

01-15-2003

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TRADEMARK  
5087-4011

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

In the matter of Application Serial No. 75/647,117  
for the mark Miscellaneous Design  
Published for Opposition in the  
Official Gazette of October 9, 2001

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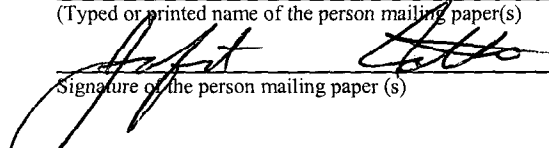
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JOE BOXER COMPANY, LLC, :  
:  
Opposer, : Opposition No. 125,283  
:  
v. : Serial No. 75/647,117  
:  
FRANKLIN LOUFRANI, :  
:  
Applicant. :  
:  
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BOX TTAB NO FEE  
Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

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Date of Deposit January 15, 2003

I hereby certify correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513.

Jafet Cotto  
(Typed or printed name of the person mailing paper(s))

  
Signature of the person mailing paper (s)

ANSWER TO NOTICE OF OPPOSITION

Applicant Franklin Loufrani, through its undersigned counsel, responds to allegations set forth in the Notice of Opposition filed by Joe Boxer Company, LLC ("Joe Boxer") as follows:

Applicant admits that it has filed an application having the particulars set out in the first unnumbered paragraph in the Notice of Opposition and, without admitting that the Notice of Opposition states any valid basis for opposition, admits that the Notice of Opposition purports to

oppose the subject application. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations in the second unnumbered paragraph of the Notice of Opposition and therefore denies same.

1. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 1 of the Notice of Opposition and therefore denies same.

2. Applicant denies the allegations set forth in paragraph 2 of the Notice of Opposition.

3. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 3 of the Notice of Opposition and therefore denies same.

4. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 4 of the Notice of Opposition and therefore denies same.

5. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 5 of the Notice of Opposition and therefore denies same.

6. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 6 of the Notice of Opposition and therefore denies same.

7. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 7 of the Notice of Opposition and therefore denies same.

8. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 8 of the Notice of Opposition and therefore denies same.

9. Applicant admits the allegations set forth in paragraph 9 of the Notice of Opposition.

10. Applicant admits the allegations set forth in paragraph 10 of the Notice of Opposition.

11. Applicant denies the allegations set forth in paragraph 11 of the Notice of Opposition.

12. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 12 of the Notice of Opposition and therefore denies same.

13. Applicant denies the allegations set forth in paragraph 13 of the Notice of Opposition.

14. Applicant denies the allegations set forth in paragraph 14 of the Notice of Opposition.

15. Applicant denies the allegations set forth in paragraph 15 of the Notice of Opposition.

16. Applicant denies the allegations set forth in paragraph 16 of the Notice of Opposition.

17. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph 17 of the Notice of Opposition and therefore denies same.

18. Applicant denies the allegations set forth in paragraph 18 of the Notice of Opposition.

WHEREFORE, Applicant respectfully requests that Opposer's Notice of Opposition against Application SN 75/647,117 be denied and that a registration be issued.

Dated: New York, New York  
January 15, 2003

Respectfully submitted,

**MORGAN & FINNEGAN, L.L.P.**

By:



Janet Dore

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New York, NY 10154

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Attorneys for Applicant

*Franklin Loufrani*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the attached ANSWER TO NOTICE OF OPPOSITION was served by first-class mail, postage prepaid, upon the attorney of record for the Opposer at the following address:

Andrew R. Tarshis  
Joe Boxer Company, LLC  
General Counsel  
1599 Post Road East  
Westport, CT 06880

Roberta Bren, Esq.  
Oblon, Spivak McClelland  
Maier & Neustadt, P.C.  
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Alexandria, VA 22314

Dated: New York, New York  
January 15, 2003

By: Maren Coburn  
Maren Coburn