

ESTTA Tracking number: **ESTTA487293**

Filing date: **08/04/2012**

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

Proceeding	91205753
Party	Defendant Michel Manz
Correspondence Address	EUROMAIER LLC 707 SKOKIE BLVD SUITE 600 NORTHBROOK, IL 60062 UNITED STATES info@euromaier.com
Submission	Answer
Filer's Name	Daniel J. Maier
Filer's e-mail	info@euromaier.com
Signature	/Daniel J. Maier/
Date	08/04/2012
Attachments	tst01MIRUSV1.pdf (11 pages)(4548829 bytes)

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

BRIDGESTONE CORPORATION, and

BRIDGESTONE AMERICAS TIRE
OPERATIONS, LLC,

Opposers,

against

MICHEL MANZ,

Applicant.

Opposition No.: 91205753

Application No.: 79102854

Trademark: ONZA

Filing Date: April 21, 2011

APPLICANT'S ANSWER AND AFFIRMATIVE DEFENSES

Applicant, Michel Manz hereby answers Opposers, Bridgestone Corporation's and Bridgestone Americas Tire Operations, LLC's (hereafter "Bridgestone") Notice of Opposition as follows. The numbered Paragraphs correspond to the numbers of the Paragraphs used in the Notice of Opposition.

1. Applicant is without knowledge of information sufficient to admit or deny the allegations made in Paragraph 1.
2. Applicant is without knowledge of information sufficient to admit or deny the allegations made in Paragraph 2.

3. Applicant is without knowledge of information sufficient to admit or deny the allegations made in Paragraph 3.
4. Applicant is without knowledge of information sufficient to admit or deny the allegations made in Paragraph 4.
5. Applicant is without knowledge of information sufficient to form a belief as to the allegations made in Paragraph 5 and therefore denies the same.
6. Applicant is without knowledge of information sufficient to admit or deny the allegations made in Paragraph 6.
7. Applicant is without knowledge of information sufficient to admit or deny the allegations made in Paragraph 7.
8. Applicant is without knowledge of information sufficient to admit or deny the allegations made in Paragraph 8.
9. Applicant is without knowledge of information sufficient to admit or deny the allegations made in Paragraph 9.
10. Applicant admits the allegations made in Paragraph 10 to the extent that they are supported by the records of the USPTO.

11. Applicant is without knowledge of information sufficient to admit or deny the allegations made in Paragraph 11.
12. Applicant is without knowledge of information sufficient to admit or deny the allegations made in Paragraph 12.
13. Applicant is without knowledge of information sufficient to admit or deny the allegations made in Paragraph 13.
14. Applicant is without knowledge of information sufficient to admit or deny the allegations made in Paragraph 14.
15. Applicant is without knowledge of information sufficient to admit or deny the allegations made in Paragraph 15.
16. Applicant is without knowledge of information sufficient to admit or deny the allegations made in Paragraph 16.
17. Applicant is without knowledge of information sufficient to admit or deny the allegations made in Paragraph 17.
18. Applicant is without knowledge of information sufficient to admit or deny the allegations made in Paragraph 18.

19. Applicant is without knowledge of information sufficient to admit or deny the allegations made in Paragraph 19.
20. Applicant is without knowledge of information sufficient to admit or deny the allegations made in Paragraph 20.
21. Applicant is without knowledge of information sufficient to form a belief as to the allegations made in Paragraph 21 and therefore denies the same.
22. Applicant is without knowledge of information sufficient to admit or deny the allegations made in Paragraph 22.
23. Applicant is without knowledge of information sufficient to admit or deny the allegations made in Paragraph 23.
24. Applicant is without knowledge of information sufficient to admit or deny the allegations made in Paragraph 24.
25. Applicant is without knowledge of information sufficient to admit or deny the allegations made in Paragraph 25.
26. Applicant admits the allegations of paragraph 26.
27. Applicant admits the allegations of paragraph 27.

28. Applicant admits the allegations of paragraph 28.

29. Applicant admits the allegations of paragraph 29.

30. Applicant admits or denies the allegations of paragraph 30 according to the statements set forth above in paragraphs 1 through 29.

31. Applicant admits the allegations of paragraph 31.

32. Applicant denies the allegations of paragraph 32.

33. Applicant admits or denies the allegations of paragraph 33 according to the statements set forth above in paragraphs 1 through 32.

34. Applicant denies the allegations of paragraph 34.

35. Applicant denies the allegations of paragraph 35.

36. Applicant denies the allegations of paragraph 36.

AFFIRMATIVE DEFENSES

37. On information and belief, there is no likelihood of confusion with respect to Applicant's mark as used in connection with the goods cited in the subject application and Bridgestone's marks.
38. On information and belief, there have been no instances of actual confusion between any of Bridgestone's marks and Applicant's mark during any relevant period of time.
39. On information and belief, there have been no instances of actual confusion between any of Bridgestone's marks and US mark No. 2963254 ONZA owned by Susan Mary Poyzer and Michael James Poyzer, which is identical to the Applicant's mark and registered for a broader range of goods in class 12 than Applicant's mark since 2005. (A printout of the trademark details from the TARR web server is attached as Exhibit A).

WHEREFORE, Applicant respectfully requests that the Opposition No. 91205753 be dismissed, and U.S. Trademark Application Serial No. 79102854 be allowed.

Respectfully submitted,

August 3th, 2012

/Michel Manz/

Michel Manz

Exhibit A

Thank you for your request. Here are the latest results from the [TARR web server](#).

This page was generated by the TARR system on 2012-08-04 03:51:54 ET

Serial Number: 78361525 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 2963254

Mark



ONZA

(words only): ONZA

Standard Character claim: Yes

Current Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.

