

ESTTA Tracking number: **ESTTA36980**

Filing date: **06/28/2005**

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

Proceeding	91165241
Party	Defendant BOMBA ENERGIA GETRANKEVERTRIEBES GMBH BOMBA ENERGIA GETRANKEVERTRIEBES GMBH Bockgasse 2b ATX 4021 Linz,
Correspondence Address	EUGENE R SAWALL ANDRUS SCEALES STARKE & SAWALL LLP 100 E WISCONSIN AVE MILWAUKEE, WI 53202
Submission	Answer
Filer's Name	Gary A. Essmann
Filer's e-mail	marlenek@andruslaw.com
Signature	/Gary A. Essmann/
Date	06/28/2005
Attachments	Answer to notice of opposition.pdf (3 pages)

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

MILLER PRODUCTS COMPANY and)	
MILLER BREWING COMPANY,)	
)	
Opposer)	OPPOSITION NO. 91165241
)	
v.)	Serial No. 75/437,843
)	
BOMBA ENERGIA)	Mark: BOMBA and Bottle
GETRANKEVERTRIEBS GMBH,)	Configuration Design
)	
Applicant)	

APPLICANT'S ANSWER TO NOTICE OF OPPOSITION

COMMISSIONER FOR TRADEMARKS
BOX TTAB
2900 Crystal Drive
Arlington, Virginia 22202-3514

In response to the Notice of Opposition issued by the Board on May 18, 2005, the applicant, Bomba Energia Getrankevertriebs GmbH, answers the opposition identified above as follows:

1. Admitted.
2. Admitted.
3. Admitted.
4. Admitted.
5. Admitted.
6. Applicant is without knowledge sufficient to form a belief and leaves the opposer to its proofs.

7. Applicant is without knowledge sufficient to form a belief and leaves the opposer to its proofs.

8. Denied.

9. Denied.

10. Admitted.

11. Admitted.

12. Admitted.

13. Denied

14. Paragraph 14 is not an allegation requiring an answer.

WHEREFORE, applicant prays that this opposition be dismissed and that registration of applicant's mark be granted.

Respectfully submitted,

s/ Gary A. Essmann
GARY A. ESSMANN
Reg. No. 29,376

ANDRUS, SCEALES, STARKE & SAWALL, LLP
100 East Wisconsin Avenue
Milwaukee, Wisconsin 53202
414-271-7590
Docket No. 825-00188

CERTIFICATE OF TRANSMITTAL

I hereby certify that this correspondence is being electronically transmitted in PDF format to the Trademark Trial and Appeal Board through the Electronic System for Trademark Trials and Appeals (ESTTA) on June 28, 2005.

s/ Marlene Kubiak

Marlene Kubiak

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Marta S. Levine, Quarles & Brady, LLP, 411 East Wisconsin Avenue, Milwaukee, WI 53202 on June 28, 2005.

s/ Marlene Kubiak

Marlene Kubiak