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

Proceeding	91167196
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Attachments	AnswerOppRUSSIANVODKA.pdf (17 pages)

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

In Re Application to Register Certification Mark of:

Serial No.: 76604592
Applicant: Russian Federal Treasury Enterprise Sojuzplodoimport
Filed: July 26, 2004
For: RUSSIAN VODKA

Published in the Official Gazette of June 28, 2005, p. TM1341

SPIRITS INTERNATIONAL N.V.,

Opposer,

v.

RUSSIAN FEDERAL TREASURY
ENTERPRISE SOJUZPLODOIMPORT,

Applicant.

I hereby certify that this correspondence and all marked attachments were sent via electronically to: Commissioner for Trademarks, BOX TTAB, P.O. Box 1451 Alexandria, Virginia, 22313-1451, and to attorney of record for Opposer, Marie A. Lavalleye of Covington & Burling, 1201 Pennsylvania Avenue, N.W., Washington, DC 20004.

December 9, 2005

Date


Brenda Trujillo

Opposition No. 91,167,196

Commissioner of Trademarks
BOX TTAB, P.O. Box 1451
1451 Alexandria, Virginia, 22313-1451

APPLICANT'S ANSWER TO NOTICE OF OPPOSITION

Applicant, Russian Federal Treasury Enterprise Sojuzplodoimport ("Russian Federal Treasury"), hereby answers Opposer, Spirits International N.V.'s ("Opposer"), Notice of Opposition as follows:

Answer to Introductory Paragraph

Russian Federal Treasury admits that Opposer is a corporation existing under the laws of the Netherlands and The Netherlands Antilles. Russian Federal Treasury denies that

Opposer will be damaged by registration of RUSSIAN VODKA as a certification mark in International Class A for vodka as shown in Serial No. 76604592.

1. Russian Federal Treasury admits the allegations contained in Paragraph 1 of the Notice of Opposition.
2. Russian Federal Treasury admits the allegations contained in Paragraph 2 of the Notice of Opposition.
3. Russian Federal Treasury admits the allegations contained in Paragraph 3 of the Notice of Opposition.
4. Russian Federal Treasury admits the allegations contained in Paragraph 4 of the Notice of Opposition.
5. Russian Federal Treasury denies that Opposer, through a related company, has supplied Allied Domecq International Holdings B.V. ("Allied Domecq"), its purported licensees and its purported predecessors-in-interest, with vodka sold under the STOLICHNAYA RUSSIAN VODKA & Design mark in interstate commerce since 1992. Russian Federal Treasury contends that Allied Domecq does not lawfully own the STOLICHNAYA RUSSIAN VODKA & Design mark and, therefore, has no predecessors-in-interest or valid licensees with respect to it. Further, Opposer and its related companies did not even exist in 1992.

To the extent that Opposer has supplied Allied Domecq and/or its purported licensees with vodka sold under the STOLICHNAYA RUSSIAN VODKA & Design mark, such supply has been fraudulent, illegal, and a contributory false designation of origin. Opposer intentionally induced Allied Domecq to sell vodka in a manner that is deceptive under Section 2(a) of the Lanham Act, and geographically deceptively misdescriptive under Section 2(e)(3) of

the Lanham Act. Vodka unlawfully supplied by Opposer and sold under the STOLICHNAYA RUSSIAN VODKA & Design mark is not made in Russia.

6. Russian Federal Treasury admits that Allied Domecq is the registrant, but denies that Allied Domecq is the owner, of the STOLICHNAYA RUSSIAN VODKA & Design mark and the STOLICHNAYA mark. Opposer fraudulently misappropriated the STOLICHNAYA RUSSIAN VODKA & Design mark and the STOLICHNAYA mark through a series of illegal transfers designed to deprive the Russian Federation of prized symbols of Russia's commercial heritage. Opposer then purported to assign the marks, which were not its property, to Allied Domecq through a purported legal, but not beneficial, assignment. Opposer's purported assignment was, in fact, a mere 10-year license agreement. Opposer's illegal actions related to the alienation of the rights of the Russian Federation in a number of trademarks, including the STOLICHNAYA RUSSIAN VODKA & Design mark and the STOLICHNAYA mark, are the subject of a separate proceeding pending in the United States District Court for the Southern District of New York. Russian Federal Treasury admits that Opposer refers to documents in Paragraphs 6(1) and (2) of the Notice of Opposition, and that these documents speak for themselves.

