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

In re Trademark Application

Serial No.: 76/239,162

Filed: April 11, 2001

Trademark: M² SYSTEMS, INC.

Atty. Docket No.: MSYS 0102 OC

Published in the Official Gazette at TM/671 on April 16, 2002



06-24-2002

U.S. Patent & TMO/TM Mail Rpt Dt. #74

TRADEMARK TRIAL AND
APPEAL BOARD
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M2 SOFTWARE, INC.,)
)
Opposer,)
)
v.)
)
M² SYSTEMS, INC.,)
)
Applicant.)

Serial No. 76/239,162

Opposition No. 91-151,559

APPLICANT'S ANSWER TO NOTICE OF OPPOSITION

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

Sir:

Applicant, M² Systems, Inc., a Michigan corporation with a principal place of business at 23814 Michigan Avenue, Suite 301, Dearborn, Michigan, 48124, provides the following answer to the Notice Of Opposition filed by Opposer, M2 Software, Inc.

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8		
I hereby certify that this paper, including all enclosures referred to herein, is being deposited with the United States Postal Service as first-class mail, postage pre-paid, in an envelope addressed to: Box TTAB No Fee, Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513:		
<u>June 19, 2002</u>	<u>Maria Franek Angileri</u>	<u><i>M. Angileri</i></u>
Date of Deposit	Name of Person Signing	Signature

ja

1. Applicant admits that the United States Patent and Trademark Office website reflects Opposer's ownership of Registration Number 1,931,182. Applicant denies the remaining allegations of paragraph 1.

2. Denied.

3. Denied.

4. Denied

5. Denied.

6. Denied.

7. Denied.

8. Denied.

FIRST AFFIRMATIVE DEFENSE
NO LIKELIHOOD OF CONFUSION

In view of the differences in the goods and services under consideration, the differences between the parties' respective marks, and the number of "M2" - formative marks owned by third parties that concurrently exist in the computer field, Applicant asserts that there is no likelihood of confusion between its M² SYSTEMS, INC. mark and Opposer's M2 mark.

WHEREFORE, Applicant respectfully requests that this Opposition be denied, and that Applicant's mark be allowed to mature to registration.

Respectfully submitted,

M² SYSTEMS, INC.

By *Maria Franek Angileri*

Maria Franek Angileri
Anessa Owen Kramer
Attorneys for Applicant

Date: June 19, 2002

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CERTIFICATE OF SERVICE

I certify that I served:

APPLICANT'S ANSWER TO NOTICE OF OPPOSITION

on June 19, 2002 by:

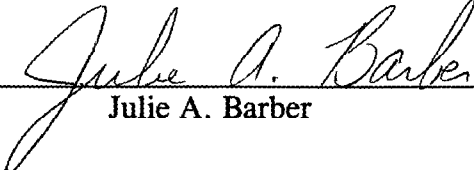
delivering

mailing (via First-Class mail)

a copy to:

Dave Escamilla
M2 Software, Inc.
1247 Lincoln Blvd., Suite 456
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Attorney for Opposer



Julie A. Barber