

ESTTA Tracking number: **ESTTA763761**

Filing date: **08/10/2016**

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

Proceeding	91225629
Party	Defendant Humble Tea, LLC
Correspondence Address	Gregory S. Smith GSS Law Group 3900 Newpark Mall Road, Suite 317 3900 Newpark Mall Road, Suite 317 Newark, CA 94560 gsmith@gsslawgroup.com
Submission	Answer
Filer's Name	Gregory S. Smith
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Date	08/10/2016
Attachments	160810_AnswertoNoticeofOpposition_vFiled_635-001TM-OPP.pdf(81501 bytes)

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

Tea Drop Pty Ltd.)	
)	
Opposer,)	
)	
v.)	Opposition No.: 91225629
)	
Humble Tea, Inc.)	
)	
Applicant.)	

BOX TTAB - NO FEE
Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

APPLICANT'S ANSWER TO NOTICE OF OPPOSITION

Applicant, Humble Tea, Inc. a Delaware Corporation, by its attorneys, answers the Notice of Opposition filed by Tea Drop Pty Ltd. ("Opposer") against the application for registration of Applicant's trademark TEA DROPS, Serial No. 86/151,225, filed December 23, 2013 and published in the Official Gazette of July 7, 2015, admits, denies, and alleges as follows:

1. Answering paragraph 1 of the Notice of Opposition, Applicant lacks knowledge or information sufficient to form a belief as to the truth of allegations contained therein, and accordingly denies the allegations. Applicant does not know if the Opposer's description is an accurate characterization of the Opposer entity.

2. Answering paragraph 2 of the Notice of Opposition, Applicant lacks knowledge or information sufficient to form a belief as to the truth of allegations contained therein, and accordingly denies the allegations. Applicant does not know when Opposer's alleged trademark

use began.

3. Answering paragraph 3 of the Notice of Opposition, Applicant admits the allegations to the extent the allegations are supported by the USPTO records, and denies all other allegations.

4. Answering paragraph 4 of the Notice of Opposition, Applicant denies the allegations.

5. Answering paragraph 5 of the Notice of Opposition, Applicant admits the allegations to the extent the allegations are supported by the USPTO records, and denies all other allegations.

6. Answering paragraph 6 of the Notice of Opposition, Applicant admits the allegations to the extent the allegations are supported by the USPTO records, and denies all other allegations.

7. Answering paragraph 7 of the Notice of Opposition, Opposer has not made a statement that requires an admission or denial. However, for completeness the Applicant admits or denies Opposer's re-alleged and re-incorporated allegations 1- 6 as previously admitted or denied above.

8. Answering paragraph 8 of the Notice of Opposition, Applicant lacks knowledge or information sufficient to form a belief as to the truth of allegations contained therein, and accordingly denies the allegations. Applicant does not know when Opposer's alleged trademark use began.

9. Answering paragraph 9 of the Notice of Opposition, Applicant denies the allegations.

10. Answering paragraph 10 of the Notice of Opposition, Applicant denies the allegations.

11. Answering paragraph 11 of the Notice of Opposition, Applicant denies the allegations.

12. Answering paragraph 12 of the Notice of Opposition, Applicant denies the allegations.

13. Answering paragraph 13 of the Notice of Opposition, Applicant denies the allegations.

AFFIRMATIVE DEFENSES

14 The Notice of Opposition fails to state a claim upon which relief can be granted

15. Applicant will rely upon any and all defenses, which may be developed through discovery and/or the testimony periods in this opposition proceeding.

RELIEF REQUESTED

Applicant asks that the Notice of Opposition be dismissed in its entirety, and that a registration issue to Applicant for its mark.

Respectfully,

 /Gregory S. Smith/
Gregory Scott Smith
Attorney for Applicant
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Fax: (510) 742-7419

Date: 08/10/2016

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Applicant's Answer was mailed first-class mail, postage prepaid to Kathryn Starshak, K&L Gates LLP, 70 W. Madison Street, Chicago, IL 60602, this 10th day of August, 2016.

Signature: /Evanjelin M. Dasalla/
Name: Evanjelin M. Dasalla

Date 08/10/2016