7. Russian Federal Treasury denies that Allied Domecq, through its purported licensees and predecessors-in-interest, has used the STOLICHNAYA RUSSIAN VODKA & Design mark in interstate commerce in connection with the sale of vodka since at least 1983. Russian Federal Treasury contends that Allied Domecq does not lawfully own the STOLICHNAYA RUSSIAN VODKA & Design mark and, therefore, it has no predecessors-in-interest or valid licensees with respect to it. For the same reason, Russian Federal Treasury denies that Opposer, through a related company, has supplied Allied Domecq, its purported

licensees and its purported predecessors-in-interest with vodka sold under the STOLICHNAYA RUSSIAN VODKA & Design mark in interstate commerce since 1992. Further, Opposer and its related companies did not even exist in 1992.

To the extent that Opposer has supplied Allied Domecq and/or its purported licensees with vodka sold under the STOLICHNAYA RUSSIAN VODKA & Design mark, such supply has been fraudulent, illegal, and a contributory false designation of origin. Opposer intentionally induced Allied Domecq to sell vodka in a manner that is deceptive under Section 2(a) of the Lanham Act, and geographically deceptively misdescriptive under Section 2(e)(3) of the Lanham Act. Vodka unlawfully supplied by Opposer and sold under the STOLICHNAYA RUSSIAN VODKA & Design mark is not made in Russia.

8. Russian Federal Treasury denies that Allied Domecq, through its purported licensees and predecessors-in-interest, has used the STOLICHNAYA mark in interstate commerce in connection with the sale of vodka since at least 1967. Because Allied Domecq does not lawfully own the STOLICHNAYA RUSSIAN VODKA & Design mark, it has no predecessors-in-interest or valid licensees with respect to it. For the same reason, Russian Federal Treasury denies that Opposer, through a related company, has supplied Allied Domecq, its purported licensees and its purported predecessors-in-interest with vodka sold under the STOLICHNAYA mark in interstate commerce since 1992. Further, Opposer and its related companies did not even exist in 1992.

Russian Federal Treasury admits that since 2002 Allied Domecq, through its purported licensees, has falsely advertised STOLICHNAYA vodka as being "Russian Vodka" or "Genuine Russian Vodka" and has made a false use of the phrase "Russian Vodka." Russian

Federal Treasury admits that prior to 2001 the lawful users of the STOLICHNAYA mark did truthfully make those statements in advertising.

To the extent that Opposer has supplied Allied Domecq and/or its purported licensees with vodka sold under the STOLICHNAYA mark, such supply has been fraudulent, illegal, and a contributory false designation of origin. Opposer intentionally induced Allied Domecq to sell vodka in a manner that is deceptive under Section 2(a) of the Lanham Act, and geographically deceptively misdescriptive under Section 2(e)(3) of the Lanham Act. Vodka unlawfully supplied by Opposer and sold under the STOLICHNAYA mark is not made in Russia.

9. Russian Federal Treasury admits that Opposer claims a reversionary interest in the STOLICHNAYA registrations it has purportedly licensed to Allied Domecq. However, Russian Federal Treasury contends that any purported ownership interest of Opposer and Allied Domecq in the various STOLICHNAYA trademarks and registrations was obtained by fraudulent and illegal conduct. Opposer and Allied Domecq's illegal actions related to the alienation of the rights of the Russian Federation in a number of trademarks, including STOLICHNAYA, are the subject of a separate proceeding pending in the United States District Court for the Southern District of New York.

10. Russian Federal Treasury contends that, following the dissolution of the Soviet Union, Opposer fraudulently misappropriated the MOSKOVSKAYA mark through a series of illegal transfers designed to deprive the Russian Federation of prized symbols of its commercial heritage. Opposer's fraudulent actions related to the alienation of the rights of the Russian Federation in a number of trademarks, including STOLICHNAYA and MOSKOVSKAYA, are the subject of a separate proceeding pending in the United States District

Court for the Southern District of New York. To the extent, if any, that Opposer, through a related company and a purported licensee, has sold vodka under the MOSKOVSKAYA mark and has advertised MOSKOVSKAYA vodka as "Russian Vodka" in the United States, such sale and advertisement has been fraudulent, unlawful, deceptive under Section 2(a) of the Lanham Act, and geographically deceptively misdescriptive under Section 2(e)(3) of the Lanham Act.

