

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

ANGELICA CORPORATION :
 :
 Opposer : OPPOSITION NO. 91150365
 :
 vs. :
 : SN 76/087,872
 DEBORAH BISOGNA :
 :
 Applicant :

ANSWER

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

The Applicant, Deborah Bisogna, through her counsel, hereby answers the Notice of Opposition as follows:

1. Answering Paragraph 1 of the Notice of Opposition, it is true that Applicant seeks to register ANGELIC HEALTHCARE as a trademark for providing **staffing for health care providers** such as hospitals, nursing homes, and assisted living facilities; providing home **health care services**, namely nursing, home health aides, live-ins and housekeepers in International Classes 35 and 42, claiming first use of said mark at least as early as June 12, 1998 (emphasis added). With respect to the last sentence of Paragraph 1, Applicant neither admits nor denies the averments contained therein and, therefore, opposer is left to his proofs.

2. Answering Paragraph 2 of the Notice of Opposition, Applicant neither admits nor denies the averments contained therein and, therefore, opposer is left to his proofs.

3. Answering Paragraph 3 of the Notice of Opposition, Applicant neither admits nor denies the averments contained therein and, therefore, opposer is left to his proofs.

4. Answering Paragraph 4 of the Notice of Opposition, Applicant neither admits nor denies the averments contained therein and, therefore, opposer is left to his proofs.

5. Answering Paragraph 5 of the Notice of Opposition, Applicant neither admits nor denies the averments contained therein and, therefore, opposer is left to his proofs.

6. Answering Paragraph 6 of the Notice of Opposition, Applicant neither admits nor denies the averments contained therein and, therefore, opposer is left to his proofs.

7. Answering Paragraph 7 of the Notice of Opposition, Applicant denies the allegations therein. Furthermore, Applicant strongly disputes that the mark ANGELIC HEALTHCARE will cause confusion with ANGELICA. ANGELIC HEALTHCARE is a service mark providing staff and support services in the health care field. ANGELICA is a trademark providing goods (uniforms and items of clothing) to its customers. There is no likelihood of confusion because: a) The marks are directed to totally different customer populations; b) Opposer's mark is directed to goods while Applicant's mark is directed to services; c) Applicant's mark specifies that it is directed to people seeking healthcare services while Opposer's mark is directed to members of the public seeking to purchase uniforms and/or items of clothing; d) The mark "ANGELIC HEALTHCARE" suggests health care services for the sick and needy that are provided in a "heavenly", "good", "pure" and "saintly" manner, whereas "ANGELICA" is a composite artificial word and there is no suggestion that it is directed or related to health care services.

8. Answering Paragraph 8 of the Notice of Opposition, Applicant denies the averments contained therein for the reasons specified in paragraph 7, above.


9. Answering Paragraph 9 of the Notice of Opposition, Applicant denies the averments contained therein. In addition the averment is defective as the sentence is incomplete.

10. Answering Paragraph 10 of the Notice of Opposition, Applicant denies the averments contained therein.

11. Answering Paragraph 11 of the Notice of Opposition, Applicant denies the averments contained therein. A cursory search (see Exhibit "A", attached hereto) reveals the existence of numerous trademarks which include the word "ANGELICA", which trademarks were granted by the US Trademark Office and which are more likely to cause confusion and suggest a connection with Opposer's mark than Applicant's "ANGELIC HEALTHCARE". The marks "ANGELIC HEALTHCARE" and "ANGELICA" do not sound alike; have a different number of words; do not resemble each other; and are directed to different customer populations.

WHEREFORE, Applicant denies that Opposer will be damaged by the registration of its trademark ANGELIC HEALTHCARE as set forth in its application SN 76/087,872 and respectfully requests that said application be passed to registration.

Respectfully submitted,


Henry I. Schanzer
atty for Deborah Bisogna
Reg. # 25,219

CERTIFICATE OF MAILING

I hereby certify that a copy of the foregoing ANSWER is being deposited with the US Postal Service First Class Mail in a sealed envelope addressed to Opposer's counsel, Kenneth Solomon, Esq., Howell & Haferkamp. L.C., 7733 Forsyth Blvd., Suite 1400, St. Louis, MO 63105 and to USPTO, 2900 Crystal Drive, Arlington, VA 22202-3513.



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EXHIBIT A



U.S. Trademark Electronic Search System (TESS)

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Current Search: S1: (angelica)[COMB] docs: 34 occ: 101

	Serial Number	Reg. Number	Word Mark	Live/Dead Indicator
1	78092645		CAFÉ ANGELICA	LIVE
2	78015614		TOTALLY ANGELICA	LIVE
3	78015610		TOTALLY ANGELICA	LIVE
4	76309110		VOX ANGELICA	LIVE
5	76274608		ANGELIQUES SOUS LA PLUIE JEAN-CLAUDE ELLENA	LIVE
6	75902309		PATISSERIE ANGELICA	DEAD
7	75378480	2233698	ANGELICA'S PSYCHIC ANGELS	LIVE
8	75356464		ANGELGREEN ORGANICALLY GROWN ANGELICA	DEAD
9	75356399		ANGEL GREEN ORGANICALLY GROWN ANGELICA	DEAD
10	75266208	2216713	ANGELICA	LIVE
11	75183944		ANGELICA-VAL KNITWEAR	DEAD
12	75146771		SKY DANCER ANGELICA	DEAD
13	75026448		ANGELICA PARIS	DEAD
14	74449147	1868464	ANGELICA	DEAD
15	74706944		ANGELICA	DEAD
16	74668060		ANGELICA'S	DEAD
17	74638182		ISTITUTO ERBORISTICO L'ANGELICA	DEAD
18	74540561	2051146	ANGELICA	LIVE
19	74530809		THE ANGELICA COLLECTION	DEAD
20	74503107		SHINSUNCHO ANGELICA UTILIS	DEAD
21	74452879	1930566	ANGELICA	LIVE
22	74347732		UP LIFT SANT' ANGELICA	DEAD

23	74251761		UP LIFT SANT'ANGELICA	DEAD
24	74123965	1693908	SANT'ANGELICA	LIVE
25	74105088		DUTCH VELVET ANGELICA	DEAD
26	73772641	1585489	ANGELICA	DEAD
27	73664491	1631211	CAFE ANGELICA	LIVE
28	73618504		L'ANGELICA	DEAD
29	73586195		THE ANGELICA GROUP	DEAD
30	72281432	0869021	ANGELICA-PREST	LIVE
31	72052440	0689187	ANGELICA GOODIES	LIVE
32	72044245	0669021	ANGELICA	DEAD
33	71636108	0578857	ANGELICA	LIVE
34	71236902	0225700	ANGELICA	LIVE

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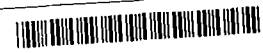
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February 19, 2002

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



02-19-2002
U.S. Patent & TMO/TM Mail Rcpt Dt. #66

Re; Opposition # 91150365
Angelica Corp vs. Deborah Bisogna

Dear Sir/Madam:

Enclosed please find Answer to subject Opposition.

Please file and return acknowledgement with the enclosed self-addressed post card.

Thank you.

Very truly yours,

Henry I. Schanzer
Henry I. Schanzer

/ss
enc.

VIA EXPRESS MAIL

l.a