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

Proceeding	91190826
Party	Defendant DR Distributors, LLC
Correspondence Address	CHARLES P. GUARINO NICOLL, DAVIS & SPINELLA, LLP 95 ROUTE 17 SOUTH SUITE 203 PARAMUS, NJ 07652 efiling@ndslaw.com
Submission	Answer
Filer's Name	Charles P Guarino
Filer's e-mail	cguarino@ndslaw.com
Signature	/Charles P Guarino/
Date	08/06/2009
Attachments	Answer to Opposition.pdf (4 pages)(65417 bytes)

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

In the Matter of Application Serial No. 77543333
Published in the Official Gazette on December 30, 2008

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V&S VIN & SPRIT AKTIEBOLAG,	:	
formerly known as	:	
V&S VIN & SPRIT AKTIEBOLAG (publ),	:	
	:	Opposition No. 91190826
Opposer,	:	
	:	
v.	:	
	:	
DR DISTRIBUTORS, LLC,	:	
	:	
Applicant.	:	
-----X	:	

APPLICANT’S ANSWER TO NOTICE OF OPPOSITION

Applicant, DR Distributors, LLC, (“Applicant”), by and through its attorneys, Nicoll Davis & Spinella, LLP, hereby answers the Notice of Opposition as follows:

1. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 1 of the Notice of Opposition and, therefore, denies same.

2. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 2 of the Notice of Opposition and, therefore, denies same.

3. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 3 of the Notice of Opposition and, therefore, denies same.

4. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 4 of the Notice of Opposition and, therefore, denies same.

5. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 5 of the Notice of Opposition and, therefore, denies same.

6. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 6 of the Notice of Opposition and, therefore, denies same.

7. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 7 of the Notice of Opposition and, therefore, denies same.

8. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 8 of the Notice of Opposition and, therefore, denies same.

9. Applicant denies the allegations contained in paragraph 9 of the Notice of Opposition, except to admit that Applicant seeks registration for the mark “ABSOLUTE ENERGY SHOT” for “vitamins, dietary and nutritional supplements; nutritionally fortified water” in International Class 5 and “carbonated drinking waters, flavored waters, and other non-alcoholic beverages, namely, sports drinks, energy drinks, fruit drinks, vegetable drinks; nutritionally fortified energy drinks” in International Class 32 under Application Serial No. 77/543,333, published in the Official Gazette for opposition on December 30, 2008.

CERTIFICATE OF SERVICE

It is hereby certified that a copy of the foregoing **ANSWER TO NOTICE OF OPPOSITION** was served upon counsel for Opposer this 7th day of August, 2009 by first-class mail, postage prepaid, as follows:

Joanne Ludovici-Lint
McDermott Will & Emery LLP
600 13th Street, N.W.
Washington, D.C. 20005

/Charles P. Guarino/

Charles P. Guarino