07-28-2003
U.S. Patent & TMOfc/TM Mail Rcpt Dt. #73

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

S-B POWER TOOL CORPORATION,	)	
	)	**Opposition Nos. 125,371**
Opposer,	)	**150,928**
	)	**153,446**
v.	)	**154,162**
	)	**154,172**
MILWAUKEE ELECTRIC	)	**154,327**
TOOL CORPORATION	)	**154,663**
	)	**154,902**
Applicant.	)	**155,458**

MOTION TO AMEND NOTICES OF OPPOSITION TO CORRECT IDENTIFICATION OF OPPOSER

Opposer moves the Court for leave to amend the above-referenced Notices of Opposition pursuant to Fed. R. Civ. P. 15(a) and Rule 2.107 of the Trademark Rules of Practice in order to correct the identification of opposer to reflect the fact that, on January 1, 2003, S-B Power Tool Corporation was merged into Vermont American Corporation, which changed its name to Robert Bosch Tool Corporation. A copy of the Amended Notice of Opposition for each of the above-referenced proceedings is attached hereto.

Rule 15(a) provides that leave to amend "shall be freely given when justice so requires." Fed. R. Civ. P. 15(a). When an amendment asks to simply correct a misnomer, the Court should permit the pleadings to be amended. *Wheel Masters, Inc. v. Jiffy Metal Products Co.*, 955 F.2d 1126, 1131 (7th Cir. 1992) quoting *Bowles v. Marx Hide & Tallow Co.*, 4 F.R.D. 297, 298 (W.D. Ky. 1945). Opposer's amendment of the Notices of Opposition will not cause undue surprise or prejudice to applicant. The amendment merely reflects the aforementioned merger and corporate name change, and makes no changes to the substantive allegations of the Notices of Opposition.

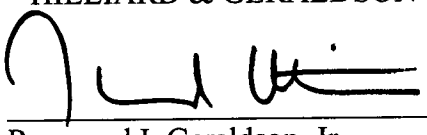
Certificate of Mailing
I, Michelle Rivers, hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: The Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3514 on July 23, 2003.
Michelle Rivers

Defendant consented to this Motion to Amend during a telephone call on June 16, 2003. Opposer therefore respectfully asks the Board to grant its Motion To Amend Notices of Opposition To Correct the Identification of Opposer.

Dated: July 23, 2003

Respectfully submitted,

PATTISHALL, McAULIFFE, NEWBURY, HILLIARD & GERALDSON



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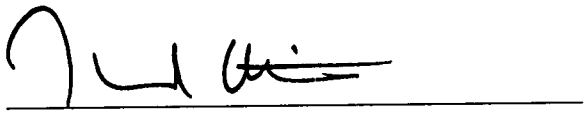
Attorneys for Opposer

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing **MOTION TO AMEND NOTICES OF OPPOSITION TO CORRECT IDENTIFICATION OF OPPOSER** was served upon Christopher L. Graff, Thompson & Knight, 98 San Jacinto Blvd., Suite 1200, Austin, Texas by first class mail, on this 23rd day of July, 2003.



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

In the Matter of Application Serial No. 75/831,346: RED AND BLACK COLOR

Published in the Official Gazette of January 15, 2002 at TM 225

In International Class 7

ROBERT BOSCH TOOL CORPORATION, Opposer, v. MILWAUKEE ELECTRIC TOOL CORPORATION, Applicant.	)	Opposition No. 125,371

SECOND AMENDED NOTICE OF OPPOSITION

Robert Bosch Tool Corporation, a Delaware corporation with its principal place of business in Chicago, Illinois, believes that it will be damaged by registration of the mark shown in Application Serial No. 75/831,346, and hereby opposes the same.

As grounds for the opposition it is alleged:

1. Opposer and its predecessors have for many years been engaged in the manufacture, distribution, advertising and sale of a wide variety of electric power tools, including driver/drills.

2. Opposer and applicant are engaged in direct competition in the manufacture and sale of electric power tools.

3. For many years, and since long prior to the filing date of Application Serial No. 75/831,346 and date of first use claimed in that application, opposer and other

manufacturers of electric power tools have used the colors red and black as ornamentation on electric power tools.

