

ESTTA Tracking number: **ESTTA686110**

Filing date: **07/27/2015**

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

|                        |   |
|------------------------|---|
| Proceeding             | 91222411  |
| Party                  | Defendant<br>Premium Cigar Bundles, LLC   |
| Correspondence Address | FRANK HERRERA<br>H NEW MEDIA LAW<br>12008 SOUTH SHORE BLVD. SUITE 105<br>WELLINGTON, FL 33414<br><br>fherrera@hnewmedia.com |
| Submission             | Answer  |
| Filer's Name           | Frank Herrera   |
| Filer's e-mail         | fherrera@hnewmedia.com  |
| Signature              | /FH/  |
| Date                   | 07/27/2015  |
| Attachments            | Thompson v Premium ANSWER f.pdf(79708 bytes )   |

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

|                               |   |                          |
|-------------------------------|---|--------------------------|
| THOMPSON & CO. OF TAMPA, INC. | ) |                          |
|                               | ) |                          |
| Opposer,                      | ) |                          |
|                               | ) |                          |
| v.                            | ) | Opposition No.: 91222411 |
|                               | ) |                          |
| PREMIUM CIGAR BUNDLES, LLC.   | ) |                          |
|                               | ) |                          |
| Applicant.                    | ) |                          |
|                               | ) |                          |

**APPLICANT’S ANSWER AND AFFIRMATIVE DEFENSES**

COMES NOW, Applicant Premium Cigar Bundles, LLC. (“Premium” or “Applicant”) and provides its Answer to the Notice of Opposition as follows:

1. Admitted.
2. Denied.
3. Applicant is without sufficient information to admit or deny this allegation and therefore denies same.
4. Applicant is without information sufficient to admit or deny this allegation and therefore denies same.
5. Applicant is without information sufficient to admit or deny this allegation and therefore denies same.
6. Denied.
7. Applicant admits that it will be granted certain rights if registration issues, but denies that Opposer will be harmed by same.

**AFFIRMATIVE DEFENSES**

1. If Opposer ever used the mark in commerce such use was limited in geographic scope.
2. If Opposer ever used the mark in commerce such use has ceased and therefore the mark was abandoned.
3. If Opposer ever used the mark in commerce there was a break in the chain of ownership by abandonment and such later use, if any, is junior to Applicant's use.

Dated: July 27, 2015

s/FRANK HERRERA

Frank Herrera  
H New Media Law  
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Wellington, Florida 33414  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was sent to Opposer by electronic mail, and was served on Opposer by mailing, via U.S. first-class mail, postage paid, said copy on July 27, 2015, to:

Arthur W Fisher, III PA  
P O Drawer 1219  
Dunnellon, FL 34430  
UNITED STATES  
mail@tampaiplaw.com  
Phone: 813-885-2006

s/FRANK HERRERA  
July 27, 2015