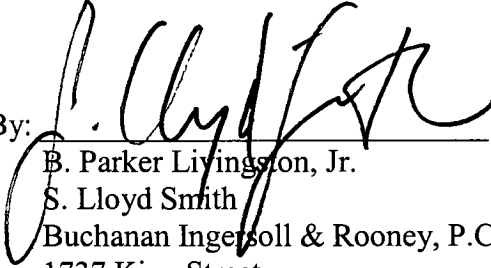
11. The granting of a trademark registration for Applicant's FRESH 'N CLEAN Mark to Applicant would cause a likelihood of confusion and dilution contrary to 15 U.S.C. § 1052(d) and (f) and would violate and diminish the prior and superior rights of Opposer in Opposer's FRESH N' CLEAN Mark.

12. Opposer would be damaged if U.S. Application Serial No. 78/861,340 is granted because Applicant will obtain statutory rights in Applicant's FRESH 'N CLEAN Mark in violation and derogation of the established prior rights of Opposer in Opposer's FRESH N' CLEAN Mark.

13. WHEREFORE, Opposer prays that its Opposition be sustained, that U.S. Application Serial No. 78/861,340 be rejected and the registration of Applicant's FRESH 'N CLEAN as a trademark to Applicant be refused, and for such other relief as may be deemed just and proper.

Respectfully submitted,

Giorgifred Company

By: 

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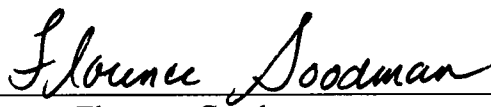
Attorneys for Opposer

Date: 12/19/06

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing NOTICE OF OPPOSITION was served
this 19th day of December, 2006 by first-class mail, postage prepaid, on:

John J. Arado, Esq.
Wildman Harrold Allen & Dixon, LLP
225 W. Wacker Drive, Suite 3000
Chicago, Illinois 60606-3007



Florence Goodman