



04-14-2003

U.S. Patent & TMO/TM Mail Rcpt Dt. #64

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

**ESSILOR INTERNATIONAL (COMPAGNIE )  
GENERALE D'OPTIQUE) )**

**Opposer )**

**vs. )**

**OPTICAL DYNAMICS CORPORATION )**

**Applicant )**

**OPPOSITION NO. 91/155,673**

**ANSWER**

Comes the Applicant, Optical Dynamics Corporation ("ODC"), and for its Answer to the Notice of Opposition filed by Essilor International (Compagnie Generale d'Optique) ("Opposer"), ODC states as follows:

1. ODC affirmatively states that this Opposition was not filed within thirty days after the publication of Applicant's mark, nor was an extension of time for filing an opposition properly obtained by the Opposer, and therefore this Opposition should be dismissed.

2. ODC admits paragraphs number 1 and 2 of the Notice of Opposition.

3. ODC has insufficient knowledge and belief as to the allegations of paragraph number 3 of the Notice of Opposition and therefore denies same.

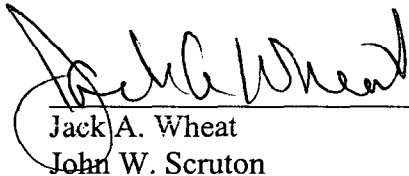
4. ODC denies paragraph number 4 of the Notice of Opposition.

5. ODC admits so much of paragraph number 5 of the Notice of Opposition as alleges that the registration of Applicant's mark will be prima facie evidence of the validity of the registration, Applicant's ownership of the mark shown in the application, and Applicant's

exclusive right to use the mark shown in the application, but ODC denies the remaining allegations of said paragraph.

6. ODC denies paragraph number 6 of the Notice of Opposition.

WHEREFORE, the Applicant, Optical Dynamics Corporation prays that the Opposition be DISMISSED.



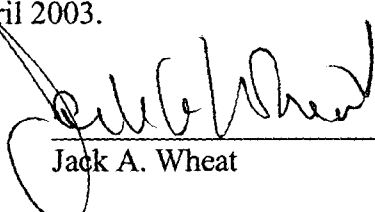
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ATTORNEYS FOR APPLICANT

**CERTIFICATE OF SERVICE**

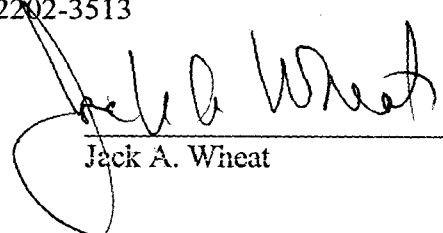
I hereby certify that a copy hereof was served by first class mail upon Jane Linowitz, attorney for Opposer, of Levisohn, Lerner, Berger & Langsam, LLP at 757 Third Avenue, 25<sup>th</sup> Floor, New York, NY 10017 this 11 day of April 2003.

  
\_\_\_\_\_  
Jack A. Wheat

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first-class mail this 11<sup>th</sup> day of April 2003 in an envelope addressed to:

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

  
\_\_\_\_\_  
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TTAB

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April 11, 2003

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RE: Essilor International v. Optical Dynamics Corporation;  
Opposition No. 91/155,673

Dear TTAB:

Enclosed for filing with the TTAB is Optical Dynamics Corporation's ANSWER relating to the above-referenced Opposition proceeding, along with a return receipt postcard.

Should you need anything further, please advise.

Very truly yours,

Jack A. Wheat

JAW:ms

Enclosures

cc: Christopher L. Roberts  
C. Craig Bradley, Jr.

Vertical stamp or text on the right margin, partially illegible.