Russian Federal Treasury is without knowledge or information sufficient to form a belief as to whether Opposer is the owner of a pending application for a trademark beginning with the words "MOSKOVSKAYA RUSSIAN VODKA," Serial No. 74/614,297. In any event, the prosecution of Application Serial No. 74/614,297 was suspended less than one year after filing. Russian Federal Treasury is without knowledge or information sufficient to form a belief as to whether Opposer is currently using any MOSKOVSKAYA mark in the United States.

Russian Federal Treasury is without knowledge or information sufficient to form a belief as to whether Opposer has always had an intention to resume infringing use, and is planning to resume infringing use, of the MOSKOVSKAYA marks in the near future.

11. Russian Federal Treasury admits the allegations contained in Paragraph 11 of the Notice of Opposition. Neither Russian Federal Treasury nor any other instrumentality of the Russian Federation makes any vodka or sells vodka in the United States. The Government of the Russian Federation regulates the production of vodka in the Russian Federation with the participation of Russian Federal Treasury and other state instrumentalities. It authorizes specific distilleries to make specific vodkas according to particular methods. A distillery that wishes to promote its vodka as "Russian vodka" may obtain a certificate from the Russian Patent Office attesting to the place of origin of the vodka as the Russian Federation. To obtain such a certificate, a distillery must declare that the vodka has been produced according to legal

standards. Russian Federal Treasury is in the process of selecting a testing facility to verify that all vodka sold as RUSSIAN VODKA conforms to the legal standards for Russian vodka.

12. Russian Federal Treasury admits that Opposer refers to two documents in Paragraph 12 of the Notice of Opposition, and that these documents speak for themselves.

13. Russian Federal Treasury admits that Opposer refers to a document in Paragraph 13 of the Notice of Opposition, and that the document speaks for itself.

14. Russian Federal Treasury denies that vodka sold by Opposer through its related company, and by Allied Domecq, under the STOLICHNAYA RUSSIAN VODKA & Design and STOLICHNAYA marks, originates within the boundaries of the Russian Federation. Opposer artfully uses the term "originate within the boundaries of the Russian Federation" so as to avoid falsely claiming that vodka sold by Opposer is made within the Russian Federation. Even if some component of vodka unlawfully sold by Opposer and by Allied Domecq "originate[s] within the boundaries of the Russian Federation," Opposer and Allied Domecq's vodka is not made within the Russian Federation. Thus, Opposer and Allied Domecq's use of the phrase "Russian Vodka" is deceptive under Section 2(a) of the Lanham Act and geographically deceptively misdescriptive under Section 2(e)(3) of the Lanham Act.

Russian Federal Treasury admits that vodka illegally sold by Opposer and by Allied Domecq is not certified by Russian Federal Treasury. Russian Federal Treasury admits that at present genuine Russian vodka does not need to be certified to be sold here. Russian Federal Treasury admits that Opposer and Allied Domecq do not intend to seek certification. Because Opposer and Allied Domecq's vodka is not made in the Russian Federation according to the particular requirements for making Russian vodka, Russian Federal Treasury denies that Opposer and Allied Domecq's vodka would meet its product specifications.

15. Russian Federal Treasury is without knowledge or information sufficient to form a belief as to whether Opposer will resume unlawful use of the MOSKOVSKAYA RUSSIAN VODKA mark in the United States and the unlawful and deceptive promotion of MOSKOVSKAYA brand vodkas as "RUSSIAN VODKA." Russian Federal Treasury admits that at present genuine Russian vodka does not need to be certified to be sold here. Russian Federal Treasury admits that Opposer does not intend to seek certification. Because Opposer's vodka is not made in the Russian Federation according to the particular requirements for making Russian vodka, Russian Federal Treasury denies that Opposer's vodka would meet its production specifications.

