

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

Anheuser-Busch, Incorporated,)	
)	
Opposer,	)	Opposition No. 122,939
)	
v.	)	Serial No. 74/715,688
)	
Ty Nant Spring Water, Limited	)	Published: March 17, 1998
)	
Applicant.	)	Mark: BLUE COLOR MARK
)	
	)	Docket No. 7500.214USTF

MEMORANDUM OF APPLICANT SHOWING CAUSE
WHY DEFAULT JUDGMENT SHOULD NOT BE ENTERED

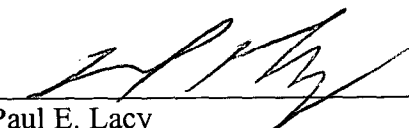
Applicant hereby shows cause why Default Judgment should not be entered. The Trademark Trial and Appeal Board ordered that the Answer be filed by Sunday, July 1, 2001. Applicant timely filed its Answer on July 2, 2001. A copy is attached.

In light of the foregoing, Applicant requests that (1) the Default Judgment not be entered; (2) the Answer be duly entered; and the Trademark Trial and Appeal Board suspend the matter while the parties attempt to resolve issues.

Respectfully submitted,

TY NANT SPRING WATER, LIMITED
By its attorneys,

Dated: April 25, 2002


Paul E. Lacy
MERCHANT & GOULD P.C.
IDS Center
80 South Eighth Street
Minneapolis, Minnesota 55402
Ph: (612) 336-4601
Fax: (612) 332-9081

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

Anheuser-Busch, Incorporated,)	
)	
Opposer,	)	Opposition No. 112,939
)	
	)	Serial No. 74/715,688
v.)	
	)	Published: March 17, 1998
Ty Nant Spring Water, Limited)	
	)	Mark: BLUE COLOR MARK
Applicant.)	
	)	Docket No. 7500.214USTF

ANSWER

Ty Nant Spring Water Limited ("Ty Nant"), a British corporation, hereby provides the following Answer to the Notice of Opposition filed by Anheuser-Busch, Incorporated.

1. Ty Nant is without information or belief with regard to the allegations of this paragraph, and so denies the same, leaving Opposer to its proofs.

2. Denied.

3. Denied.

4. Denied.

5. Denied.

6. Applicant admits that a grant of registration would give applicant certain statutory rights, beyond the common law rights which it already has. Applicant denies that such registration would damage Opposer.

7. Denied.

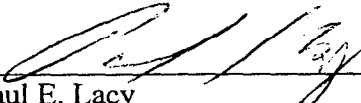
WHEREFORE, Ty Nant respectfully requests that this Opposition be dismissed, and that Ty Nant's application be granted registration.

Please address all correspondence to Paul E. Lacy, Merchant & Gould P.C., 3200 IDS Center, 80 South Eighth Street, Minneapolis, Minnesota, 55402.

Respectfully submitted,
TY NANT SPRING WATER, LIMITED
By its attorneys,

Dated:

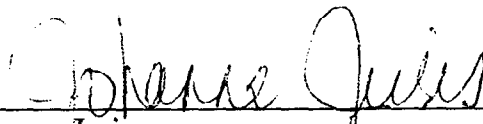
July 2, 2001



Paul E. Lacy
MERCHANT & GOULD P.C.
IDS Center
80 South Eighth Street
Minneapolis, Minnesota 55402
Ph: (612) 336-4601
Fax: (612) 332-9081

CERTIFICATE OF MAILING

The undersigned hereby certifies that this paper, as described hereinabove, is being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: Assistant Commissioner for Trademarks, Box TTAB, 2900 Crystal Drive, Arlington, VA 22202-3513 this July 2, 2001.



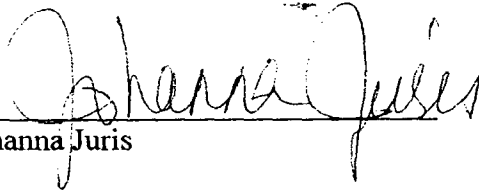
Johanna Juris

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing ANSWER was served via facsimile on July 2, 2001, on:

PATTISHALL, McAULIFFE, NEWBURY,
HILLIARD & GERALDSON
Edward G. Wierzbicki
Douglas N. Masters
Demetra Merikas
311 South Wacker Drive
Suite 5000
Chicago, IL 60606
312-554-8000
Attorney for Opposer Anheuser-Busch, Incorporated

Dated: July 2, 2001



Johanna Juris

TTAB

Merchant & Gould

An Intellectual Property Law Firm

P.O. Box 2910
Minneapolis, Minnesota
55402-0910
TEL 612.332.5300
FAX 612.332.9081
www.merchant-gould.com

Direct Contact | 612.336.4601
placy@merchant-gould.com

A Professional Corporation

Anheuser-Busch, Incorporated)
Opposer,)
)
v.) Opposition No. 91-122,939
Ty Nant Spring Water, Limited)
Applicant.)

02 APR 29 2002
U.S. Patent & TMO/TM Mail Room
04-29-2002
APPEAL BOARD
TRADEMARK TRIAL AND
APPEAL BOARD
PM 9:23

Mark: BLUE COLOR MARK
Serial No.: 74/715,688
Docket Number: 7500.214USTF
Official Gazette: March 17, 1998

Due Date: April 28, 2002
Filing Date: August 15, 1998

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: Commissioner for Trademarks, Box TTAB, 2900 Crystal Drive, Arlington, VA 22202-3513, on April 25, 2002.
By: Kate Cannon
Name: KATE CANNON

Commissioner for Trademarks
Box TTAB
2900 Crystal Drive
Arlington, VA 22202-3513

Dear Commissioner:

We are transmitting herewith the attached:

- Return postcard.
- Transmittal Sheet in duplicate containing Certificate Under 37 C.F.R. 1.8
- Other: Memorandum of Applicant Showing Cause Why Default Judgment Should Not Be Entered (Original and 2 Copies) and a copy of Answer filed on July 2, 2001.

Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate copy of this sheet is enclosed.

By: Paul E. Lacy
Name: Paul E. Lacy
PLacy:PSTklg