Date of Status: 2011-03-15

Filing Date: 2004-02-03

Transformed into a National Application: No

Registration Date: 2005-06-21

Register: Principal

Law Office Assigned: LAW OFFICE 103

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: L30 -TMEG Law Office 103

Date In Location: 2011-03-15

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Poyzer, Michael James

Address:

Poyzer, Michael James
299a Foxhill Road Carlton
Nottingham NG4 1PX
United Kingdom

Legal Entity Type: Individual
Country of Citizenship: United Kingdom
Phone Number: **44 115 9526735
Fax Number: **44 115 9526759

2. Poyzer, Susan Mary

Address:

Poyzer, Susan Mary
299a Foxhill Road Carlton
Nottingham NG4 1PX
United Kingdom

Legal Entity Type: Individual
Country of Citizenship: United Kingdom
Phone Number: **44 115 9526735
Fax Number: **44 115 9526735

GOODS AND/OR SERVICES

International Class: 012

Class Status: Active

Bicycles; bicycle parts namely, frames both rigid and suspension, forks both rigid and suspension, headsets, wheels, rims, spokes, hubs, tyres, inner tubes, rim tapes, chains and chainrings, bash guards and bash rings, bottom brackets, cranks, rear sprockets and systems, freewheels both single and multiple, freehubs and freehub bodies, pedals both standard and clipless namely those attaching to shoes with cleat systems, toeclips and straps, derailleur gears both front and rear, hub gear systems, gear change lever systems, twist grip gear change systems, handlebars, handlebar stems, seat posts and seat clamps, seats and saddles, caliper brakes, cantilever brakes, linear pull brakes, hub and disc brakes both mechanically and hydraulically operated, brake levers both mechanical and hydraulic, brake and gear control cables and hydraulic piping control systems, rear frame shock absorber units, chainguards and devices mounted around the front chainwheel to keep the chain in contact with the chainwheel teeth during extreme cycle sports; Accessories namely, water bottles and holders, saddle covers with padding, bags and panniers fitted anywhere on the cycle, kickstands, fenders, luggage carrying racks fitted anywhere on the cycle, triathlon style handlebar extensions and attachments, lights and reflectors, child carrying seats fitted anywhere on the cycle, trailers for both luggage, children and pets, bags and cases for carrying cycles and wheels in transit, racks and trailers fitted to automobiles, caravans and motor homes which carry cycles, cycle repair workstands and cycle toolkits adapted to fit anywhere on the cycle

Basis: 1(a), 44(e)

First Use Date: 1994-11-04

First Use in Commerce Date: 1994-11-04

ADDITIONAL INFORMATION

Foreign Registration Number: 1533107

Foreign Registration Date: 1994-11-04

Country: United Kingdom

Foreign Expiration Date: 2010-01-31

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2011-03-15 - Section 8 (6-year) accepted & Section 15 acknowledged

2011-03-15 - Case Assigned To Post Registration Paralegal

2011-02-25 - TEAS Section 8 & 15 Received

2007-04-26 - Attorney Revoked And/Or Appointed

2007-04-26 - TEAS Revoke/Appoint Attorney Received

2006-07-18 - Review Of Correspondence Complete

2006-02-20 - FAX RECEIVED

2005-06-21 - Registered - Principal Register

2005-03-29 - TEAS Change Of Correspondence Received

2005-03-29 - Published for opposition

2005-03-09 - Notice of publication

2004-12-15 - Attorney Revoked And/Or Appointed

2004-12-15 - TEAS Revoke/Appoint Attorney Received

2004-12-03 - Law Office Publication Review Completed

2004-11-19 - Assigned To LIE

2004-11-14 - Approved for Pub - Principal Register (Initial exam)

2004-11-13 - Amendment From Applicant Entered

2004-11-04 - Communication received from applicant

2004-11-04 - PAPER RECEIVED

2004-10-26 - LETTER OF SUSPENSION E-MAILED

2004-10-26 - Suspension Letter Written

2004-10-14 - Teas/Email Correspondence Entered

2004-10-05 - Communication received from applicant

2004-10-05 - TEAS Response to Office Action Received

2004-10-04 - LETTER OF SUSPENSION E-MAILED

2004-10-04 - Suspension Letter Written

2004-09-29 - Amendment From Applicant Entered

2004-09-15 - Communication received from applicant

2004-09-15 - PAPER RECEIVED

2004-09-13 - Amendment From Applicant Entered

2004-08-31 - Communication received from applicant

2004-09-13 - Assigned To LIE

2004-09-08 - Teas/Email Correspondence Entered

2004-08-31 - Communication received from applicant

2004-09-08 - Amendment From Applicant Entered

2004-08-28 - Communication received from applicant

2004-08-31 - TEAS Response to Office Action Received

2004-08-30 - Email Received

2004-08-26 - Non-final action e-mailed

2004-08-25 - Assigned To Examiner

2004-02-14 - Applicant amendment prior to exam entered

2004-02-14 - Communication received from applicant

2004-02-14 - TEAS Voluntary Amendment Received

2004-02-12 - New Application Entered In Tram

ATTORNEY/CORRESPONDENT INFORMATION

Correspondent

POYZER, MICHAEL JAMES
299a FOXILL ROAD CARLTON
NOTTINGHAM
NG41PX
UNITED KINGDOM
Phone Number: **44 115 9878250

Domestic Representative

Poyzer Jonathan
Phone Number: 937 428 0485

CERTIFICATE OF SERVICE

I certify that a true and accurate copy of the foregoing NOTICE OF OPPOSITION
was served by email on the 4th day of August 2012 to Opposers Attorney:

danny.awdeh@finnegan.com

docketing@finnegan.com

larry.white@finnegan.com

August 4th, 2012

/Daniel J. Maier/

Daniel J. Maier
euromaier LLC