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

Proceeding	91175601
Party	Defendant Abercrombie & Fitch Trading Co. Abercrombie & Fitch Trading Co. 6301 Fitch Path New Albany, OH 43054
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Date	03/21/2007
Attachments	ANSWER - (US) adv. Levi Strauss & Co.pdf (3 pages)(76139 bytes)

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

LEVI STRAUSS & CO.)	
)	
Opposer)	Opposition No. 91175601
)	Pocket Design
v.)	Class 25
)	
)	
ABERCROMBIE & FITCH)	
TRADING CO.)	
)	
Applicant)	

ANSWER

For its answer to the Notice of Opposition, Applicant Abercrombie & Fitch Trading Co. ("A&F"), states the following:

1. A&F admits the allegations of ¶ 1 of the Notice of Opposition.
2. A&F admits only that Levi Strauss & Co. ("LS&Co.") is listed in the USPTO records as the current owner of U.S. Registration Nos. 404,248, 1,139,254, 2,791,156 and 2,794,649 and that the date of first use listed in Registration Nos. 404,248, 1,139,254 and 2,794,649 is 1873. A&F is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations of ¶ 2 of the Notice of Opposition and therefore denies the same.
3. A&F is without knowledge or information sufficient to form a belief as to the truth of the allegations of ¶ 3 of the Notice of Opposition and therefore denies the same.
4. A&F is without knowledge or information sufficient to form a belief as to the truth of the allegations of ¶ 4 of the Notice of Opposition and therefore denies the same.

5. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations pleaded in ¶ 5 of the Notice of Opposition and therefore denies the same.
6. A&F denies the allegations of ¶ 6 of the Notice of Opposition.
7. A&F denies the allegations of ¶ 7 of the Notice of Opposition.
8. A&F denies the allegations of ¶ 8 of the Notice of Opposition.
9. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegation that "LS&Co.'s Arcuate trademark is distinctive and famous within the meaning of 15 U.S.C. § 1125(c)" and therefore denies the same. Applicant denies the remaining allegations pleaded in ¶ 9 of the Notice of Opposition.
10. Applicant admits that registration of Applicant's mark would constitute prima facie evidence of the validity of such registration, Applicant's ownership of the mark, and Applicant's exclusive right to use the mark pursuant to the provisions of 15 U.S.C. § 1057(b). Applicant denies the remaining allegations pleaded in ¶ 10 of the Notice of Opposition.

Applicant reserves the right to seek leave to amend the foregoing Answer to assert whatever affirmative defenses that may be applicable based on the results of discovery.

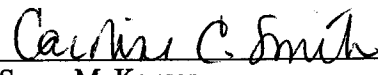
WHEREFORE, Applicant prays as follows:

- (a) The Notice of Opposition should be dismissed; and
- (b) The opposed application should be allowed.

ABERCROMBIE & FITCH TRADING CO..

Date: March 21, 2007

By:


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CERTIFICATE OF SERVICE

It is hereby certified that a true copy of the foregoing Answer was served on the following attorney of record for Opposer by depositing same in the United States mail, first class, postage prepaid, this 21st day of March 2007:

Gia L. Cincone, Esq.
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Carlin C. Smith