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Filing date: **09/10/2007**

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

Proceeding	91178673
Party	Defendant Monsanto Technology LLC
Correspondence Address	MONSANTO TECHNOLOGY LLC 800 NORTH LINDBERGH BLVD. E2NA ST. LOUIS, MO 63167 barbara.a.bunning-stevens@monsanto.com
Submission	Answer
Filer's Name	Bryan K. Wheelock
Filer's e-mail	bwheelock@hdp.com
Signature	/Bryan K. Wheelock/
Date	09/10/2007
Attachments	Answer.pdf (2 pages)(106880 bytes)

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

OMS Investments, Inc.)	
)	
Opposer,)	
)	
v.)	Opposition No. 91178673
)	Serial No. 77/036,744
Monsanto Technology, LLC)	
)	
Applicant.)	

ANSWER TO NOTICE OF OPPOSITION

Monsanto Technology, LLC, a Delaware Limited Liability Company, with an office at 800 North Lindbergh Boulevard, St. Louis, MO 63167 ("Applicant"), for its answer to the Notice of Opposition filed by OMS Investments, Inc., states as follows:

1. Applicant denies that it is a Delaware corporation. Applicant otherwise admits that allegations of paragraph 1 of the Notice of Opposition.
2. Applicant admits the allegations of Paragraph 2 of the Notice of Opposition.
3. Applicant is without sufficient information about the allegations of paragraph 3 of the Notice of Opposition, and therefore denies them.
4. Applicant is without sufficient information about the allegations of paragraph 4 of the Notice of Opposition, and therefore denies them.
5. Applicant is without sufficient information about the allegations of paragraph 5 of the Notice of Opposition, and therefore denies them.
6. Applicant is without sufficient information about the allegations of paragraph 6 of the Notice of Opposition, and therefore denies them.
7. Applicant is without sufficient information about the allegations of paragraph 7 of the Notice of Opposition, and therefore denies them.
8. Applicant denies that consumers have come to recognize the suffix GRO as symbolizing the goodwill inherent in the GRO Marks, and further, associate the "GRO" element solely with Opposer and its line of high quality products. Applicant is without

sufficient information about the remaining allegations of paragraph 8 of the Notice of Opposition, and therefore denies them.

9. Applicant denies the allegations of paragraph 9 of the Notice of Opposition. Applicant is not aware of anyone who has rights in the mark COOLGRO or in a mark confusingly similar to COOLGRO that predate Applicant's filing date.

10. Applicant denies the allegations of paragraph 10 of the Notice of Opposition.

11. Applicant denies the allegations of paragraph 11 of the Notice of Opposition.

12. Applicant denies the allegations of paragraph 12 of the Notice of Opposition.


13. Applicant denies the allegations of paragraph 13 of the Notice of Opposition.

14. Applicant denies the allegations of paragraph 14 of the Notice of Opposition.

15. Applicant denies the allegations of paragraph 15 of the Notice of Opposition.

WHEREFORE, Applicant prays that this Opposition be dismissed, and that a Notice of Allowance be issued.

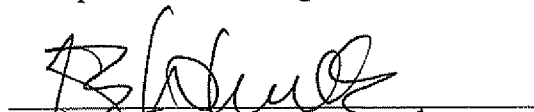
Respectfully submitted,



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CERTIFICATE OF SERVICE

I certify that on this ~~10th~~ day of September, 2007, a copy of Applicant's ANSWER TO NOTICE OF OPPOSITION was served on Opposer, OMS Investments, Inc., by first class mail, addressed to Susan E. Hollander and Laura M. Franco, Manatt, Phelps & Phillips, LLP, 1001 Page Mill Road, Building 2, Palo Alto, CA 94304.



Bryan K. Wheelock, Reg. No. 31,441