

TTAB

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

Paramount Pictures Corporation,

Opposer,

Opposition No. 91153775
Serial No. 76/186,911

04-08-2003

U.S. Patent & TMO/TM Mail Rpt Dt. #30

v.

Rubie's Costume Co., Inc.,

Applicant.

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APR 23 11 51 AM '03

ANSWER TO OPPOSITION

Applicant answers the Notice of Opposition, as follows:

1. Applicant denies knowledge and information sufficient to form a belief as to the truth of the allegations in paragraph 1 in the Notice of Opposition and specifically denies that Applicant's proposed mark is intended to be used to confuse.
2. Applicant denies knowledge and information sufficient to form a belief as to the truth of the allegations in paragraph 2 in the Notice of Opposition.
3. Applicant denies knowledge and information sufficient to form a belief as to the truth of the allegations in paragraph 3 in the Notice of Opposition.
4. Applicant denies knowledge and information sufficient to form a belief as to the truth of the allegations in paragraph 4 in the Notice of Opposition and specifically denies that the exhibits to the Notice of Opposition are in color.
5. Applicant denies knowledge and information sufficient to form a belief as to the truth of the allegations in paragraph 5 in the Notice of Opposition.
6. Applicant denies knowledge and information sufficient to form a belief as to the

truth of the allegations in paragraph 6 in the Notice of Opposition.

7. Applicant denies knowledge and information sufficient to form a belief as to the truth of the allegations in paragraph 7 in the Notice of Opposition and specifically denies that the exhibits to the Notice of Opposition are in color.
8. Applicant denies knowledge and information sufficient to form a belief as to the truth of the allegations in paragraph 8 in the Notice of Opposition.
9. Applicant denies knowledge and information sufficient to form a belief as to the truth of the allegations in paragraph 9 in the Notice of Opposition.
10. Applicant denies knowledge and information sufficient to form a belief as to the truth of the allegations in paragraph 10 in the Notice of Opposition.
11. Applicant denies knowledge and information sufficient to form a belief as to the truth of the allegations in paragraph 11 in the Notice of Opposition.
12. Applicant denies knowledge and information sufficient to form a belief as to the truth of the allegations in paragraph 12 in the Notice of Opposition.
13. Applicant denies knowledge and information sufficient to form a belief as to the truth of the allegations in paragraph 13 in the Notice of Opposition.
14. Applicant denies knowledge and information sufficient to form a belief as to the truth of the allegations in paragraph 14 in the Notice of Opposition.
15. Applicant denies knowledge and information sufficient to form a belief as to the truth of the allegations in paragraph 15 in the Notice of Opposition.
16. Applicant denies knowledge and information sufficient to form a belief as to the truth of the allegations in paragraph 16 in the Notice of Opposition.

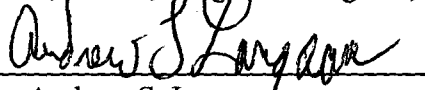
17. Applicant denies knowledge and information sufficient to form a belief as to the truth of the allegations in paragraph 17 in the Notice of Opposition.
18. Applicant denies knowledge and information sufficient to form a belief as to the truth of the allegations in paragraph 18 in the Notice of Opposition.
19. Applicant denies knowledge and information sufficient to form a belief as to the truth of the allegations in paragraph 19 in the Notice of Opposition.
20. Applicant denies knowledge and information sufficient to form a belief as to the truth of the allegations in paragraph 20 in the Notice of Opposition.
21. Applicant denies knowledge and information sufficient to form a belief as to the truth of the allegations in paragraph 21 in the Notice of Opposition.
22. Applicant denies knowledge and information sufficient to form a belief as to the truth of the allegations in paragraph 22 in the Notice of Opposition.
23. Applicant denies knowledge and information sufficient to form a belief as to the truth of the allegations in paragraph 23 in the Notice of Opposition.
24. Applicant denies knowledge and information sufficient to form a belief as to the truth of the allegations in paragraph 24 in the Notice of Opposition.
25. Applicant denies knowledge and information sufficient to form a belief as to the truth of the allegations in paragraph 25 in the Notice of Opposition.
26. Applicant admits the allegations in paragraph 26 in the Notice of Opposition.
27. Applicant admits the allegations in paragraph 27 in the Notice of Opposition.
28. Applicant denies the allegations in paragraph 28 in the Notice of Opposition.
29. Applicant denies the allegations in paragraph 29 in the Notice of Opposition.

30. Applicant denies the allegations in paragraph 30 in the Notice of Opposition.
31. Applicant denies the allegations in paragraph 31 in the Notice of Opposition.

Wherefore, Applicant requests that the Opposition be dismissed and that the application for registration be granted.

Dated: April 8, 2003

Levisohn, Lerner, Berger & Langsam, LLP

By: 

Andrew S. Langsam

757 Third Avenue
New York, New York 10017
(212) 486-7272
Fax (212) 486-0323
Attorneys for Applicant
Rubie's Costume Co., Inc.,

CERTIFICATE OF SERVICE

I declare that I am employed by Levisohn, Lerner, Berger & Langsam, LLP. I am over the age of 18 years and not a party to the within action. My business address is 757 Third Avenue, New York, New York.

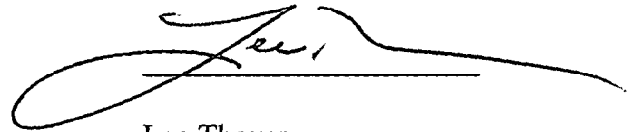
On April 8, 2003, I caused to be served the following document(s):

ANSWER TO OPPOSITION

by First Class Mail as noted below:

Marcia B. Paul
Ralph J. Sutton
KAY & BOOSE, LLP
One Dag Hammarskjold Plaza
New York, NY 10017

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on April , 2003 in New York, New York.



Lee Thayer

TTAB

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER (GENERAL)
(With Certificate of Mailing by Express Mail)

Applicant/Registrant: **Rubies Costume Co, Inc.**

Serial No.: **76/186,911**

Registration No.:

Trademark: **PINK LADY**



04-08-2003

U.S. Patent & TMO/TM Mail Rpt Dt. #30

Docket No.

2004.300

TO THE ASSISTANT COMMISSIONER FOR TRADEMARKS:

Transmitted herewith is/are the following document(s):

**Answer to Opposition No. 91153775, in triplicate
Confirmation Postcard**

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No fee is required.

Please charge Deposit Account No. _____ in the amount of _____
A duplicate copy of this sheet is enclosed.

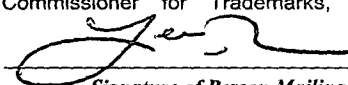
A check in the amount of _____ is attached.
Any excess or insufficiency should be credited or debited to Deposit Account No. _____
A duplicate copy of this sheet is enclosed.


Signature

Marilyn Neiman, Esq.
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Dated: **April 8, 2003**

I certify that this document and fee is being deposited
on **4/8/03** with the U.S. Postal Service
"Express Mail Post Office to Addressee" service under 37
C.F.R. 1.10 and is addressed to the Assistant
Commissioner for Trademarks, 2900 Crystal Drive,


Signature of Person Mailing Correspondence

Lee Thayer

Typed or Printed Name of Person Mailing Correspondence

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