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

Proceeding	91228355
Party	Defendant Washington Vintners L.L.C.
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Date	07/18/2016
Attachments	3670 Answer.pdf(44840 bytes)

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

Pure Steeps Beverage, LLC,
Opposer,

v.

Washington Vintners L.L.C.,
Applicant.

Opposition No. 91228355

Serial No. 86757645

APPLICANT’S ANSWER TO THE NOTICE OF OPPOSITION

For its Answer to the Notice of Opposition filed in the above-captioned matter by Pure Steeps Beverage, LLC (hereinafter “Opposer”), Washington Vintners L.L.C. (hereinafter “Applicant”), through its counsel of record, Christensen O’Connor Johnson Kindness PLLC, states as follows:

1. Applicant is without knowledge and information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 1 of the Notice of Opposition and therefore denies same.

2. Applicant is without knowledge and information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 2 of the Notice of Opposition and therefore denies same.

3. With respect to the allegations set forth in Paragraph 3 of the Notice of Opposition, Applicant admits only that Application No. 85840061 for the mark SECRET SQUIRREL for “coffee concentrate” in Class 30 was approved for publication and published for opposition, but denies all other allegations contained in Paragraph 3 of the Notice of Opposition.

4. Applicant is without knowledge and information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 4 of the Notice of Opposition and therefore denies same.

5. With respect to the allegations set forth in Paragraph 5 of the Notice of Opposition, Applicant admits only that the USPTO records show that Application No. 85840061 was filed on February 4, 2013.

6. Applicant is without knowledge and information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 6 of the Notice of Opposition and therefore denies same.

7. Applicant is without knowledge and information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 7 of the Notice of Opposition and therefore denies same.

8. With respect to the allegations set forth in Paragraph 8 of the Notice of Opposition, Applicant admits only that it filed Application No. 86757645 on the basis of intent to use and to date it has not filed an Amendment to Allege Use or a Statement of Use. Applicant denies all other allegations contained in Paragraph 8 of the Notice of Opposition.

9. With respect to the allegations set forth in Paragraph 9 of the Notice of Opposition, Applicant admits only that it filed Application No. 86757645 for the mark SECRET SQUIRREL, for “wine,” on September 15, 2015, but denies all other allegations contained in Paragraph 9 of the Notice of Opposition.

10. Applicant denies the allegations set forth in Paragraph 10 of the Notice of Opposition, as Application No. 86757645 was filed on the basis of intent to use and therefore does not allege a date of first use.

11. Applicant denies the allegations set forth in Paragraph 11 of the Notice of Opposition.

12. Applicant denies the allegations set forth in Paragraph 12 of the Notice of Opposition.

13. Applicant denies the allegations set forth in Paragraph 13 of the Notice of Opposition.

14. The allegations set forth in Paragraph 14 of the Notice of Opposition are legal conclusions to which no response is required. To the extent an answer is required, Applicant denies the allegations contained in Paragraph 14 of the Notice of Opposition.

15. The allegations set forth in Paragraph 15 of the Notice of Opposition are legal conclusions to which no response is required. To the extent an answer is required, Applicant denies the allegations contained in Paragraph 15 of the Notice of Opposition.

16. The allegations set forth in Paragraph 16 of the Notice of Opposition are legal conclusions to which no response is required. To the extent an answer is required, Applicant denies the allegations contained in Paragraph 16 of the Notice of Opposition.

17. Applicant admits the allegations set forth in Paragraph 17 of the Notice of Opposition.

18. The allegations set forth in Paragraph 18 of the Notice of Opposition are legal conclusions to which no response is required. To the extent an answer is required, Applicant denies the allegations contained in Paragraph 18 of the Notice of Opposition.

19. Applicant is without knowledge and information sufficient to form a belief as to the truth of the allegations set forth in Paragraph 19 of the Notice of Opposition and therefore denies same.

20. The allegations set forth in Paragraph 20 of the Notice of Opposition are legal conclusions to which no response is required. To the extent an answer is required, Applicant denies the allegations contained in Paragraph 20 of the Notice of Opposition.

21. The allegations set forth in Paragraph 21 of the Notice of Opposition are legal conclusions to which no response is required. To the extent an answer is required, Applicant denies the allegations contained in Paragraph 21 of the Notice of Opposition.

22. Applicant denies the allegations set forth in Paragraph 22 of the Notice of Opposition.

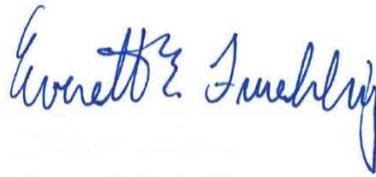
23. The allegations set forth in Paragraph 23 of the Notice of Opposition are legal conclusions to which no response is required. To the extent an answer is required, Applicant denies the allegations set forth in Paragraph 23 of the Notice of Opposition.

24. Applicant denies the allegations set forth in Paragraph 24 of the Notice of Opposition.

25. Applicant denies the allegations set forth in Paragraph 25 of the Notice of Opposition.

Dated: July 18, 2016

Respectfully submitted,



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Attorneys for Applicant, Washington Vintners
L.L.C.

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing APPLICANT'S ANSWER TO THE NOTICE OF OPPOSITION has been served on Opposer Pure Steeps Beverage, LLC by mailing said copy on July 18, 2016 via First Class Mail, postage prepaid to:

Ted F. Gerdes
Gerdes Law
8950 West Olympic Boulevard, Suite 382
Beverly Hills, CA 90211
Counsel for Opposer Pure Steeps Beverage, LLC



Date: July 18, 2016