

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

Lancome Parfums et Beaute & Cie

Opposer,

v.

Opposition No: 91151136

Compagnie Europeenne
des Parfums, S.A.

Applicant.

ANSWER TO OPPOSITION AND AFFIRMATIVE DEFENSES

Now comes, **Compagnie Europeenne des Parfums, S.A.**
(hereinafter "Applicant") by and through its undersigned attorney, hereby
answers to the Opposition filed by **Lancome Parfums et Beaute & Cie**
(hereinafter "Opposer") as follows:

1. Applicant does not have sufficient knowledge to either admit
or deny the allegations contained in paragraphs 1-3, and therefore, deny
same.

2. Applicant does not have sufficient knowledge to either admit
or deny the allegations contained in paragraphs 5-8, and therefore, deny
same.

3. Applicant admits the allegations contained in paragraphs 9 and 10.

4. Applicant does not have sufficient knowledge to either admit or deny the allegations contained in paragraph 11, and therefore, deny same.

5. Applicant denies the allegations contained in paragraphs 12 and 13.

AFFIRMATIVE DEFENSES

A. Failure to state a cause of action. Opposer has failed to state a cause of action.

B. Flower design is not inherently distinctive to be protectable as a separate mark.

WHEREFORE, Applicant prays that the Opposition be dismissed.

Respectfully submitted,

SANCHELIMA & ASSOCIATES, P.A.

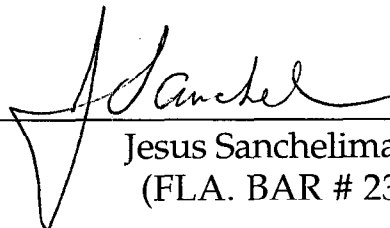
235 S.W. Le Jeune Road

Miami, FL 33134-1762

Telephone: (305) 447-1617

Telecopier: (305) 445-8484

BY:

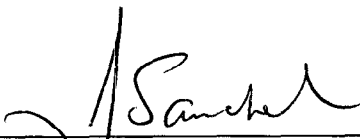
A handwritten signature in black ink, appearing to read "J. Sanchelima", written over a horizontal line.

Jesus Sanchelima

(FLA. BAR # 231207)

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true correct copy of the foregoing was mailed, this 29th day of April, 2002, to: Robert L. Sherman from Paul, Hastings, Janofsky & Walker, LLP at 75 E. 55th Street, New York, NY 10022.

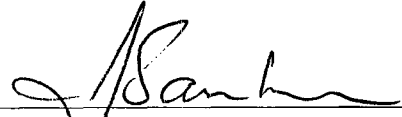
BY: 

Jesus Sanchelima
(FLA. BAR # 231207)
SANCHELIMA & ASSOCIATES, P.A.
235 S.W. Le Jeune Road
Miami, FL 33134-1762
Telephone: (305) 447-1617
Telecopier: (305) 445-8484

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service's "First Class Mail" service pursuant to 37 C.F.R. § 1.10 in an envelope addressed to the Assistant Commissioner of Trademarks, BOX/ TTAB NO FEE, 2900 Crystal Drive, Arlington, VA 22203-3513 on the following date:

Date: April 29, 2002



Jesus Sanchelima, Esq.

Sanchelima & Associates, P.A.
Attorneys at Law

TTAB

Patent, Trademark & Copyright Law

J. Sanchelima, Patent Attorney
Maitte R. Netsch, Esq.
Albert Bordas, Reg. Patent Attorney

April 29, 2002

Tel: 305-447-1617
Fax: 305-445-8484
jay@sanchelima.com
www.sanchelima.com

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

*Re: Answer to Notice of Opposition for the trademark:
"ROSE NOIRE" and design
Serial No: 76/098,572
Opposition No.: 91151136
Our File No: 22167*



05-02-2002

U.S. Patent & TMO/TM Mail Rcpt Dt. #34

Honorable Commissioner:

Enclosed please find Applicant's Answer to Notice of Opposition
No. 91151136, in reference to the above mentioned trademark application.

Kindly acknowledge receipt of these documents by stamping and
returning the enclosed self-addressed stamped postcard.

TRADEMARK TRIAL AND
APPEAL BOARD
MAY 10 AM 8:23

Very truly yours,

SANCHELIMA & ASSOC., P.A.

Gabriela Cortes
Gabriela Cortes, Paralegal, for
Jesus Sanchelima, Esq.

file
JS:gc

Enclosures: Answer to Notice of Opposition and postcard

ag