

TTAM

Express Mail No. EV 333495320 US

**UNITED STATES PATENT AND TRADEMARK OFFICE  
TRADEMARK TRIAL AND APPEAL BOARD**

DESA IP, LLC  
v.  
CARRIER CORPORATION,

Opposer/Plaintiff,

Applicant/Defendant.

Opposition No. 91157378

**ANSWER TO NOTICE OF OPPOSITION**

Applicant, Carrier Corporation, hereby provides its Answer to the Notice of Opposition.

1. Applicant admits that it has applied for registration of the mark "COMFORT" together with a design element for the goods "Heating, ventilating, and air conditioning units and parts therefor" and admits that it has alleged a date of first use of such mark "at least as early as October 1999". Applicant denies any remaining averments in paragraph 1 of the Notice of Opposition.

2. Applicant is without knowledge or information sufficient to form a belief as to the truth of the averments in paragraph 2 of the Notice of Opposition, and therefore denies the same.

3. Applicant is without knowledge or information sufficient to form a belief as to the truth of the averments in paragraph 3 of the Notice of Opposition, and therefore denies the same.

4. Applicant is without knowledge or information sufficient to form a belief as to the truth of the averments in paragraph 4 of the Notice of Opposition, and therefore denies the same.



05-03-2004

5. Applicant denies the averments in paragraph 5 of the Notice of Opposition.

Dated: April 30, 2004

Respectfully submitted,

**CARRIER CORPORATION**

By its attorneys,

  
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Robert E. Purcell, Esq.

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CERTIFICATE OF MAILING

I hereby certify that this document is being deposited with the United States Postal Service "Express Mail Post Office To Addressee" service under 37 C.F.R § 1.10, in an envelope addressed to the Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3514 on 4/30/\_\_\_\_\_, 2004.

  
\_\_\_\_\_  
Robert E. Purcell

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the attorney of record for each other party by First Class Mail on 4/30/04 : Manuel R. Valcarcel, Esq., Greenberg Traurig, P.A., 1221 Brickell Avenue, Miami, Florida 33131

  
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Robert E. Purcell