

ESTTA Tracking number: **ESTTA303430**

Filing date: **08/28/2009**

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

Proceeding	91191124
Party	Defendant Darryn Travis Enterprises LLC
Correspondence Address	Michael P. Mahoney Bailey Cavalieri LLC Suite 2100 10 West Broad Street Columbus, OH 43215  michael.mahoney@baileycavalieri.com
Submission	Answer
Filer's Name	Hamilton H. Gardiner
Filer's e-mail	hamilton@lawhg.net
Signature	/ HHG /
Date	08/28/2009
Attachments	Answer to Opposition, 8.28.09.pdf ( 4 pages )(112345 bytes )

1 UNITED STATES PATENT AND TRADEMARK OFFICE  
2 BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD  
3

4 In the Matter of Application

5 Serial No. 77624586

6  
7 E. & J. GALLO WINERY,

8 Opposer,

9 vs.

10 DARRYN TRAVIS ENTERPRISES, LLC,

11 Applicant.  
12

Opposition No. 91191124

ANSWER AND AFFIRMATIVE  
DEFENSES TO OPPOSITION

13  
14 Applicant Darryn Travis Enterprises, LLC, (“Applicant”) by and through its attorney,  
15 Hamilton H. Gardiner, respectfully provides its Answer and Affirmative Defenses to the  
16 Opposition of E. & J. Gallo Winery (“Opposer”) as follows:

17 **ANSWER**

18 1. Answering paragraph 1 of Opposer’s Notice of Opposition, Applicant is without  
19 sufficient knowledge to form a belief as to the truth or falsity thereof and, therefore, denies the  
20 same.

21 2. Answering paragraph 2 of Opposer’s Notice of Opposition, Applicant is without  
22 sufficient knowledge to form a belief as to the truth or falsity thereof and, therefore, denies the  
23 same.  
24  
25





**CERTIFICATE OF SERVICE**

1  
2 I declare under penalty of perjury under the laws of the State of Washington that the  
3 following is true and correct:

4 I am employed by the law firm of: HOLMQUIST & GARDINER PLLC.

5 At all times hereinafter mentioned, I was and am a citizen of the United States of  
6 America, a resident of the State of Washington, over the age of eighteen (18) years, not a party  
7 to the above-entitled action, and competent to be a witness herein.

8 On the date set forth below I served in the manner noted: ANSWER AND  
9 AFFIRMATIVE DEFENSES OF DARRYN TRAVIS ENTERPRISES, LLC on the following  
10 persons:

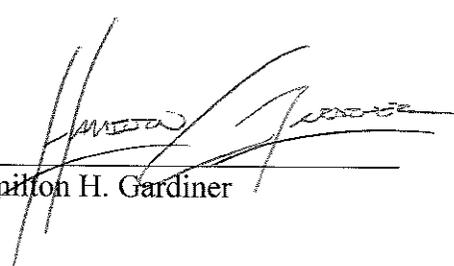
11 Paul W. Reidl  
12 THE LAW OFFICES OF PAUL W. REIDL  
13 3300 Wycliffe Drive  
14 Modesto, CW 95355

15 [X] VIA U.S. MAIL  
16 [ ] VIA FACSIMILE:  
[ ] VIA MESSENGER  
[X] VIA EMAIL: [reidl@sbcglobal.net](mailto:reidl@sbcglobal.net)

17 Michael P. Mahoney  
18 BAILEY CAVALIER LLC  
19 10 West Broad Street, Suite 2100  
Columbus, Ohio 43215

20 [X] VIA U.S. MAIL  
21 [ ] VIA FACSIMILE:  
[ ] VIA MESSENGER  
[X] VIA EMAIL: [michael.mahoney@cavalieri.com](mailto:michael.mahoney@cavalieri.com)

22 DATED this 28<sup>th</sup> day of August, 2009.

23  
24   
25 Hamilton H. Gardiner