16. Russian Federal Treasury denies the allegations contained in Paragraph 16 of the Notice of Opposition.

17. Russian Federal Treasury denies the allegations contained in Paragraph 17 of the Notice of Opposition.

18. Russian Federal Treasury admits that Opposer refers to documents in Paragraph 18 of the Notice of Opposition, and that these documents speak for themselves. Russian Federal Treasury admits that Opposer refers to certain purported practices of a number of United States agencies in Paragraph 18 of the Notice of Opposition, and is without knowledge or information sufficient to form a belief as to these practices.

19. Russian Federal Treasury admits that Opposer refers to a document in Paragraph 19 of the Notice of Opposition, and that this document speaks for itself. Russian Federal Treasury admits that Opposer refers to certain purported practices of the United States Custom and Border Protection in Paragraph 19 of the Notice of Opposition, and is without knowledge or information sufficient to form a belief as to these practices.

20. Russian Federal Treasury admits that its proposed certification mark would authorize the Russian Federation to determine whether or not vodka sold in the United States may be advertised or promoted using a "Russian Vodka" certification mark based on whether or not such vodka is in fact made in the Russian Federation according to certain specific methods. The United States recognizes numerous foreign certification marks of this nature. Russian Federal Treasury admits that Opposer refers to a document in Paragraph 20 of the Notice of Opposition, which document speaks for itself.

21. Russian Federal Treasury admits that its proposed certification mark would authorize the Russian Federation to determine whether or not vodka sold in the United States may be advertised or promoted using a "Russian Vodka" certification mark based on whether or not such vodka is in fact made in the Russian Federation according to certain specific methods. The United States recognizes numerous foreign certification marks of this nature. Russian Federal Treasury admits that it has taken the position in a separate proceeding pending in the United States District Court for the Southern District of New York that vodka illegally supplied by Opposer and sold by Allied Domecq under the STOLICHNAYA marks may not lawfully be labeled or promoted as "PRODUCT OF RUSSIA" or "RUSSIAN VODKA" because such vodka is not in fact made in the Russian Federation. Federal Treasury admits that Opposer refers to certain purported practices of the United States Custom and Border Protection in Paragraph 21 of the Notice of Opposition, and is without knowledge or information sufficient to form a belief as to these practices.

22. Russian Federal Treasury denies the allegations contained in Paragraph 22 of the Notice of Opposition.

23. Russian Federal Treasury is without knowledge or information sufficient to form a belief as to whether many companies other than Opposer and Allied Domecq have used or are continuing to use the phrase "Russian Vodka" in connection with the sale of vodka as a designation of the product's origin, with such use beginning before the July 26, 2004 filing date of Application Serial No. 76/604,592, and therefore denies same. Russian Federal Treasury admits that Opposer refers to documents in Paragraphs 23(1) and (2) of the Notice of Opposition, and that these documents speak for themselves. Russian Federal Treasury admits that Opposer refers to other brands of vodka in Paragraph 23 of the Notice of Opposition, and is without knowledge or information sufficient to form a belief as to whether these brands are promoted in the United States as "Russian Vodka" and therefore denies same.

24. Russian Federal Treasury denies that it lacks standing or the lawful right to control the use of the RUSSIAN VODKA certification mark in the United States and that the phrase RUSSIAN VODKA is merely a common, geographical designation of origin that has been used by others prior to the July 26, 2004 filing date of Application Serial No. 76/604,592. Consumers of vodka have a reasonable and justifiable expectation that vodka proclaiming itself "Russian Vodka" is in fact made in the Russian Federation. Russian Federal Treasury, a state-owned corporation that acts at the direction of the Russian Ministry of Agriculture, is legitimately entitled to ensure that vodka advertised as "Russian Vodka" and trading on the Russian reputation for vodka, is in fact made in Russia according to historic standards. Russian Federal Treasury denies the remaining allegations contained in Paragraph 24 of the Notice of Opposition.

25. Russian Federal Treasury denies the allegations contained in Paragraph 25 of the Notice of Opposition.

26. Russian Federal Treasury admits that it and its predecessors-in-interest have not, prior to the alleged illegal use of RUSSIAN VODKA by Opposer, Allied Domecq and others, used the RUSSIAN VODKA certification mark. Neither Russian Federal Treasury nor any other instrumentality of the Russian Federation makes any vodka or sells vodka in the United States. The Government of the Russian Federation regulates the production of vodka in the Russian Federation with the participation of Russian Federal Treasury and other state instrumentalities. It authorizes specific distilleries to make specific vodkas. A distillery that wishes to promote its vodka as "Russian vodka" may obtain a certificate from the Russian Patent Office attesting to the place of origin of the vodka as the Russian Federation. To obtain such a certificate, a distillery must declare that the vodka has been produced according to legal standards. Russian Federal Treasury is in the process of selecting a testing facility that will verify that all vodka sold as RUSSIAN VODKA meets the legal standards for "Russian Vodka."

