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

Proceeding	91227580
Party	Defendant Broue-Alliance Inc./Brew-Alliance Inc.
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Submission	Answer
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Date	06/30/2016
Attachments	Answer 6-30-16.pdf(259815 bytes)

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

SAZERAC BRANDS, LLC,)
)
 Opposer,)
)
 v.) Opposition No. 91227580
)
)
) USSN 86/789,819
 BROUE-ALLIANCE INC./) Mark: JOHNY BOOTLEGGER FIRE
 BREW-ALLIANCE INC.,) SHOT and Design
)
 Applicant.)

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ANSWER

Applicant Broue-Alliance Inc./Brew-Alliance Inc.
("applicant") answers opposer Sazerac Brands, LLC's
("opposer") opposition as follows:

1. Applicant is without knowledge or information
sufficient to form a belief as to the truth of the
allegations of paragraph 1, and, therefore, the allegations
of paragraph 1 are denied.

2. Applicant is without knowledge or information
sufficient to form a belief as to the truth of the
allegations of paragraph 2, and, therefore, the allegations
of paragraph 2 are denied.

3. Applicant is without knowledge or information
sufficient to form a belief as to the truth of the
allegations of paragraph 3, and, therefore, the allegations
of paragraph 3 are denied.

4. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 4, and, therefore, the allegations of paragraph 4 are denied.

5. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 5, and, therefore, the allegations of paragraph 5 are denied.

6. Admitted that applicant filed Application Serial No. 86/789,819 on October 15, 2015 for the trademark JOHNY BOOTLEGGERS FIRE SHOT and Design and that the application is the best evidence and speaks for itself. The remainder of the allegations of paragraph 6 are denied.

7. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 7, and, therefore, the allegations of paragraph 7 are denied.

8. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 8, and, therefore, the allegations of paragraph 8 are denied.

9. Denied.

10. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 10, and, therefore, the allegations

of paragraph 10 are denied.

11. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 11, and, therefore, the allegations of paragraph 11 are denied.

12. Admitted that applicant filed Application Serial No. 86/789,819 on October 15, 2015 for the trademark JOHNY BOOTLEGGER FIRE SHOT and Design and that the application is the best evidence and speaks for itself. Certain of the allegations in paragraph 12 are conclusions of law and do not require a response and to the extent a response is required are denied. Applicant is without knowledge or information sufficient to form a belief as to the truth of the remainder of the allegations of paragraph 12, and, therefore, the remainder of the allegations of paragraph 12 are denied.

13. Denied.

14. Denied.

15. Denied.

16. Denied.

17. Applicant denies all allegations not specifically admitted, denied, controverted or otherwise addressed in the above opposition.

18. Applicant denies that opposer is entitled to

any of the relief requested in the opposition and the opposition should be dismissed with prejudice.

Affirmative Defenses

1. The opposition fails to state a claim upon which relief can be granted.

2. Applicant is the owner of and is entitled to exclusive use and registration of the trademark JOHNY BOOTLEGGER FIRE SHOT and Design for the goods identified in Application Serial No. 86/789,819.

3. Opposer is entitled to no relief as claimed in the opposition on the ground that opposer has not been and will not be damaged by applicant's use and registration of the trademark JOHNY BOOTLEGGER FIRE SHOT and Design as applied for in Application Serial No. 86/789,819.

WHEREFORE, applicant prays that the opposition be dismissed with prejudice.

Respectfully submitted,

BROUE-ALLIANCE INC./
BREW-ALLIANCE INC.

By: /s/Theodore A. Breiner
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June 30, 2016

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CANADA

CERTIFICATE OF SERVICE

It is hereby certified that on this 30th day of
June, 2016, a true copy of the foregoing paper entitled-

ANSWER

was served by First Class Mail, postage prepaid on -

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