

08/20/2003 TTAB

GIFFORD, KRASS, GROH, SPRINKLE, ANDERSON & CITKOWSKI, P.C. 280 N. OLD WOODWARD AVENUE, STE. 400, BIRMINGHAM, MICHIGAN 48009-5394 (248) 647-6000

TTAB



08-04-2003

U.S. Patent & TMO/TM Mail Rcpt Dt. #73

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

In the matter of Application Serial No. 76/096,710

CARL B. VINIAR,  
OPPOSER,

vs.

Opposition No. 91156752

BEVERLY CLARK,  
APPLICANT.

\_\_\_\_\_  
BOX TTAB  
Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3513

**ANSWER TO NOTICE OF OPPOSITION**

Applicant hereby makes the following answer to the above-identified Notice of Opposition.

1. Applicant lacks specific knowledge and neither admits nor denies.
2. Admit.
3. Admit.
4. Applicant lacks specific knowledge and neither admits nor denies.
5. Deny to the extent that the respective identifications of services are not identical.
6. Admit to the extent that registration of both marks is likely to cause confusion.
7. Deny.

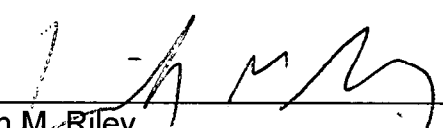
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**COUNTERCLAIM FOR CANCELLATION**

Applicant requests that Opposer's Registration No. 2,702,869 be cancelled.

Respectfully submitted,

By:   
Judith M. Riley  
GIFFORD, KRASS, GROH, SPRINKLE,  
ANDERSON & CITKOWSKI, P.C.  
280 N. Old Woodward, Suite 400  
Birmingham, MI 48009  
(248) 647-6000

Dated: July 30, 2003

08/20/2003 11:48

GIFFORD, KRASS, GROH, SPRINKLE, ANDERSON & CITKOWSKI, P.C. 280 N. OLD WOODWARD AVENUE, STE. 400, BIRMINGHAM, MICHIGAN 48009-5394 (248) 647-6000

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing ANSWER TO NOTICE OF OPPOSITION was deposited as First Class mail, postage prepaid, in an envelope addressed to:

Norman E. Lehrer  
NORMAN E. LEHRER, P.C.  
1205 North Kings Highway  
Cherry Hill, NJ 03034

on this 30 day of July, 2003.

Jammy E. Mayle

**CERTIFICATE OF MAILING**

I hereby certify that the foregoing ANSWER TO NOTICE OF OPPOSITION is being deposited with the United States Postal Service as first-class mail, postage prepaid, in an envelope addressed to the Assistant Commissioner of Trademarks, 2900 Crystal Drive, Arlington, VA 22202, on this 30 day of July, 2003.

Jammy E. Mayle