

ESTTA Tracking number: **ESTTA391950**

Filing date: **02/07/2011**

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

Proceeding	91197395
Party	Plaintiff TSDC, LLC
Correspondence Address	D ARI SHERWIN CURATOLO SIDOTI CO LPA 24500 CENTER RIDGE ROAD, SUITE 280 CLEVELAND, OH 44145 UNITED STATES docket@patentandtm.com
Submission	Answer to Counterclaim
Filer's Name	D. Ari Sherwin
Filer's e-mail	docket@patentandtm.com
Signature	/D. Ari Sherwin/
Date	02/07/2011
Attachments	FLG.C2200 (2-7-11) Anwer to Counterclaims.pdf (3 pages)(15590 bytes)

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

In the matter of Application Serial No. 77/900,545

Filed on December 23, 2009

For the mark FIGHT LIKE A CAROLINA GIRL

Published in the *Official Gazette* (Trademarks) on May 18, 2010

TSDC, LLC)	
)	
)	
and)	
)	
)	
Sandra Ellis)	
)	
Opposers,)	Opposition No.: 91/197,395
)	
)	
v.)	
)	
)	
Beyond the Box, Inc.,)	
)	
Applicant.)	
)	
)	

**UNITED STATES PATENT AND TRADEMARK OFFICE
ATTN: TRADEMARK TRIAL AND APPEAL BOARD
P.O. BOX 1451
ALEXANDRIA, VA. 22313-1451**

ANSWER TO COUNTERCLAIMS

TSDC, LLC (hereinafter referred to as "TSDC"), a limited liability company organized and existing under the laws of the State of Ohio, having a business address at P.O. Box 45034, Cleveland, Ohio 44145 and Sandra Ellis (hereinafter referred to as "ELLIS"), a sole proprietor with her business located in the State of Ohio, having a business address at P.O. Box 45034, Cleveland, Ohio 44145 (TSDC and ELLIS are hereinafter collectively referred to as "OPPOSERS"), hereby provide the following Answer to Counterclaims submitted by Beyond the Box, Inc. (hereinafter referred to as "APPLICANT").

The grounds for OPPOSERS' Answer to APPLICANT's Counterclaims are as follows:

1. DENIED.
2. DENIED.
3. DENIED.
4. DENIED.

TIME FOR FILING

The Trademark Trial and Appeal Board has not set a deadline by which OPPOSERS are required to Answer any Counterclaims submitted by APPLICANT with respect to the above-identified mark. In addition, legal counsel for OPPOSERS (D. Ari Sherwin) had a phone conversation on February 7, 2011 with the Interlocutory Attorney (Michael B. Adlin) assigned to the instant opposition proceeding and was informed that filing the Answer to Counterclaims would be considered timely in this matter.

Respectfully submitted,

Date: February 7, 2011

/D. Ari Sherwin/
D. Ari Sherwin, Esq.
Curatolo Sidoti Co., LPA
24500 Center Ridge Road, Suite 280
Cleveland, Ohio 44145
T: 440.808.0011
F: 440.808.0657
Attorney for Opposers

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing **ANSWER TO COUNTERCLAIMS** has been served upon the Applicant on this 7th day of February, 2011 by depositing the same in the United States First Class Mail, postage pre-paid, in an envelope addressed as follows:

Beyond The Box, Inc.
c/o Michael Todd Tucker, Manager of Beyond The Box, Inc.
116 Lowes Food Drive, #132
Lewisville, NC 27023

/D. Ari Sherwin/
D. Ari Sherwin