

ESTTA Tracking number: **ESTTA152062**

Filing date: **07/19/2007**

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

Proceeding	91167746
Party	Defendant Ford Farm Ltd. Ford Farm Ltd. Cheese Yard West Horrington Wells GBX Somerset, BA5 3ED
Correspondence Address	Diane J. Mason Morgan Lewis & Bockius LLP One Market, Spear Street Tower San Francisco, CA 94105 UNITED STATES dmason@morganlewis.com
Submission	Answer
Filer's Name	Diane J. Mason
Filer's e-mail	dmason@morganlewis.com, mike.lewis@morganlewis.com
Signature	/Diane J. Mason/
Date	07/19/2007
Attachments	Answer.pdf ( 6 pages )(188689 bytes )

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

Ford Motor Company,

Opposer,

v.

Ford Farm Ltd.,

Applicant

Opposition No.: 91167746

Application Serial No.: 78355906

United States Patent and Trademark Office  
Trademark Trial & Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451

**ANSWER**

Applicant Ford Farm Ltd. (“Applicant”) hereby answers the Opposition filed by Ford Motor Company (“Opposer”).

As to the unnumbered introductory paragraph of the Opposition, Applicant denies that Opposer will be damaged by the registration of Applicant’s mark FORD FARM.

1. Applicant admits the allegations in paragraph 1 of the Opposition.
2. Applicant is without sufficient knowledge or information to form a belief as to allegations in paragraph 2 of the Opposition and on that basis denies the allegations therein.
3. Applicant admits that Opposer is listed as the owner of the cited registrations in TARR. Applicant is without sufficient knowledge or information to form a belief as to the remaining allegations of paragraph 3 of the Opposition and on that basis denies the allegations therein.

4. Applicant admits that Opposer is listed as the owner of Registration No. 1997205 in TARR. Applicant is without sufficient knowledge or information to form a belief as to the remaining allegations of paragraph 4 of the Opposition and on that basis denies the allegations therein.

5. Applicant admits that Opposer is listed as the owner of Registration No. 2000119 in TARR. Applicant is without sufficient knowledge or information to form a belief as to the remaining allegations of paragraph 5 of the Opposition and on that basis denies the allegations therein.

6. Applicant admits that Opposer is listed as the owner of Registration No. 2000120 in TARR. Applicant is without sufficient knowledge or information to form a belief as to the remaining allegations of paragraph 6 of the Opposition and on that basis denies the allegations therein.

7. Applicant admits that Opposer is listed as the owner of the cited registrations in TARR. Applicant is without sufficient knowledge or information to form a belief as to the remaining allegations of paragraph 7 of the Opposition and on that basis denies the allegations therein.

8. Applicant admits that Opposer is listed as the owner of Registration No. 2799201 in TARR. Applicant is without sufficient knowledge or information to form a belief as to the remaining allegations of paragraph 8 of the Opposition and on that basis denies the allegations therein.

9. Applicant admits that Opposer is listed as the owner of Registration No. 2751346 in TARR. Applicant is without sufficient knowledge or information to form a belief as to the remaining allegations of paragraph 9 of the Opposition and on that basis denies the allegations therein.

10. Applicant admits that Opposer is listed as the owner of Registration Nos. 2735207 and 2767266 in TARR. Applicant is without sufficient knowledge or information to form a belief as to the remaining allegations of paragraph 10 of the Opposition and on that basis denies the allegations therein.

11. Applicant admits that Opposer is listed as the owner of Registration No. 2381529 in TARR. Applicant is without sufficient knowledge or information to form a belief as to the remaining allegations of paragraph 11 of the Opposition and on that basis denies the allegations therein.

12. Applicant admits that Opposer is listed as the owner of the cited registrations in TARR. Applicant is without sufficient knowledge or information to form a belief as to the remaining allegations of paragraph 12 of the Opposition and on that basis denies the allegations therein.

