

ESTTA Tracking number: **ESTTA564290**

Filing date: **10/10/2013**

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

Proceeding	91211863
Party	Defendant Chip Borkenhagen, Jean Borkenhagen
Correspondence Address	PATTERSON THUENTE PEDERSEN PA 4800 IDS CENTER, 80 SOUTH 8TH STREET MINNEAPOLIS, MN 55402-2100 UNITED STATES trademark@ptslaw.com
Submission	Answer
Filer's Name	Kyle T. Peterson
Filer's e-mail	trademark@ptslaw.com
Signature	/Kyle T. Peterson/
Date	10/10/2013
Attachments	Answer - Seasonalities.pdf(316475 bytes )

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

In the Matter of Application Serial No. 85/890,796  
For the mark: Seasonalities  
Filed: March 29, 2013  
Published: June 4, 2013

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Morton Salt, Inc.,	:	
Opposer,	:	Opposition No. 91211863
	:	
v.	:	<b>ANSWER TO NOTICE OF</b>
	:	<b>OPPOSITION</b>
	:	
Chip Borkenhagen and Jean Borkenhagen,	:	
Applicants.	:	
-----X	:	

Chip Borkenhagen and Jean Borkenhagen (together the “Applicant”), individuals located at 201 West Laurel Street, Brainerd, Minnesota 56401, answers the Notice of Opposition filed by Morton Salt, Inc. as follows:

1. Applicant lacks information sufficient to form a belief as to the truth or falsity of Opposer’s first numbered paragraph and therefore denies the same.
2. Applicant admits the allegations contained in Opposer’s second numbered paragraph.
3. Applicant lacks information sufficient to form a belief as to the truth or falsity of Opposer’s fourth numbered paragraph and therefore denies the same.
4. Applicant lacks information sufficient to form a belief as to the truth or falsity of Opposer’s fourth numbered paragraph and therefore denies the same.
5. Applicant lacks information sufficient to form a belief as to the truth or falsity of the allegations contained in Opposer’s fifth numbered paragraph and therefore denies same.

6. Applicant lacks information sufficient to form a belief as to the truth or falsity of the allegations contained in Opposer's sixth numbered paragraph and therefore denies same.
7. Applicant lacks information sufficient to form a belief as to the truth or falsity of the allegations contained in Opposer's seventh numbered paragraph and therefore denies same.
8. Applicant lacks information sufficient to form a belief as to the truth or falsity of the allegations contained in Opposer's eighth numbered paragraph and therefore denies same.
9. Applicant admits only that Applicant filed the Application in the United States Patent and Trademark Office for registration of the mark SEASONALITIES for "Seasonings; Spice blends; Spices" in Class 30 (the "Applicant's Registration") on March 29, 2013; Applicant lacks information sufficient to form a belief as to the truth or falsity of the remaining allegations contained in Opposer's ninth numbered paragraph and therefore denies the same.
10. Applicant denies the allegations contained in Opposer's tenth numbered paragraph.
11. Applicant admits to the allegations contained in Opposer's eleventh numbered paragraph.
12. The Applicant denies the allegations in Opposer's twelfth numbered paragraph.
13. Applicant denies the allegations in Opposer's thirteenth numbered paragraph.
14. Applicant denies the allegations in Opposer's fourteenth numbered paragraph.
15. Applicant denies the allegations in Opposer's fifteenth numbered paragraph.

16. Applicant denies the allegations in Opposer's sixteenth numbered paragraph.
17. Applicant denies the allegations in Opposer's seventeenth numbered paragraph.

**FIRST AFFIRMATIVE DEFENSE**

Applicant reserves the right to amend its Answer to add additional or other affirmative defenses as may become necessary after a reasonable opportunity for appropriate discovery.

WHEREFORE, Applicant requests dismissal of the Notice of Opposition and issuance of a registration of its Application Serial No. 85/890,796 and such other and further relief as may be just and proper.

Dated October 10, 2013

Respectfully submitted,

PATTERSON THUENTE  
CHRISTENSEN PEDERSEN, P.A.

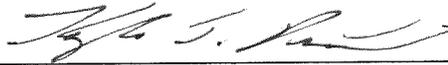
By: \_\_\_\_\_

  
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*Attorney for Applicant Chip Borkenhagen and Jean Borkenhagen.*

**CERTIFICATE OF TRANSMITTAL**

I hereby certify that a true copy of the foregoing ANSWER TO NOTICE OF OPPOSITION is being filed electronically with the TTAB via ESTTA on this day, October 10, 2013.



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*Attorney for Applicants Chip Borkenhagen and Jean Borkenhagen*

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Chip Borkenhagen and Jean Borkenhagen,	:	
Applicants.	:	
-----X	:	

**CERTIFICATE OF SERVICE**

This is to certify that a copy of the foregoing ANSWER TO NOTICE OF OPPOSITION has been served on Opposer by depositing said copy with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to:

Jeffrey Morgan  
Novak Druce Connolly Bove + Quigg LLP  
1000 Louisiana St., 53rd Floor  
Houston, TX 77002

Dated: October 10, 2013

  
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*Attorney for Applicants Chip Borkenhagen and Jean Borkenhagen*