

ESTTA Tracking number: **ESTTA579185**

Filing date: **12/29/2013**

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

Proceeding	91213545
Party	Defendant Anarchy Beverage company
Correspondence Address	MICHAEL MELORO MICHAEL MELORO 92 CEDARWOOD DR WILKES BARRE, PA 18702-7305 UNITED STATES michael.meloro@anarchybeveragecompany.c
Submission	Answer
Filer's Name	IUKE BREAN
Filer's e-mail	luke@breanlaw.com
Signature	/LB/
Date	12/29/2013
Attachments	ANSWER-REVOLUTION.pdf(94180 bytes )

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

Application No.: 85878075

Mark: EVOLUTION (and design)

Application Date: March 16, 2013

Evolution Fresh, Inc.

Opposer,

Opposition No. 91213545

v.

Anarchy Beverage Company,

Applicant.

**ANSWER TO NOTICE OF OPPOSITION**

Now comes the Applicant and answers the Notice of Opposition as follows:

1. Allegation is admitted.
2. Applicant is without sufficient information to admit or deny the allegation. Accordingly, the allegation is denied.

3. Applicant is without sufficient information to admit or deny the allegation. Accordingly, the allegation is denied.
4. Applicant is without sufficient information to admit or deny the allegation. Accordingly, the allegation is denied.
5. Applicant is without sufficient information to admit or deny the allegation. Accordingly, the allegation is denied.
6. Applicant is without sufficient information to admit or deny the allegation. Accordingly, the allegation is denied.
7. Applicant is without sufficient information to admit or deny the allegation. Accordingly, the allegation is denied.
8. Applicant is without sufficient information to admit or deny the allegation. Accordingly, the allegation is denied.
9. Applicant is without sufficient information to admit or deny the allegation. Accordingly, the allegation is denied.
10. Applicant is without sufficient information to admit or deny the allegation. Accordingly, the allegation is denied.
11. Applicant is without sufficient information to admit or deny the allegation. Accordingly, the allegation is denied.
12. Applicant is without sufficient information to admit or deny the allegation. Accordingly, the allegation is denied.
13. Applicant is without sufficient information to admit or deny the allegation. Accordingly, the

allegation is denied.

14. Allegation is admitted.

15. Allegation is admitted.

16. Allegation is admitted.

17. Allegation is admitted.

18. Allegation is denied.

19. Applicant repeats and realleges each and every answer set forth in the above paragraphs.

20. Applicant is without sufficient information to admit or deny the allegation. Accordingly, the allegation is denied.

21. Allegation is admitted.

22. Allegation is denied.

23. Allegation is denied.

#### **AFFIRMATIVE DEFENSES**

24. The respective marks do not look alike, sound alike or have any similarity in meaning sufficient to cause any reasonable likelihood of confusion, mistake or deception as to origin.

25. Applicant's mark REVOLUTION (and design) when applied to the goods identified in Application Serial No. 85878075, is not likely to cause confusion, to cause mistake or deception with the marks relied upon by the Opposer.

WHEREFORE, Applicant requests that the petition be denied in all respects.

Dated: December 29, 2013

Respectfully submitted,

/LB/

Attorney for Anarchy Beverage Company

Luke Brean

BreanLaw, LLC

P.O. Box 4120

ECM #72065

Portland, Oregon 97208

800-451-5815

[luke@breanlaw.com](mailto:luke@breanlaw.com)

## CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing ANSWER TO NOTICE OF OPPOSITION was served by First Class Mail to the address below on this 29th day of December 2013.

Julia Anne Matheson  
Finnegan Henderson Farabow Garrett & Dunner, LLP  
901 New York Avenue, NW  
Washington, DC 20001

/LB/

Luke Brean  
BreanLaw, LLC  
P.O. Box 4120  
ECM #72065  
Portland, Oregon 97208  
800-451-5815  
[luke@breanlaw.com](mailto:luke@breanlaw.com)