

ESTTA Tracking number: **ESTTA553425**

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

Proceeding	91210049
Party	Defendant Amuse Bouche LLC
Correspondence Address	EDWARD S WRIGHT LAW OFFICES OF EDWARD S WRIGHT 1100 ALMA ST , STE 207 MENLO PARK, CA 94025-3344 UNITED STATES twright@claim1.com, mcerimeli@claim1.com
Submission	Answer
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Date	08/12/2013
Attachments	TL-75034-27-1 Answer to Notice of Opposition.pdf(9987 bytes)

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

VRANKEN-POMMERY PRODUCTION,	}	Opposition No. 91210049
Opposer,	}	
v.	}	Mark: Diamant Brut
AMUSE BOUCHE LLC,	}	
Applicant.	}	Serial No. 85/605,301

ANSWER TO NOTICE OF OPPOSITION

Applicant Amuse Bouche, LLC responds as follows to the Notice of Opposition on file in this matter:

1. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 1, and therefore denies the same.
2. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 2, and therefore denies the same.
3. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 3, and therefore denies the same.
4. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 4, and therefore denies the same.
5. The allegations of the first sentence of Paragraph 5 are denied. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of the second sentence of Paragraph 5, and therefore denies the same.
6. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 6, and therefore denies the same.
7. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 7, and therefore denies the same.
8. Admitted.
9. Admitted.
10. The allegations of Paragraph 10 are admitted to the extent that the Application was filed on the basis of intended use approximately 12 years after the alleged date of issuance of the alleged registration, but are otherwise denied.
11. The allegations of Paragraph 11 are admitted to the extent that both marks include the word DIAMANT followed by a four letter word that starts with the letter "B", but are otherwise denied.
12. Denied.

13. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 13, and therefore denies the same.

14. Denied.

15. Denied.

16. Denied.

17. Denied.

18. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 18, and therefore denies the same.

WHEREFORE, Applicant prays that the Opposition be dismissed and that the DIAMANT BRUT mark be allowed to proceed to registration.

Respectfully submitted,

s/ Edward S. Wright /
Edward S. Wright
Reg. No. 24,903
Attorney for Applicant

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CERTIFICATE OF ELECTRONIC FILING

THIS ANSWER TO NOTICE OF OPPOSITION IS BEING ELECTRONICALLY FILED WITH THE UNITED STATES PATENT AND TRADEMARK OFFICE ON AUGUST 12, 2013.

S/ MARIE L. CERIMELI /
MARIE L. CERIMELI

PROOF OF SERVICE

I, Marie L. Cerimeli, a citizen of the United States, over the age of eighteen years, whose business address is 1100 Alma Street, Suite 207, Menlo Park, California, declare under penalty of perjury that the foregoing

ANSWER TO NOTICE OF OPPOSITION

is being served electronically on Opposer by emailing the same to Opposer's attorneys of record at the following email address: dmroz@woodcock.com

on August 12, 2013.

s /Marie L. Cerimeli/
Marie L. Cerimeli