4. Opposer is currently manufacturing, selling, advertising and promoting electric power tools bearing the colors red and black.

5. For many years, applicant has not been the exclusive user of the colors red and black for electric power tools, since opposer and others have used those colors as ornamentation on electric power tools.

6. The colors red and black do not serve as a trademark for opposer, applicant or others, but serve as ornamentation on electric power tools emanating from different companies.

7. On information and belief, applicant did not use the colors red and black in connection with the goods identified in Application Serial No. 75/831,346, prior to August, 1993, the date of first use claimed in that application.

8. Opposer and others are entitled to use the colors red and black in connection with their electric power tools, and registration to applicant of those colors would be inconsistent with the right of opposer and others to continue their aforesaid use.

WHEREFORE, opposer prays that its opposition be sustained and registration of Application Serial No. 75/831,346 be refused.

Please address all correspondence to Raymond I. Geraldson, Jr. and Joseph N. Welch II at Pattishall, McAuliffe, Newbury, Hilliard & Geraldson, 311 South Wacker Drive, Suite 5000, Chicago, IL 60606.

PATTISHALL, McAULIFFE, NEWBURY,
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Of Counsel:

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

In the Matter of Application Serial No. 75/830,887: RED AND BLACK COLOR

Published in the Official Gazette of January 15, 2002 at TM 224

In International Class 7

ROBERT BOSCH TOOL CORPORATION, Opposer, v. MILWAUKEE ELECTRIC TOOL CORPORATION, Applicant.	)	Opposition No. 150,928

SECOND AMENDED NOTICE OF OPPOSITION

Robert Bosch Tool Corporation, a Delaware corporation with its principal place of business in Chicago, Illinois, believes that it will be damaged by registration of the mark shown in Application Serial No. 75/830,887, and hereby opposes the same.

As grounds for the opposition it is alleged:

1. Opposer and its predecessors have for many years been engaged in the manufacture, distribution, advertising and sale of a wide variety of electric power tools, including hammer drills.

2. Opposer and applicant are engaged in direct competition in the manufacture and sale of electric power tools.

3. For many years, and since long prior to the filing date of Application Serial No. 75/830,887 and date of first use claimed in that application, opposer and other

manufacturers of electric power tools have used the colors red and black as ornamentation on electric power tools.

4. Opposer is currently manufacturing, selling, advertising and promoting electric power tools bearing the colors red and black.

5. For many years, applicant has not been the exclusive user of the colors red and black for electric power tools, since opposer and others have used those colors as ornamentation on electric power tools.

6. The colors red and black do not serve as a trademark for opposer, applicant or others, but serve as ornamentation on electric power tools emanating from different companies.

7. On information and belief, applicant did not use the colors red and black in connection with the goods identified in Application Serial No. 75/830,887, prior to May 29, 1999, the date of first use claimed in that application.

8. Opposer and others are entitled to use the colors red and black in connection with their electric power tools, and registration to applicant of those colors would be inconsistent with the right of opposer and others to continue their aforesaid use.

WHEREFORE, opposer prays that its opposition be sustained and registration of Application Serial No. 75/830,887 be refused.

Please address all correspondence to Raymond I. Geraldson, Jr. and Joseph N. Welch II at Pattishall, McAuliffe, Newbury, Hilliard & Geraldson, 311 South Wacker Drive, Suite 5000, Chicago, IL 60606.

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

In the Matter of Application Serial No. 75/830,888: RED AND BLACK COLOR

Published in the Official Gazette of August 27, 2002 at TM 207

In International Class 7

ROBERT BOSCH TOOL CORPORATION, Opposer, v. MILWAUKEE ELECTRIC TOOL CORPORATION, Applicant.	)	Opposition No. 153,446

AMENDED NOTICE OF OPPOSITION

Robert Bosch Tool Corporation, a Delaware corporation with its principal place of business in Chicago, Illinois, believes that it will be damaged by registration of the mark shown in Application Serial No. 75/830,888, and hereby opposes the same.

As grounds for the opposition it is alleged:

1. Opposer and its predecessors have for many years been engaged in the manufacture, distribution, advertising and sale of a wide variety of electric power tools, including screwdrivers.

