

TTAB

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

OPPOSITION

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HALLMARK LICENSING, INC.:

Opposer,

v.

DIASTAR, INC.:

Applicant.

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:
:
: Opp. No. 91167232
:

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In re App. Nos. 76/519085 and 76/519090

Published: 05/03/2005

Marks: HALLMARK DIAMONDS and HALLMARK RINGS

BOX TTAB - NO FEE



12-01-2005

U.S. Patent & TMO/TM Mail Rpt Dt. #11

APPLICANT'S ANSWER

Applicant Diastar, Inc. ("Diastar"), by its attorneys, Gottlieb, Rackman & Reisman, P.C., as its answer to the Notice of Opposition, alleges as follows:

1. Applicant lacks knowledge or information sufficient to form a belief concerning the allegations contained in paragraphs 1 and 2 of the Notice of Opposition, and therefore denies said allegations.

3. Applicant denies the allegations contained in paragraphs 3-5 of the Notice of Opposition.

AFFIRMATIVE DEFENSES

1. There is no likelihood of confusion among applicant's marks HALLMARK RINGS and HALLMARKS DIAMONDS and the mark allegedly owned by Opposer.

WHEREFORE, applicant prays that the Notice of Opposition be dismissed, with prejudice, and Application Serial Nos. 76/519085 and 76/519090 be allowed.

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By: 

Donna Mirman Broome

Dated: New York, New York
November 29, 2005

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CERTIFICATE OF SERVICE

I hereby certify that a copy of this Answer was served on David N. Johnson, Esq. counsel for Opposer, via first-class mail on November 29, 2005:

David N. Johnson, Esq.
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