

ESTTA Tracking number: **ESTTA338519**

Filing date: **03/22/2010**

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

Proceeding	91193735
Party	Defendant Margaret Lu
Correspondence Address	GEORGE H. BROWN BROWN & GOULD, PLLC 701 N BROADWAY AVE STE 510 OKLAHOMA CITY, OK 73102-6050 gbrown@browngouldlaw.com
Submission	Answer
Filer's Name	Ryan W. Hearne
Filer's e-mail	rhearne@browngouldlaw.com, gbrown@browngouldlaw.com
Signature	/Ryan W. Hearne/
Date	03/22/2010
Attachments	Answer to Opposition Petition.pdf (3 pages)(38994 bytes)

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

TAYLOR BRANDS, L.L.C.,)	
)	
Opposer,)	
)	
v.)	Opposition No. 91193735
)	
MARGARET LU,)	Serial No. 77559092
d/b/a WUU JAU CO., INC,)	
)	
Applicant.)	

ANSWER

COMES NOW applicant, Margaret Lu, d/b/a, Wuu Jau Co., Incorporated (“Applicant”), by and through her attorneys of record, BROWN & GOULD, PLLC, and for her Answer to opposer Taylor Brands, L.L.C.’s (hereafter “Opposer”) Notice of Opposition, does hereby state as follows:

1. Applicant is without sufficient information to admit or deny the allegations contained in Paragraph No. 1 and therefore denies the same.
2. Applicant admits the allegations contained in Paragraph Nos. 2, 6 and 9.
3. Applicant is without sufficient information to admit or deny the allegations contained in Paragraph No. 3 and therefore denies the same.
4. Denied as written. Opposer recites that it “is the owner of U.S. Registration No. 818,241 for the mark OLD HENRY and U.S. Registration No. 717,513 for the mark OLD TIMER.” While both of these registration numbers are owned by the Opposer, the mark actually registered under number 818,241 is UNCLE HENRY rather than OLD HENRY. As such, Opposer is not the owner of OLD HENRY.
5. Applicant denies the allegations contained in Paragraph Nos. 5, 7, 8, 10 and 11.

WHEREFORE, Applicant respectfully requests that the Opposer take nothing by way of its Opposition; that Applicant be granted registration of Application No. 77559092; and that this Court grant Applicant any other and further relief as it deems just and appropriate under the circumstances.

Respectfully submitted,

BROWN & GOULD, PLLC

/Ryan W. Hearne

Ryan W. Hearne, OBA #22170

George H. Brown, OBA #18020

BROWN & GOULD, PLLC

701 N. Broadway, Suite 510

Oklahoma City, OK 73102

Telephone: (405) 235-4500

Facsimile: (405) 235-4507

Email: rhearne@browngouldlaw.com

gbrown@browngouldlaw.com

Attorneys for Applicant

CERTIFICATE OF SERVICE

This is to certify that on the 22rd day of March, 2010, a true and correct copy of the foregoing was sent, via U.S. mail, postage prepaid, to the following addressed as follows:

Andrew S. Neely
Reg. No. 28,979
Robert O. Fox
Reg. No. 34,165
Attorneys for Opposer
1871 Riverview Tower
Knoxville, TN 37902

/Ryan W. Hearne/

Ryan W. Hearne