2. Opposer and applicant are engaged in direct competition in the manufacture and sale of electric power tools.

3. For many years, and since long prior to the filing date of Application Serial No. 75/830,888 and date of first use claimed in that application, opposer and other

manufacturers of electric power tools have used the colors red and black as ornamentation on electric power tools.

4. Opposer is currently manufacturing, selling, advertising and promoting electric power tools bearing the colors red and black.

5. For many years, applicant has not been the exclusive user of the colors red and black for electric power tools, since opposer and others have used those colors as ornamentation on electric power tools.

6. The colors red and black do not serve as a trademark for opposer, applicant or others, but serve as ornamentation on electric power tools emanating from different companies.

7. On information and belief, applicant did not use the colors red and black in connection with the goods identified in Application Serial No. 75/830,888, prior to September 1984, the date of first use claimed in that application.

8. Opposer and others are entitled to use the colors red and black in connection with their electric power tools, and registration to applicant of those colors would be inconsistent with the right of opposer and others to continue their aforesaid use.

WHEREFORE, opposer prays that its opposition be sustained and registration of Application Serial No. 75/830,888 be refused.

Please address all correspondence to Raymond I. Geraldson, Jr. and Joseph N. Welch II at Pattishall, McAuliffe, Newbury, Hilliard & Geraldson, 311 South Wacker Drive, Suite 5000, Chicago, IL 60606.

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

In the Matter of Application Serial No. 75/830,880: RED, GRAY AND BLACK COLOR

Published in the Official Gazette of September 17, 2002 at TM 372

In International Class 7

ROBERT BOSCH TOOL CORPORATION, Opposer, v. MILWAUKEE ELECTRIC TOOL CORPORATION, Applicant.	)	Opposition No. 154,162

AMENDED NOTICE OF OPPOSITION

Robert Bosch Tool Corporation, a Delaware corporation with its principal place of business in Chicago, Illinois, believes that it will be damaged by registration of the mark shown in Application Serial No. 75/830,880, and hereby opposes the same.

As grounds for the opposition it is alleged:

1. Opposer and its predecessors have for many years been engaged in the manufacture, distribution, advertising and sale of a wide variety of electric power tools, including sander/grinders.

2. Opposer and applicant are engaged in direct competition in the manufacture and sale of electric power tools.

3. For many years, and since long prior to the filing date of Application Serial No. 75/830,880 and date of first use claimed in that application, manufacturers of electric

power tools other than Applicant have used the colors red, gray and black as ornamentation on electric power tools.

4. Opposer manufactures, sells, advertises and promotes electric power tools bearing the colors red, black and gray, and has manufactured, sold, advertised and promoted electric power tools bearing the colors red and black since long prior to the filing date of Application Serial No. 75/830,880 and date of first use claimed in that application.

5. Applicant has sent three letters to opposer in which applicant has claimed that opposer's use of the colors red and black for electric power tools infringes applicant's rights to the colors red, black and/or gray for electric power tools.

6. For many years, applicant has not been the exclusive user of the colors red, gray and black for electric power tools, since others have used those colors as ornamentation on electric power tools.

7. The colors red, gray and black do not serve as a trademark for opposer, applicant or others, but serve as ornamentation on electric power tools emanating from different companies.

8. On information and belief, applicant did not use the colors red, gray and black in connection with the goods identified in Application Serial No. 75/830,880, prior to February 1988, the date of first use claimed in that application.

9. Opposer and others are entitled to use the colors red, gray and black in connection with their electric power tools, and registration to applicant of those colors would be inconsistent with the right of opposer and others to continue their aforesaid use.

WHEREFORE, opposer prays that its opposition be sustained and registration of Application Serial No. 75/830,880 be refused.

Please address all correspondence to Raymond I. Geraldson, Jr. and Joseph N. Welch II at Pattishall, McAuliffe, Newbury, Hilliard & Geraldson, 311 South Wacker Drive, Suite 5000, Chicago, Illinois 60606.

