

ESTTA Tracking number: **ESTTA341875**

Filing date: **04/12/2010**

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

Proceeding	91194008
Party	Defendant Watson Pharmaceuticals, Inc.
Correspondence Address	MARY F. LOVE LAW OFFICE OF MARY F. LOVE 3509 CONNECTICUT AVE NW PMB 130 WASHINGTON, DC 20008-2400 mafalove@yahoo.com
Submission	Answer
Filer's Name	Mary Frances Love
Filer's e-mail	mafalove@yahoo.com
Signature	/Mary F. Love/
Date	04/12/2010
Attachments	MFL-101 Ext Answer.pdf (4 pages)(232173 bytes)

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

In the matter of Trademark Application Serial Number 77/743,759

MSP Singapore Company, LLC

Opposer,

Opposition No. 91194008

v.

Watson Pharmaceuticals, Inc.

Applicant,

**ANSWER TO NOTICE OF OPPOSITION
AND AFFIRMATIVE DEFENSES**

Applicant, Watson Pharmaceuticals, Inc. (“Applicant”), through its undersigned counsel, hereby timely files its Answer to Notice of Opposition and Affirmative Defenses in response to the Notice of Opposition filed by Opposer MSP Singapore Company, LLC (“Opposer”). Applicant answers the specific allegations contained in Opposer’s Notice of Opposition as follows:

1. Applicant is without sufficient information to form a belief as to the truth of the allegations of Paragraph 1 of the Notice of Opposition and therefore denies those allegations.
2. Applicant is without sufficient information to form a belief as to the truth of the allegations of Paragraph 2 of the Notice of Opposition and therefore denies those allegations.
3. Applicant is without sufficient information to form a belief as to the truth of the allegations of Paragraph 3 of the Notice of Opposition and therefore denies those allegations.
4. Applicant is without sufficient information to form a belief as to the truth of the allegations of Paragraph 4 of the Notice of Opposition and therefore denies those allegations.
5. Applicant is without sufficient information to form a belief as to the truth of the allegations of Paragraph 5 of the Notice of Opposition and therefore denies those allegations.

6. Applicant is without sufficient information to form a belief as to the truth of the allegations of Paragraph 6 of the Notice of Opposition and therefore denies those allegations.

7. Applicant admits it filed a trademark application for MEZTIA, Application Serial No. 77/437,759, with the United States Patent and Trademark Office on May 24, 2009.

8. Applicant admits the allegations of paragraph 8.

9. Applicant denies the allegations of paragraph 9.

10. Applicant denies the allegations of paragraph 10.

11. Applicant denies the allegations of paragraph 11

12. Applicant denies the allegations of paragraph 12.

AFFIRMATIVE DEFENSES

13. Opposer fails to state a claim upon which relief can be granted.

14. Opposer is not likely to be damaged by registration of Applicant's mark and therefore lacks standing to oppose the registration.

15. Applicant's mark is sufficiently distinctive and different from Opposer's mark as to avoid confusion, deception, or mistake as to the source, sponsorship or association of Applicant's goods with Opposer.

16. Applicant's goods and Opposer's goods are not competitive, and are sufficiently unrelated as to preclude any likelihood of confusion between Applicant's and Opposer's mark.

17. Upon information and belief, the trade channels in which both parties sell their goods consist of sales to sophisticated purchasers who make considered purchasing decisions and are unlikely to be confused.

18. Applicant's mark does not share a common or similar commercial impression with Opposer's mark, and therefore there is no likelihood for consumer confusion between Applicant's mark and Opposer's mark.

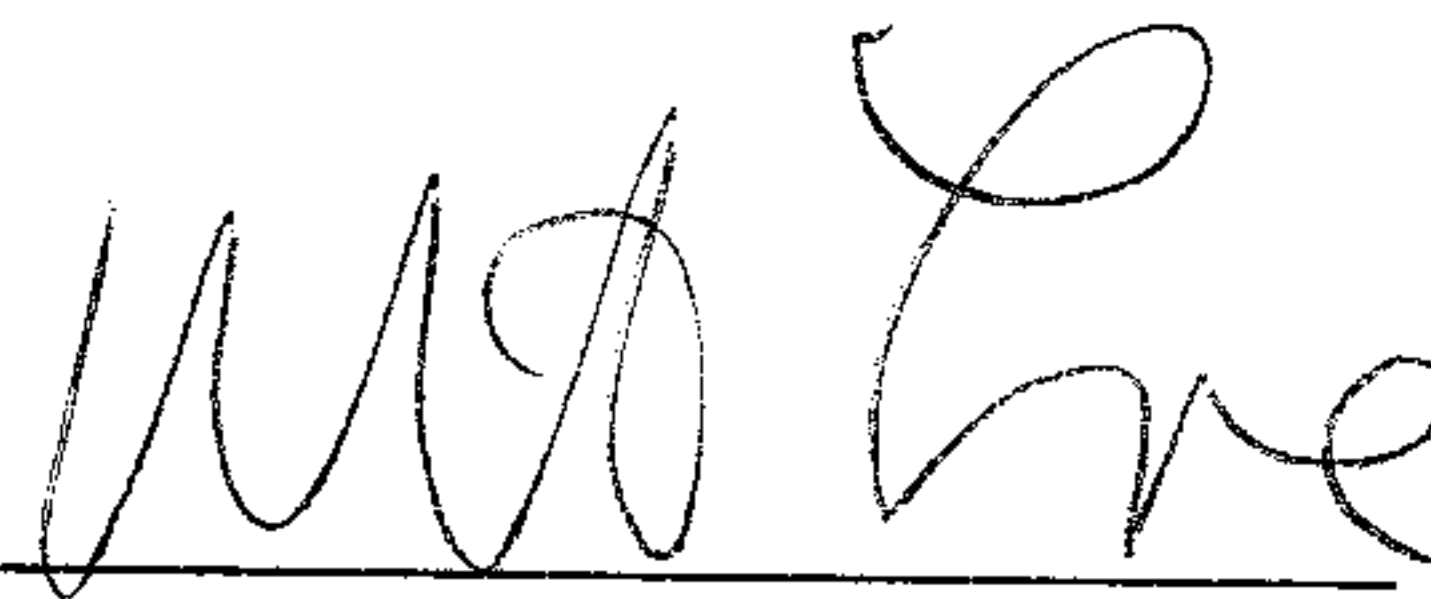
19. At all times relevant to the allegations made in Opposer's Notice of Opposition, Applicant has acted in good faith.

20. Applicant reserves the right to assert additional defenses should discovery reveal facts supporting those defenses.

THEREFORE, having fully answered, Applicant respectfully requests that judgment be entered in its favor and that Application Serial Number 77/743,759 proceed to registration.

This is the 12th day of April, 2010.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "MFLove", is written over a horizontal line.

Mary F. Love, Esq.
Attorney for Applicant
Watson Pharmaceuticals, Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing ANSWER TO NOTICE OF OPPOSITION AND AFFIRMATIVE DEFENSES has been served upon the following counsel of record in this action on 4/12/10 by first-class U.S. Mail, postage prepaid as follows:

Robert Peverada
Merck
One Merck Drive
P. O. Box 100
Whitehouse Station, NJ 08889-0100

MA Love

MF Love

April 12, 2010