

ESTTA Tracking number: **ESTTA122204**

Filing date: **01/29/2007**

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

Proceeding	91174695
Party	Defendant LEVITON MANUFACTURING CO., INC. LEVITON MANUFACTURING CO., INC. 59-25 Little Neck Parkway Little Neck, NY 11362
Correspondence Address	ROBERT ALPERT LADAS & PARRY LLP 26 W 61ST ST NEW YORK, NY 10023-7604
Submission	Answer
Filer's Name	Robert Alpert
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Signature	/RA/
Date	01/29/2007
Attachments	Lutron 067197.Answer to Notice of Opposition.91174695.pdf (4 pages)(103325 bytes)

“LUTRON” and “Don’t Forget the Dimmer” but is otherwise without information sufficient to form a belief as to the truth of the allegations set forth in ¶ 4 of the Notice, and, therefore, denies each and every such allegation.

5. Applicant admits that Exhibit A shows material containing the words ‘Don’t Forget the Fan Control’ but is otherwise without information sufficient to form a belief as to the truth of the allegations set forth in ¶ 5 of the Notice, and, therefore, denies each and every such allegation.

6. Applicant is without information sufficient to form a belief as to the truth of the allegations set forth in ¶ 6 of the Notice, and, therefore, denies each and every such allegation.

7. Applicant admits its Application No. 78/866,757 was filed on April 21, 2006 but is otherwise without information sufficient to form a belief as to the truth of the allegations set forth in ¶ 7 of the Notice, and, therefore, denies each and every such allegation.

8. Applicant denies the allegations set forth in ¶ 8 of the Notice.

9. Applicant denies the allegations set forth in ¶ 9 of the Notice.

10. Applicant denies the allegations set forth in ¶ 10 of the Notice.

11. Applicant denies the allegations set forth in ¶ 11 of the Notice.

12. Applicant admits that Opposer has no control over the goods offered by Applicant under Applicant’s mark but otherwise denies the allegations set forth in ¶ 12 of the Notice.

13. Applicant denies the allegations set forth in ¶ 13 of the Notice.

14. Applicant admits that, if its Application No. 78/866,757 matures to registration, applicant will have *prima facie* exclusive right to use the subject mark in

connection with the goods covered by the registration but otherwise denies the allegations set forth in ¶ 14 of the Notice.

15. Applicant denies the allegations set forth in ¶ 15 of the Notice.

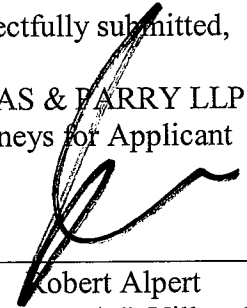
16. Applicant denies the allegations set forth in ¶ 16 of the Notice.

WHEREFORE, Applicant requests that Opposition No. 91174695 be dismissed and that registration be granted to Application Serial No. 78/866,757.

Respectfully submitted,

LADAS & FARRY LLP
Attorneys for Applicant

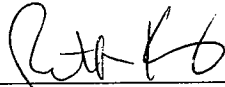
Dated: January 29, 2007

By: 
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(Our Ref: 067197)

CERTIFICATE OF TRANSMISSION

I, Rita Komarovsky, hereby certify that a copy of the foregoing **ANSWER TO NOTICE OF OPPOSITION** is being electronically transmitted to the United States Patent and Trademark Office on the date indicated:

Dated: January 29, 2007




Rita Komarovsky

CERTIFICATE OF SERVICE

I, Rita Komarovsky, hereby certify that a copy of the foregoing **ANSWER TO NOTICE OF OPPOSITION** is being served on the person(s) listed below by first class mail, postage prepaid, on the date indicated:

Nancy Rubner Frandsen, Esq.
Drinker Biddle & Reath, LLP
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Philadelphia, PA 19103

Dated: January 29, 2007



Rita Komarovsky