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

In the Matter of Application Serial No. 75/830,879: RED, GRAY AND BLACK COLOR

Published in the Official Gazette of October 29, 2002 at TM 439

In International Class 7

ROBERT BOSCH TOOL CORPORATION, Opposer, v. MILWAUKEE ELECTRIC TOOL CORPORATION, Applicant.	)	Opposition No. 154,172

AMENDED NOTICE OF OPPOSITION

Robert Bosch Tool Corporation, a Delaware corporation with its principal place of business in Chicago, Illinois, believes that it will be damaged by registration of the mark shown in Application Serial No. 75/830,879, and hereby opposes the same.

As grounds for the opposition it is alleged:

1. Opposer and its predecessors have for many years been engaged in the manufacture, distribution, advertising and sale of a wide variety of electric power tools, including electric saws.

2. Opposer and applicant are engaged in direct competition in the manufacture and sale of electric power tools.

3. For many years, and since long prior to the filing date of Application Serial No. 75/830,879 and date of first use claimed in that application, manufacturers of electric

power tools other than Applicant have used the colors red, gray and black as ornamentation on electric power tools.

4. Opposer manufactures, sells, advertises and promotes electric power tools bearing the colors red, black and gray, and has manufactured, sold, advertised and promoted electric power tools bearing the colors red and black since long prior to the filing date of Application Serial No. 75/830,879 and date of first use claimed in that application.

5. Applicant has sent three letters to opposer in which applicant has claimed that opposer's use of the colors red and black for electric power tools infringes applicant's rights to the colors red, black and/or gray for electric power tools.

6. For many years, applicant has not been the exclusive user of the colors red, gray and black for electric power tools, since others have used those colors as ornamentation on electric power tools.

7. The colors red, gray and black do not serve as a trademark for opposer, applicant or others, but serve as ornamentation on electric power tools emanating from different companies.

8. On information and belief, applicant did not use the colors red, gray and black in connection with the goods identified in Application Serial No. 75/830,879, prior to January 1980, the date of first use claimed in that application.

9. Opposer and others are entitled to use the colors red, gray and black in connection with their electric power tools, and registration to applicant of those colors would be inconsistent with the right of opposer and others to continue their aforesaid use.

WHEREFORE, opposer prays that its opposition be sustained and registration of Application Serial No. 75/830,879 be refused.

Please address all correspondence to Raymond I. Geraldson, Jr. and Joseph N. Welch II at Pattishall, McAuliffe, Newbury, Hilliard & Geraldson, 311 South Wacker Drive, Suite 5000, Chicago, IL 60606.

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Of Counsel:

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

In the Matter of Application Serial No. 75/831,337: RED AND BLACK COLOR

Published in the Official Gazette of October 1, 2002 at TM 356

In International Class 7

ROBERT BOSCH TOOL CORPORATION, Opposer, v. MILWAUKEE ELECTRIC TOOL CORPORATION, Applicant.	)	Opposition No. 154,327

AMENDED NOTICE OF OPPOSITION

Robert Bosch Tool Corporation, a Delaware corporation with its principal place of business in Chicago, Illinois, believes that it will be damaged by registration of the mark shown in Application Serial No. 75/831,337, and hereby opposes the same.

As grounds for the opposition it is alleged:

1. Opposer and its predecessors have for many years been engaged in the manufacture, distribution, advertising and sale of a wide variety of electric power tools, including driver/drills.

2. Opposer and applicant are engaged in direct competition in the manufacture and sale of electric power tools.

3. For many years, and since long prior to the filing date of Application Serial No. 75/831,337 and date of first use claimed in that application, opposer and other

manufacturers of electric power tools have used the colors red and black as ornamentation on electric power tools.

4. Opposer is currently manufacturing, selling, advertising and promoting electric power tools bearing the colors red and black.

5. For many years, applicant has not been the exclusive user of the colors red and black for electric power tools, since opposer and others have used those colors as ornamentation on electric power tools.

6. The colors red and black do not serve as a trademark for opposer, applicant or others, but serve as ornamentation on electric power tools emanating from different companies.

7. On information and belief, applicant did not use the colors red and black in connection with the goods identified in Application Serial No. 75/831,337, prior to September 1996, the date of first use claimed in that application.

