

Our Reference: SLP-121-TM

TRADEMARK

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

In the Matter of the Application for the Registration of a Trademark by Public I,  
L.L.C., Serial No. 78/221,819 published March 23, 2004.

Publicis (S.A.)	)
133 Avenue des Champ-Elysees	)
Paris, 75008	)
France	)
	)
Opposers,	)
	)
v.	)
	)
Public I, I.L.L.C.	)
430 North Old Woodward Avenue	)
Birmingham, MI 48009	)
	)
Applicant	)

Opposition No. 91162171

APPLICANT'S ANSWER TO NOTICE OF OPPOSITION

Attn: TTAB  
Commissioner for Trademarks  
P. O. Box 1451  
Alexandria, VA 22313-1451

Sirs:

In response to the Notice of Opposition mailed by the Board on September 20, 2004, the Applicant, Public I, L.L.C., answers the Opposition identified above as follows:

1. In response to the allegations of Paragraph 1 of the Notice, the Applicant is without knowledge or information sufficient to form a belief as to the truth of the averments set forth, and based thereon, denies each and every averment.



10-18-2004

2. In response to the allegations of Paragraph 2 of the Notice, the Applicant is without knowledge or information sufficient to form a belief as to the truth of the averments set forth, and based thereon, denies each and every averment.

3. In response to the allegations of Paragraph 3 of the Notice, the Applicant is without knowledge or information sufficient to form a belief as to the truth of the averments set forth, and based thereon, denies each and every averment.

4. In response to the allegations of Paragraph 4 of the Notice, the Applicant is without knowledge or information sufficient to form a belief as to the truth of the averments set forth, and based thereon, denies each and every averment.

5. In response to the allegations of Paragraph 5 of the Notice, the Applicant admits the same.

6. In response to the allegations of Paragraph 6 of the Notice, the Applicant is without knowledge or information sufficient to form a belief as to the truth of the averments set forth, and based thereon, denies each and every averment.

7. In response to the allegations of Paragraph 7 of the Notice, the Applicant is without knowledge or information sufficient to form a belief as to the truth of the averments set forth, and based thereon, denies each and every averment.

8. In response to the allegations of Paragraph 8 of the Notice, the Applicant is without knowledge or information sufficient to form a belief as to the truth of the averments set forth, and based thereon, denies each and every averment.

9. In response to the allegations of Paragraph 9 of the Notice, the Applicant is without knowledge or information sufficient to form a belief as to the truth of the averments set forth, and based thereon, denies each and every averment.

10. In response to the allegations of Paragraph 10 of the Notice, the Applicant admits the same.

11. In response to the allegations of Paragraph 11 of the Notice, the Applicant admits the dates alleged for Opposer's Registration No. 2,284,867 are correct; Applicant's asserted date of first use is at least as early as October 8, 2002. As to the remaining allegations of Paragraph 11, the Applicant is without knowledge or information sufficient to form a belief as to the truth of the averments set forth, and based thereon, denies each and every averment.

12. In response to the allegations of Paragraph 12 of the Notice, the Applicant admits the same.

13. In response to the allegations of Paragraph 13 of the Notice, the Applicant admits the same.

14. In response to the allegations of Paragraph 14 of the Notice, the Applicant denies the same.

15. In response to the allegations of Paragraph 15 of the Notice, the Applicant denies the same.

16. In response to the allegations of Paragraph 16 of the Notice, the Applicant is without knowledge or information sufficient to form a belief as to the truth of the averments set forth, and based thereon, denies each and every averment.

17. In response to the allegations of Paragraph 17 of the Notice, the Applicant denies the same.

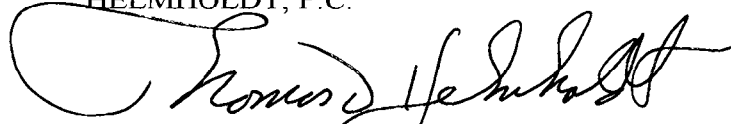
18. In response to the allegations of Paragraph 18 of the Notice, the Applicant denies the same.

19. In response to the allegations of Paragraph 19, the Applicant admits if it is granted a registration of the mark in Application Serial No. 78/221,819, the Applicant would obtain a prima facie exclusive right to use the PUBLIC I mark. As to the remaining allegations of Paragraph 19, the Applicant denies the same.

WHEREFORE, the Applicant asks that this Opposition Proceeding be dismissed and that its registration issue forthwith.

Respectfully submitted,

YOUNG, BASILE, HANLON, MacFARLANE, WOOD &  
HELMHOLDT, P.C.



Thomas D. Helmholdt  
Attorney for Applicant(s)  
Registration No. 33181  
(248) 649-3333

3001 West Big Beaver Rd., Suite 624  
Troy, Michigan 48084-3107

Dated: October 13, 2004  
TDH/KGM/dge

# TTAB

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430 North Old Woodward Avenue	)	
Birmingham, MI 48009	)	
	)	
Applicant	)	

### CERTIFICATE OF MAILING AND TRANSMITTAL LETTER

Attn: TTAB  
Commissioner for Trademarks  
P. O. Box 1451  
Alexandria, VA 22313-1451

Sir:

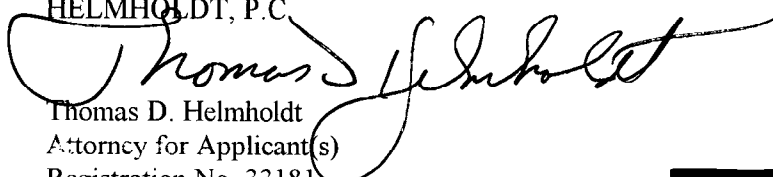
Transmitted herewith is a postcard: Applicant's Answer to Notice of Opposition (in triplicate); and a Certificate of Service a in the above-identified trademark application.

- X       No additional fee is required.
- X       Please charge any deficiency or credit any excess in the enclosed fees to Deposit Account Number 25-0115.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Trademarks, P. O. Box 1451, Alexandria, VA 22313-1451, on **October 14, 2004**.

Respectfully submitted,

YOUNG, BASILE, HANLON, MacFARLANE, WOOD &  
HELMHOLDT, P.C.

  
Thomas D. Helmholdt  
Attorney for Applicant(s)  
Registration No. 33181  
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U.S. Patent & TMO/TM Mail Rpt Dt. #22

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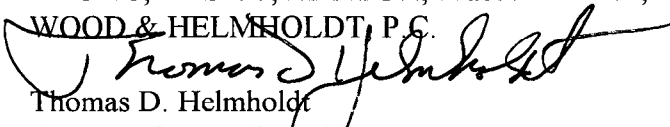
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	)	
Applicant	)	

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document was served via U. S. Mail on this 14th day of October, 2004 to the following counsel of record:

Mark Lebow  
Young & Thompson  
745 South 23rd Street  
Arlington, VA 22202

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Attn: TTAB; Commissioner for Trademarks; P. O. Box 1451; Alexandria, VA 22313-1451 on **October 14, 2004**.

YOUNG, BASILE, HANLON, MacFARLANE,  
WOOD & HELMHOLDT, P.C.  
  
Thomas D. Helmholdt  
Attorney for Applicant(s)  
Registration No. 33181

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