13. Applicant is without sufficient knowledge or information to form a belief as to allegations in paragraph 13 of the Opposition and on that basis denies the allegations therein.

14. Applicant is without sufficient knowledge or information to form a belief as to allegations in paragraph 14 of the Opposition and on that basis denies the allegations therein.

15. Applicant is without sufficient knowledge or information to form a belief as to allegations in paragraph 15 of the Opposition and on that basis denies the allegations therein.

16. Applicant is without sufficient knowledge or information to form a belief as to allegations in paragraph 16 of the Opposition and on that basis denies the allegations therein.

17. Applicant admits it uses its mark on cheese and dairy products, as well as mail order and retail services of cheese and dairy products. Applicant denies its mark is used on goods and services related to Opposer's goods and services. Applicant is without sufficient knowledge or information to form a belief as to the remaining allegations in paragraph 17 of the Opposition and on that basis denies the allegations therein.

18. Applicant denies the allegations of paragraph 18 of the Opposition.

19. Applicant denies the allegations of paragraph 19 of the Opposition.

20. Applicant denies that use of its mark FORD FARM is likely to cause, and will cause, dilution of Opposer's marks, and that registration of Applicant's mark will be a source of injury and damage to Opposer.

Applicant denies that Opposer is entitled to the relief for which it prays.

Applicant respectfully requests that the Opposition be dismissed and that Applicant's application be allowed.

#### **AFFIRMATIVE DEFENSES**

By way of further answer and affirmative defenses, Applicant alleges as follows:

1. The Opposition fails to state a claim upon which any relief can be granted to the Opposer because there is no likelihood of confusion.

2. No damage or injury has resulted, will result, or can result to Opposer from registration of Applicant's mark.

3. Applicant's mark is sufficiently different in terms of sight, sound and meaning from Opposer's mark so that there can be no likelihood of confusion.

WHEREFORE, Applicant prays:

1. That Opposer's Opposition be dismissed with prejudice;

Opposition No.: 91167746

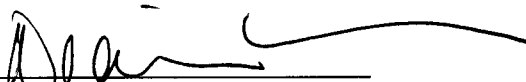
2. That Application Serial No. 78355906 be allowed to proceed to registration; and

3. That any such further relief be granted Applicant as may be deemed reasonable and appropriate.

Dated: July 19, 2007

Respectfully submitted,

Morgan, Lewis & Bockius LLP



Diane J. Mason

Attorneys for Applicant  
Ford Farm Ltd.

One Market, Spear Street Tower  
San Francisco, CA 94105  
Telephone (415) 442-1000  
Facsimile (415) 442-1001  
dmason@morganlewis.com

PROOF OF SERVICE BY MAIL  
DEPOSIT AT BUSINESS

I, Mike Lewis, declare:

I am and was at the time of the service mentioned in this declaration, employed in the County of San Francisco, California. I am over the age of 18 years and not a party to this cause. My business address is One Market, Spear Street Tower, San Francisco, California 94105.

On July 19, 2007, I served a copy of the following document:

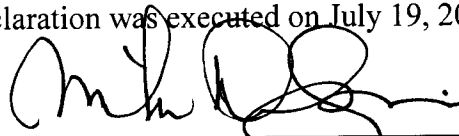
ANSWER TO OPPOSITION No. 91167746

by placing them in sealed envelope addressed as follows:

Robyn S. Lederman  
Brooks Kushman, P.C.  
1000 Town Center, Suite 2200  
Southfield, MI 48075

I placed the sealed envelopes for collection and mailing by following the ordinary business practices of Morgan, Lewis & Bockius LLP, San Francisco, California. I am readily familiar with the practice for collecting and processing of correspondence for mailing with the United States Postal Service, said practice being that, in the ordinary course of business, correspondence (with postage fully prepaid) is deposited with the United States Postal Service the same day as it is placed for collection.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on July 19, 2007, at San Francisco, California.



---

Mike Lewis