8. Opposer and others are entitled to use the colors red and black in connection with their electric power tools, and registration to applicant of those colors would be inconsistent with the right of opposer and others to continue their aforesaid use.

WHEREFORE, opposer prays that its opposition be sustained and registration of Application Serial No. 75/831,337 be refused.

Please address all correspondence to Raymond I. Geraldson, Jr. and Joseph N. Welch II at Pattishall, McAuliffe, Newbury, Hilliard & Geraldson, 311 South Wacker Drive, Suite 5000, Chicago, Illinois 60606.

PATTISHALL, McAULIFFE, NEWBURY,
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of Application Serial No. 75/831,328: RED, GRAY AND BLACK COLOR

Published in the Official Gazette of September 17, 2002 at TM 372

In International Class 7

ROBERT BOSCH TOOL CORPORATION, Opposer, v. MILWAUKEE ELECTRIC TOOL CORPORATION, Applicant.	)	Opposition No. 154,663

AMENDED NOTICE OF OPPOSITION

Robert Bosch Tool Corporation, a Delaware corporation with its principal place of business in Chicago, Illinois, believes that it will be damaged by registration of the mark shown in Application Serial No. 75/831,328, and hereby opposes the same.

As grounds for the opposition it is alleged:

1. Opposer and its predecessors have for many years been engaged in the manufacture, distribution, advertising and sale of a wide variety of electric power tools, including drills and screwdrivers.

2. Opposer and applicant are engaged in direct competition in the manufacture and sale of electric power tools.

3. For many years, and since long prior to the filing date of Application Serial No. 75/831,328 and date of first use claimed in that application, manufacturers of electric

power tools other than Applicant have used the colors red, gray and black as ornamentation on electric power tools.

4. Opposer manufactures, sells, advertises and promotes electric power tools bearing the colors red, black and gray, and has manufactured, sold, advertised and promoted electric power tools bearing the colors red and black since long prior to the filing date of Application Serial No. 75/831,328 and date of first use claimed in that application.

5. Applicant has sent three letters to opposer in which applicant has claimed that opposer's use of the colors red and black for electric power tools infringes applicant's rights to the colors red, black and/or gray for electric power tools.

6. For many years, applicant has not been the exclusive user of the colors red, gray and black for electric power tools, since others have used those colors as ornamentation on electric power tools.

7. The colors red, gray and black do not serve as a trademark for opposer, applicant or others, but serve as ornamentation on electric power tools emanating from different companies.

8. On information and belief, applicant did not use the colors red, gray and black in connection with the goods identified in Application Serial No. 75/831,328, prior to April 1969, the date of first use claimed in that application.

9. Opposer and others are entitled to use the colors red, gray and black in connection with their electric power tools, and registration to applicant of those colors would be inconsistent with the right of opposer and others to continue their aforesaid use.

WHEREFORE, opposer prays that its opposition be sustained and registration of Application Serial No. 75/831,328 be refused.

Please address all correspondence to Raymond I. Geraldson, Jr. and Joseph N. Welch II at Pattishall, McAuliffe, Newbury, Hilliard & Geraldson, 311 South Wacker Drive, Suite 5000, Chicago, IL 60606.

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

In the Matter of Application Serial No. 75/831,361: RED, BLACK AND GRAY COLOR

Published in the Official Gazette of September 17, 2002 at TM 372 and 373

In International Class 7

ROBERT BOSCH TOOL CORPORATION, Opposer, v. MILWAUKEE ELECTRIC TOOL CORPORATION, Applicant.	)	Opposition No. 154,902

AMENDED NOTICE OF OPPOSITION

Robert Bosch Tool Corporation, a Delaware corporation with its principal place of business in Chicago, Illinois, believes that it will be damaged by registration of the mark shown in Application Serial No. 75/831,361, and hereby opposes the same.

As grounds for the opposition it is alleged:

1. Opposer and its predecessors have for many years been engaged in the manufacture, distribution, advertising and sale of a wide variety of electric power tools, including drills, screwdrivers, and combination drills and power hammers.

2. Opposer and applicant are engaged in direct competition in the manufacture and sale of electric power tools.

3. For many years, and since long prior to the filing date of Application Serial No. 75/831,361 and date of first use claimed in that application, manufacturers of electric

power tools other than applicant have used the colors red, black and gray as ornamentation on electric power tools.

