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

Proceeding	91207080
Party	Defendant Beshert Ventures, LLC
Correspondence Address	NATHAN C. BELZER BELZER PC 2905 BULL ST SAVANNAH, GA 31405-2021 nbelzer@belzerlaw.com;kelly@belzerlaw.c
Submission	Answer
Filer's Name	Nathan C. Belzer
Filer's e-mail	nbelzer@belzerlaw.com
Signature	/Nathan C. Belzer/
Date	10/29/2012
Attachments	answer to opposition proceeding TRUTH SERUM.pdf (3 pages)(75862 bytes)

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

Ole Henriksen of Denmark, Inc.

Opposer,

v.

Beshert Ventures, LLC,

Applicant.

Opposition No. 91207080

Application Serial No. 85/629,322

Attorney Reference No. 12011-1

APPLICANT’S ANSWER AND AFFIRMATIVE DEFENSES

Applicant Beshert Ventures, LLC (“Applicant”), through undersigned counsel, hereby sets forth its Answer, as follows:

1. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegation 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 each and every allegation therein.

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 each and every allegation therein.

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 each and every allegation therein.

5. Applicant admits that Opposer is listed as the owner of the United States trademark registration identified in Paragraph 5 of the Notice of Opposition and that such registration issued on November 21, 2006 under U.S. Registration No. 3,173,981. To the extent Paragraph 5 contains any other allegations, Applicant denies same.

6. Applicant admits that it is the owner of U.S. Trademark Application Serial No. 85/629,322 and that such application was filed with the United States Patent and Trademark Office (“USPTO”) on May 18, 2012 in connection with “wine.” To the extent Paragraph 6 contains any other allegations, Applicant 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 each and every allegation therein.

8. Applicant denies the allegations contained in Paragraph 8 of the Notice of Opposition.

9. Applicant denies the allegations contained in Paragraph 9 of the Notice of Opposition.

AFFIRMATIVE DEFENSES

- A. Opposer has failed to state a claim for which relief can be granted.
- B. Opposer’s claims are barred by the doctrine of laches.
- C. Opposer’s claims are barred by estoppel.
- D. Opposer’s claims are barred by waiver.

WHEREFORE, Applicant prays that the Notice of Opposition be dismissed with prejudice.

Respectfully submitted,



Dated: October 29, 2012

By: _____
Nathan C. Belzer
Belzer PC
2905 Bull St.
Savannah, GA 31405
Tel: (912) 236-3001
Fax: (912) 236-3003
nbelzer@belzerlaw.com
Attorney for Applicant

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Applicant's Answer and Affirmative Defenses has been furnished by email and U.S. Mail on this 29th day of October 2012 to:

Mr. Douglas H. Morseburg
Sheldon Mak & Anderson PC
100 Corson Street, 3rd Fl.
Pasadena, CA 91103
douglas.morsenburg@usip.com


