

**TTAB**

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

**THE COCA-COLA COMPANY**

# 77946061

**vs.                      Opposer,**

**OPPOSITION  
No. 91197767**

**ROBETR J. CORR,  
d/b/a Naturally Zero**

**Applicant,**

---

**APPLICANT'S RESPONSE TO OPPOSER'S  
Recent Filings and Request to Resume Proceedings**

Now comes Robert J. Corr as APPLICANT and Mirza N. Baig as co owner APPLICANT, the APPLICANTS in the above captioned matter files this response to the request by The Coca Cola Company (TCCC) to extend this proceedings because of a pending consolidation of Opposition No. 91178927. Applicants request the Board that there are preliminary issues in the Opposition herein that need to be decided first before the consideration on Opposition No. 91178927. Applicants claim that these issues have the bearing on Opposer's right in one or more of the mark which it relies herein. Therefore, Opposer's request in recent filing to suspend the proceeding in this opposition be denied and allow the Applicants to submit the Answer to Opposer's grounds for opposition herein.

In this Opposition, the Opposer claims priority and likelihood of confusion as the key issues in grounds for opposition. The Applicants in the response herein, also claim that priority is the preliminary matter the Board has to consider before reaching the decision on Opposition No. 91178927.

Based on priority issue, it is necessary for the Board to evaluate Opposer's right to register its first application to register ZERO mark (filed on October 20, 2003 serial #78316078) and analyze whether Baig's senior pending application of Naturally Zero (filed on October 14, 1997 serial # 75374316) was damaged due to Opposer's disregard of Baig's existing Application in USPTO.

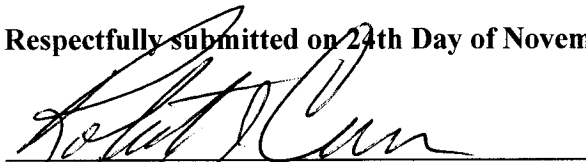


\*11-27-2015\*

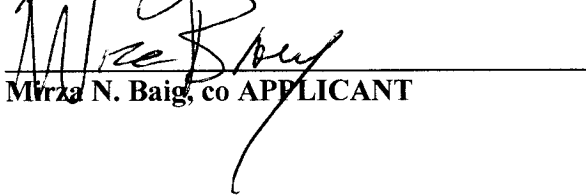
For the foregoing reasons, Applicants request to the Board that:

- 1- Deny Opposer's request to suspend and resume the proceedings in the Opposition herein,
- 2- Allow the Applicants to submit Answer to this Opposition,
- 3- Suspend Opposition No. 91178927 until the decision is reached on this Opposition.

Respectfully submitted on 24th Day of November, 2015.



By: Robert J. Corr, APPLICANT



Mirza N. Baig, co APPLICANT

#### CERTIFICATE OF SERVICE

This is to certify, in accordance with Rule 2. 101 (b) of the Trademark Rules of Practice, that I have this day served the foregoing APPLICANT'S REPOSENSE TO OPPOSER'S Recent Filings and Requets for Suspension, dated November 11, 2015, by causing a true and correct copy to be deposited in the United States Mail, postage prepaid, addressed to OPPOSER as follows:

Bruce Baber  
King & Spalding LLP  
1180 Peachtree St. N.E.  
Atlanta, Georgia 30309-3521  
404-572-4600

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

THE COCACOLA COMPANY  
Opposer,

vs.

OPPOSITION  
No. 91197767

ROBETR J. CORR, d/b/a Naturally Zero  
Applicant,

---

**Applicants Notice of Address Change**

**Applicant, Robert Corr give's notice of Change of Address**

**Robert Corr  
PO Box 2099  
Michigan City, IN.  
46360  
rjcorr@gmail.com  
312-730-4298**

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

THE COCACOLA COMPANY  
Opposer,  
vs.

OPPOSITION  
No. 91197767

ROBETR J. CORR, d/b/a Naturally Zero  
Applicant,

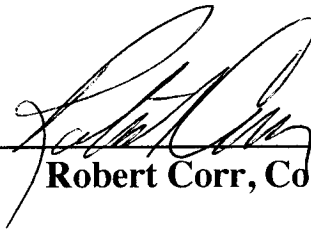
---

**Applicants Notice of OWNERSHIP Change**

**Applicant, Robert Corr give's notice of OWNERSHIP Change**

***Mirza Baig is now an owner in the Application for***

**NATURALLY ZERO**



---

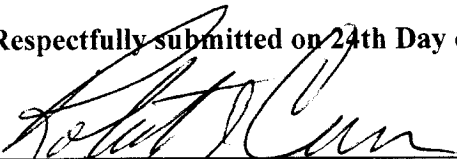
**Robert Corr, Co Applicant**

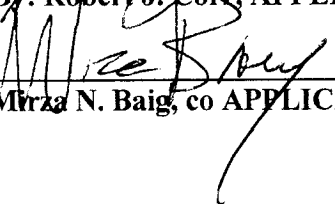


For the foregoing reasons, Applicants request to the Board that:

- 1- Deny Opposer's request to suspend and resume the proceedings in the Opposition herein,
- 2- Allow the Applicants to submit Answer to this Opposition,
- 3- Suspend Opposition No. 91178927 until the decision is reached on this Opposition.

Respectfully submitted on 24th Day of November, 2015.

  
\_\_\_\_\_  
By: Robert J. Corr, APPLICANT

  
\_\_\_\_\_  
Mirza N. Baig, co APPLICANT

#### CERTIFICATE OF SERVICE

This is to certify, in accordance with Rule 2. 101 (b) of the Trademark Rules of Practice, that I have this day served the foregoing APPLICANT'S REPOSE TO OPPOSER'S Recent Filings and Requets for Suspension, dated November 11, 2015, by causing a true and correct copy to be deposited in the United States Mail, postage prepaid, addressed to OPPOSER as follows:

Bruce Baber  
King & Spalding LLP  
1180 Peachtree St. N.E.  
Atlanta, Georgia 30309-3521  
404-572-4600

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

THE COCACOLA COMPANY

Opposer,

vs.

OPPOSITION

No. 91197767

ROBETR J. CORR, d/b/a Naturally Zero

Applicant,

---

**Applicants Notice of Address Change**

**Applicant, Robert Corr give's notice of Change of Address**

**Robert Corr**  
**PO Box 2099**  
**Michigan City, IN.**  
**46360**  
**rjcorr@gmail.com**  
**312-730-4298**

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

THE COCACOLA COMPANY  
Opposer,

vs.

OPPOSITION  
No. 91197767

ROBETR J. CORR, d/b/a Naturally Zero  
Applicant,

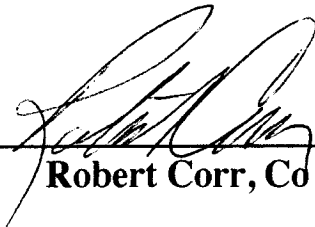
---

**Applicants Notice of OWNERSHIP Change**

**Applicant, Robert Corr give's notice of OWNERSHIP Change**

**Mirza Baig is now an owner in the Application for**

**NATURALLY ZERO**



---

**Robert Corr, Co Applicant**