27. Russian Federal Treasury denies the allegations contained in Paragraph 27 of the Notice of Opposition.

28. Russian Federal Treasury admits the allegations contained in Paragraph 28 of the Notice of Opposition.

29. Russian Federal Treasury admits that Opposer refers to a document in Paragraph 29 of the Notice of Opposition, and that this document speaks for itself. Russian Federal Treasury denies the remaining allegations contained in Paragraph 29 of the Notice of Opposition.

30. Russian Federal Treasury admits that Opposer refers to a document in Paragraph 30 of the Notice of Opposition, and that this document speaks for itself.

31. Russian Federal Treasury admits that Opposer refers to a document in Paragraph 31 of the Notice of Opposition, and that this document speaks for itself. Neither Russian Federal Treasury nor any other instrumentality of the Russian Federation makes any vodka or sells vodka in the United States. The Government of the Russian Federation regulates the production of vodka in the Russian Federation with the participation of Russian Federal Treasury and other state instrumentalities. It authorizes specific distilleries to make specific vodkas. A distillery that wishes to promote its vodka as "Russian vodka" may obtain a certificate from the Russian Patent Office attesting to the place of origin of the vodka as the Russian Federation. To obtain such a certificate, a distillery must declare that the vodka has been produced according to legal standards. Russian Federal Treasury is in the process of selecting a testing facility that will verify that all vodka sold as RUSSIAN VODKA meets the legal standards for "Russian Vodka."

32. Russian Federal Treasury admits that Opposer refers to a document in Paragraph 32 of the Notice of Opposition, and that this document speaks for itself. Russian Federal Treasury denies that it is presently exporting vodka from Russia into the United States, whether under the STOLICHNAYA or any other brand. Neither Russian Federal Treasury nor any other instrumentality of the Russian Federation makes any vodka or sells vodka in the United States.

33. Russian Federal Treasury admits that Opposer refers to a document in Paragraph 33 of the Notice of Opposition, and that this document speaks for itself. Ost-Alco is planning to make and export STOLICHNAYA brand vodka to the United States. Neither Russian Federal Treasury nor any other instrumentality of the Russian Federation makes any vodka or sells vodka in the United States. The Government of the Russian Federation regulates

the production of vodka in the Russian Federation with the participation of Russian Federal Treasury and other state instrumentalities. It authorizes specific distilleries to make specific vodkas. A distillery that wishes to promote its vodka as "Russian vodka" may obtain a certificate from the Russian Patent Office attesting to the place of origin of the vodka as the Russian Federation. To obtain such a certificate, a distillery must declare that the vodka has been produced according to legal standards. Russian Federal Treasury is in the process of selecting a testing facility that will verify that all vodka sold as RUSSIAN VODKA meets the legal standards for "Russian Vodka."

34. Russian Federal Treasury admits that Opposer refers to a document in Paragraph 34 of the Notice of Opposition, and that this document speaks for itself. Neither Russian Federal Treasury nor any other instrumentality of the Russian Federation makes any vodkas or sells vodka in the United States. The Government of the Russian Federation regulates the production of vodka in the Russian Federation with the participation of Russian Federal Treasury and other state instrumentalities. It authorizes specific distilleries to make specific vodkas. A distillery that wishes to promote its vodka as "Russian vodka" may obtain a certificate from the Russian Patent Office attesting to the place of origin of the vodka as the Russian Federation. To obtain such a certificate, a distillery must declare that the vodka has been produced according to legal standards. Russian Federal Treasury is in the process of selecting a testing facility that will verify that all vodka sold as RUSSIAN VODKA meets the legal standards for "Russian Vodka."