4. Opposer manufactures, sells, advertises and promotes electric power tools bearing the colors red, black and gray, and has manufactured, sold, advertised and promoted electric power tools bearing the colors red and black since long prior to the filing date of Application Serial No. 75/831,361 and date of first use claimed in that application.

5. Applicant has sent three letters to opposer in which applicant has claimed that opposer's use of the colors red and black for electric power tools infringes applicant's rights to the colors red, black and/or gray for electric power tools.

6. For many years, applicant has not been the exclusive user of the colors red, black and gray for electric power tools, since others have used those colors as ornamentation on electric power tools.

7. The colors red, black and gray do not serve as a trademark for opposer, applicant or others, but serve as ornamentation on electric power tools emanating from different companies.

8. On information and belief, applicant did not use the colors red, black and gray in connection with the goods identified in Application Serial No. 75/831,361, prior to October 1980, the date of first use claimed in that application.

9. Opposer and others are entitled to use the colors red, black and gray in connection with their electric power tools, and registration to applicant of those colors would be inconsistent with the right of opposer and others to continue their aforesaid use.

WHEREFORE, opposer prays that its opposition be sustained and registration of Application Serial No. 75/831,361 be refused.

Please address all correspondence to Raymond I. Geraldson, Jr. and Joseph N. Welch II at Pattishall, McAuliffe, Newbury, Hilliard & Geraldson, 311 South Wacker Drive, Suite 5000, Chicago, IL 60606.

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

In the Matter of Application Serial No. 75/831,360: RED, GRAY AND BLACK COLOR

Published in the Official Gazette of November 26, 2002 at TM 207

In International Class 7

ROBERT BOSCH TOOL CORPORATION, Opposer, v. MILWAUKEE ELECTRIC TOOL CORPORATION, Applicant.	)	Opposition No. 155,458

AMENDED NOTICE OF OPPOSITION

Robert Bosch Tool Corporation, a Delaware corporation with its principal place of business in Chicago, Illinois, believes that it will be damaged by registration of the mark shown in Application Serial No. 75/831,360, and hereby opposes the same.

As grounds for the opposition it is alleged:

1. Opposer and its predecessors have for many years been engaged in the manufacture, distribution, advertising and sale of a wide variety of electric power tools, including circular saws.

2. Opposer and applicant are engaged in direct competition in the manufacture and sale of electric power tools.

3. For many years, and since long prior to the filing date of Application Serial No. 75/831,360 and date of first use claimed in that application, manufacturers of electric

power tools other than Applicant have used the colors red, gray and black as ornamentation on electric power tools.

4. Opposer manufactures, sells, advertises and promotes electric power tools bearing the colors red, black and gray, and has manufactured, sold, advertised and promoted electric power tools bearing the colors red and black since long prior to the filing date of Application Serial No. 75/831,360 and date of first use claimed in that application.

5. Applicant has sent three letters to opposer in which applicant has claimed that opposer's use of the colors red and black for electric power tools infringes applicant's rights to the colors red, black and/or gray for electric power tools.

6. For many years, applicant has not been the exclusive user of the colors red, gray and black for electric power tools, since others have used those colors as ornamentation on electric power tools.

7. The colors red, gray and black do not serve as a trademark for opposer, applicant or others, but serve as ornamentation on electric power tools emanating from different companies.

8. On information and belief, applicant did not use the colors red, gray and black in connection with the goods identified in Application Serial No. 75/831,360, prior to November 12, 1976, the date of first use claimed in that application.

9. Opposer and others are entitled to use the colors red, gray and black in connection with their electric power tools, and registration to applicant of those colors would be inconsistent with the right of opposer and others to continue their aforesaid use.

WHEREFORE, opposer prays that its opposition be sustained and registration of Application Serial No. 75/831,360 be refused.

Please address all correspondence to Raymond I. Geraldson, Jr. and Joseph N. Welch II at Pattishall, McAuliffe, Newbury, Hilliard & Geraldson, 311 South Wacker Drive, Suite 5000, Chicago, IL 60606.

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