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

Proceeding	91211247
Party	Defendant The Old Pogue Distillery, LLC
Correspondence Address	PETER H. POGUE 520 INDIANA AVE INDIANAPOLIS, IN 46202-3106 ppogue@schultzpoguelaw.com
Submission	Answer
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Date	08/02/2013
Attachments	OldPogueAnswertoSazerac2013.pdf(54261 bytes)

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

In the Matter of Application Serial No. 85/809,765
For the Trademark BOURBON'S BIRTHPLACE
Published in the Official Gazette of May 7, 2013

SAZERAC COMPANY, INC.

Opposer,

Opposition No. 91211247

v.

THE OLD POGUE DISTILLERY, LLC

Applicant.

ANSWER

Applicant The Old Pogue Distillery, LLC ("Applicant") for its Answer and in response to the Notice of Opposition filed by Opposer Sazerac Company, Inc.

("Opposer") states as follows:

1. It is without knowledge or information sufficient to form a belief as to the Truth of the allegations in paragraph 1.
2. It admits the allegations in paragraph 2.
3. It denies the allegations in paragraph 3.
4. It denies the allegations in paragraph 4.
5. It denies the allegations in paragraph 5.
6. It denies the allegations in paragraph 6.
7. It denies the allegation in paragraph 7.

8. It denies the allegations in paragraph 8.
9. Applicant admits that its product labels make clear that Applicant is both located in Kentucky and that its product is distilled, aged, and bottled in Kentucky. Applicant denies the allegations in paragraph 9
10. It is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 10.
11. It denies the allegations in paragraph 11.
12. It denies the allegations in paragraph 12.
13. It is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 13.
14. It denies the allegations in paragraph 14.

WHEREFORE, Applicant, The Old Pogue Distillery, LLC, requests that this Board grant its Trademark Application 85/809,765, for entry of judgment regarding the Same, for Registration of its Trademark, and denying the Opposer's Notice of Opposition, and for all other just and proper relief.

By: _____
Peter H. Pogue
The Stewart Center
520 Indiana Avenue
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CERTIFICATE OF SERVICE

I hereby certify that on the 3rd day of August, 2013, a copy of the foregoing Answer Regarding Sazerac Company, Inc. v. The Old Pogue Distillery, LLC, was mailed by Depositing a copy of the same with the United States Postal Service, First Class Mail, Postage prepaid, in an envelope addressed to: Todd S. Bontemps, John Paul Oleksiuk, COOLEY LLP, 1299 Pennsylvania Ave., NW, Suite 700, Washington, D.C., 20004.

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