35. Russian Federal Treasury admits that Opposer refers to a document in Paragraph 35 of the Notice of Opposition, and that this document speaks for itself. Russian Federal Treasury admits that it intends to promote genuine Russian vodka, irrespective of brand

and/or distiller, to the world market through the use of the certification mark "RUSSIAN VODKA" in connection with vodkas made in the Russian Federation according to particular requirements. Without controlling the use of the certification mark, the value and reputation of one of Russia's most important exports, genuine Russian vodka, will be irreparably diminished.

36. Russian Federal Treasury denies that it is presently marketing in the United States vodka that is claimed to be RUSSIAN VODKA. Russian Federal Treasury admits that Opposer refers to documents in Paragraph 36 of the Notice of Opposition, and that these documents speak for themselves. Neither Russian Federal Treasury nor any other instrumentality of the Russian Federation makes any vodka or sells vodka in the United States. The Government of the Russian Federation regulates the production of vodka in the Russian Federation with the participation of Russian Federal Treasury and other state instrumentalities. It authorizes specific distilleries to make specific vodkas. A distillery that wishes to promote its vodka as "Russian vodka" may obtain a certificate from the Russian Patent Office attesting to the place of origin of the vodka as the Russian Federation. To obtain such a certificate, a distillery must declare that the vodka has been produced according to legal standards. Russian Federal Treasury is in the process of selecting a testing facility that will verify that all vodka sold as RUSSIAN VODKA meets the legal standards for "Russian vodka."

37. Russian Federal Treasury denies the allegations contained in Paragraph 37 of the Notice of Opposition.

38. Russian Federal Treasury denies the allegations contained in Paragraph 38 of the Notice of Opposition.

39. Russian Federal Treasury admits that if it is awarded a block-letter registration for RUSSIAN VODKA as a certification mark in International Class A for vodka as

requested in Application Serial No. 76/604,592, it would be entitled to the presumptions flowing from such registration. Russian Federal Treasury denies the remaining allegations contained in Paragraph 39 of the Notice of Opposition.

AFFIRMATIVE DEFENSES

FIRST AFFIRMATIVE DEFENSE

Opposer has no proprietary rights in the certification mark RUSSIAN VODKA or any phrase containing the words RUSSIAN VODKA. Opposer's lack of a proprietary interest in the STOLICHNAYA RUSSIAN VODKA & Design, STOLICHNAYA and MOSKOVSKAYA marks is the subject of separate proceedings pending in the District Court for the Southern District of New York.

SECOND AFFIRMATIVE DEFENSE

Opposer's use of the MOSKOVSKAYA mark has been and would be fraudulent and unlawful. Opposer's fraudulent and unlawful use of the MOSKOVSKAYA mark is the subject of separate proceedings pending in the District Court for the Southern District of New York.

THIRD AFFIRMATIVE DEFENSE

Opposer's use of the phrase "Russian Vodka" or "Genuine Russian Vodka" in connection with the sale of vodka is deceptive under Section 2(a) of the Lanham Act. Opposer's vodka is not made in the Russian Federation.

FOURTH AFFIRMATIVE DEFENSE

Opposer's use of the phrase "Russian Vodka" or "Genuine Russian Vodka" in connection with the sale of vodka is geographically deceptively misdescriptive under Section 2(e)(3) of the Lanham Act. Opposer's vodka is not made in the Russian Federation.

FIFTH AFFIRMATIVE DEFENSE

Opposer's supply of vodka to Allied Domecq, its purported licensees and its purported predecessors-in-interest, sold under the STOLICHNAYA RUSSIAN VODKA & Design and STOLICHNAYA marks has been fraudulent, illegal, a contributory false designation of origin, a contributory trademark infringement and a contributory trademark dilution.

DATED: December 8, 2005

Respectfully submitted by:



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SPIRITS INTERNATIONAL N.V.,

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December 8, 2005

Date


Brenda Trujillo

Opposition No. 91,167,196

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of applicant's answer to notice of opposition proceeding no. 91,167,196 has been served on Spirits International N.V., by mailing said copy via overnight courier, postage prepaid, to attorney for Opposer, Marie A. Lavalleye of Covington & Burling, 1201 Pennsylvania Avenue, N.W., Washington, DC 20004.

Dated: December 8, 2005

QUINN EMANUEL URQUHART OLIVER & HEDGES, LLP

By



David W. Quinto (Bar No. 106232)
Attorney for Applicant