

TTAB

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

APPLEBEE'S INTERNATIONAL, INC.,)
)
Opposer,)
)
v.)
)
THE STOUFFER CORPORATION,)
)
Applicant.)

Opposition No. 111,517

Serial No. 75/301,628

Mark: SKILLET SENSATIONS



02-04-2002

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

CERTIFICATE OF MAILING
37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: BOX TTAB, NO FEE, Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513, on:

1/30/02 *Constance M Jordan*
Date Signature

OPPOSER'S REBUTTAL NOTICE OF RELIANCE

BOX TTAB, NO FEE
Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

Dear Sir:

Opposer APPLEBEE'S INTERNATIONAL, INC. gives notice that, pursuant to 37 C.F.R. § 2.120(j) and 37 C.F.R. 2.122, it offers into evidence and intends to rely upon the following as rebuttal:

1. Additional pages from discovery deposition of Liz Holmes (Applebee's), pages 1, 13 (lines 9-15), 14 (lines 19-25), 15 (lines 15-15) and 16 (lines 1-16), to complete context of testimony.
2. Additional pages from discovery deposition of Robert T. Steinkamp (Applebee's), pages 63 (lines 19-25), 64 (lines 1-4), 71 (lines 14-25, 72 (lines 1-4 and lines 17-20),

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89 (lines 17-20), 90 (lines 22-25), 91 (lines 1-7), 107 (lines 9-17), 108 (lines 5-17), 109 (lines 22-25), 110 (lines 1-4), 113 (lines 14-23), to complete context of testimony

3. Additional pages from discovery deposition of Karen Eadon (Applebee's), pages 33 (lines 16-20), 71 (lines 10-12), to complete context of testimony.

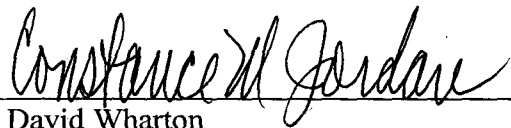
4. Dictionary definitions of "adopt" and "adoption" taken from page 29 of *Webster's Third New International Dictionary*, 1993 copyright.

5. Copies of Trademark Office Action of 10/20/98 requiring disclaimer of word "skillet," Stouffer's Response of 11/4/98, Trademark Office suspension notice of 1/6/99 continuing disclaimer requirement, Stouffer's Response of 6/22/99, and Trademark Office suspension notice of 7/21/99 continuing disclaimer requirement.

6. Pages from discovery deposition of Paul DeVries (Stouffer's), pages 1-5, 7-8, 29-44, 46-50 and Exhibits 21, 22, 23, 27, 28, 29, 30 and 31.

7. Discovery deposition of Angelo Iantosca (Stouffer's) taken February 8, 2000.

Respectfully submitted,




J. David Wharton
Constance M. Jordan
SHOOK, HARDY & BACON L.L.P.
1200 Main Street
Kansas City, Missouri 64106-2118
(816) 474-6550

ATTORNEYS FOR OPPOSER

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing Opposer's Rebuttal Notice of Reliance with attachments was served this 30th day of January, 2001, by mailing copies thereof, via first-class mail, postage prepaid, to attorneys for Applicant as follows:

Robert V. Vickers
Vickers, Daniels & Young
2000 Terminal Tower
Cleveland, Ohio 44113



Attorney for Opposer