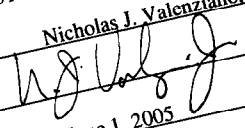


I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Trademark Trial and Appeal Board, U.S. Patent and Trademark Office, P.O. Box 1451 Alexandria, VA 22313-1451, on: June 1, 2005

Nicholas J. Valenziano, Jr.

Date: June 1, 2005

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

In the Matter of Application Serial No. 76/584,160
Published on February 1, 2005
Mark: DUAL-DRI

Sara Lee Global Finance, L.L.C.,)
)
Opposer,)
)
v.)
)
SJR 97 Enterprises, Inc.,)
)
Applicant.)

NOTICE OF OPPOSITION

Opposer Sara Lee Global Finance, L.L.C., a Delaware limited liability company having principal place of business at 204F Weldin Building 3411 Silverside Road Wilmington, DE ("Opposer"), believes it will be damaged by the registration of the mark DUAL-DRI, published Official Gazette dated February 1, 2005 (TM 303), for "apparel, namely, men's, women's shirts, tops, t-shirts, pants, shorts, bodysuits, jackets, hats, headwarmers, skullwraps, and underpants, sports bras, hockey pants, hockey shorts, and men's briefs," in International hereby opposes same. As grounds for the opposition, it is alleged that:

FACTS COMMON TO ALL GROUNDS FOR OPPOSITION

1. Opposer is now, and its predecessors in interest and licensees have been engaged in the manufacture, distribution, and sale of men's, women's, and children's athletic apparel and other related products specifically directed to the field of athletics and sports.

2. Opposer is the owner of the following trademark applications the DUO DRY, DUO DRI, and DUO DRI and Design marks (hereafter DUO DRI Trademarks):

<u>Mark</u>	<u>Serial No.</u>	<u>Filing Date</u>	<u>Goods</u>
DUO DRY	78/386,567	March 18, 2004	Shorts, pants, t-shirts, sweatshirts, sweatpants, sports bras and tops, swimwear, jackets, gloves, hats, caps, shoes, socks, underwear
DUO DRI	78/424,681	May 25, 2004	Men's, women's children's underwear, shorts, pants, jackets and t-shirts
DUO DRI & Design	78/465,777	August 11, 2004	Men's, women's, children's underwear, shorts, pants, jackets, t-shirts

3. Opposer, and Opposer's licensees have continuously used the DUO DRI Trademarks in interstate commerce throughout the United States for the purpose of identifying Opposer's products and to distinguish those goods from the products of other manufactures.

4. Ever since the adoption and use of the DUO DRI Trademarks as aforesaid, Opposer, and Opposer's licensees have widely and extensively advertised and sold goods bearing said DUO DRI Trademarks as a consequence of same, the consuming public and trade have come to recognize and do recognize the DUO DRI Trademarks as being used by Opposer or by a single source, and to associate and identify said mark and name with Opposer or with a single source, and Opposer derives substantial goodwill and value from the aforesaid identification by the consuming public and trade.

5. By the application herein opposed, Applicant seeks to register the mark DUAL-DRI and design for "apparel, namely, men's, women's and children's shirts, tops, t-shirts, pants, shorts, bodysuits, jackets, hats, headwarmers, skullwraps, undershirts, underpants, sports bras, hockey pants, hockey shorts, and men's briefs," in International Class 25. Such goods and services are identical and closely related to the goods for which Opposer has registrations and upon which it uses, and applied to use the DUO DRI Trademarks.

6. Opposer's DUO DRI Trademarks and Applicant's DUAL-DRI mark is confusingly similar in sight, sound, and meaning.

7. Applicant's DUAL-DRI mark is confusingly similar to Opposer's DUO DRI Trademarks and is likely to cause confusion and mistake and to deceive, with consequent injury to Opposer, the consuming public, and the trade.

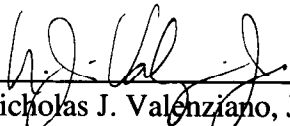
8. Opposer will be damaged by the registration sought by Applicant because such registration will support and assist Applicant in the confusing and misleading use of Applicant's mark sought to be registered, and will give color and exclusive statutory right to Applicant in violation and derogation of prior and superior rights of Opposer.

WHEREFORE, Opposer believes it will be damaged by registration of Applicant's mark and prays that it not be allowed.

In addition to the undersigned, please recognize as attorney for opposer in this proceeding Bruce O. Bradford, a member of the Bar of the State of Illinois, whose office is located at 1000 East Hanes Mill Road, Winston-Salem, North Carolina, 27105, telephone (336) 519-7072.

SARA LEE GLOBAL FINANCE, L.L.C.

Dated: June 1, 2005



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Attorney for Opposer

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**PAYMENT OF FILING FEE FOR
NOTICE OF OPPOSITION**

Please charge the \$300.00 filing fee, as well as any additional charges associated with filing the above-referenced opposition, to Deposit Account No. 190142.

Respectfully submitted,

SARA LEE GLOBAL FINANCE, LLC

Dated: June 1, 2005



Nicholas J. Valenziano, Jr.
Attorney for Opposer