

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

Greater Louisville Convention & Visitors Center	)	In re matter of Application
Opposer,	)	
	)	Serial No. 76,667,591
	)	
v.	)	Opposition No. 91188244
	)	
Inclan Enterprises, Inc.	)	Mark: BOURBON COUNTRY
d/b/a Bourbon Country, Inc.	)	
Applicant	)	

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451

CERTIFICATE OF MAILING  
UNDER 37 CFR 1.8

THE UNDERSIGNED CERTIFIES THAT THIS DOCUMENT IS BEING PLACED IN AN ENVELOPE  
ADDRESSED TO ASSISTANT COMMISSIONER FOR TRADEMARKS, P.O. BOX 1451, ALEXANDRIA, VA  
22313-1451, AND DEPOSITED AS FIRST CLASS MAIL, POSTAGE,  
PREPAID, THIS 16 DAY OF March 2009.

D. Cassitkors  
(Typed or Printed Name)

D. Cassitkors  
(Signature)

APPLICANT'S ANSWER TO THE NOTICE OF OPPOSITION

In response to the Notice of Opposition mailed by the Board on January 5, 2009, the  
Applicant, Inclan Enterprises, Inc., answers the opposition identified above as follows:



## **FIRST DEFENSE**

1. Applicant admits same.
2. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 2 and therefore denies the same.
3. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 3 and therefore denies the same.
4. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 4 and therefore denies the same.
5. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 5 and therefore denies the same.
6. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 6 and therefore denies the same.
7. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 7 and therefore denies the same.
8. All averments not specifically admitted are denied.

## **SECOND DEFENSE**

9. Opposer will suffer no damage upon the registration of Applicant's mark and, therefore, lacks standing to bring the Notice of Opposition.

## AFFIRMATIVE DEFENSES

10. Applicant reserves the right to reserve affirmative defenses as revealed during the course of discovery.

WHEREFORE, Applicant requests that the opposition of Greater Louisville Convention & Visitors Center be dismissed and that Applicant's mark be issued a Certificate of Registration upon the principal register of the United States Patent and Trademark Office.

Respectfully submitted,



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COUNSEL FOR APPLICANT

CERTIFICATE OF SERVICE

It is hereby certified that the foregoing ANSWER was served by first class mail, postage prepaid, upon John A. Galbreath, Galbreath Law Offices, P.C., 2516 Chestnut Woods Ct., Reisterstown, MD 21136 on this 16<sup>th</sup> day of March of 2009.

A handwritten signature in cursive script, reading "David Carrithers", written over a horizontal line.

David W. Carrithers

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