

TTAB

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THOMAS M. McEACHIN

April 28, 2005

**VIA EXPRESS MAIL:**

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, Virginia 22313-1451

76511764

Re: **Trademark Trial and Appeals Board:**  
*Moet Hennessey Asia Pacific Pte. Ltd. v. Celebration Distillation Corporation, Cancellation No. 92044336*

To Whom It May Concern:

Please find enclosed the Answer to Petition for Cancellation, which we ask be filed in the above-captioned proceeding on behalf of Celebration Distillation Corporation. It is my understanding that there is no fee associated with the filing of this Answer. Please let me know if I am incorrect.

Also, please acknowledge receipt of this Answer by returning the enclosed post card.

With kind regards, I remain

Sincerely,



Thomas M. McEachin



04-29-2005

U.S. Patent & TMOtc/TM Mail RcptDt. #64

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Express Mail in an envelope addressed to: P.O. Box 1451, Alexandria, Virginia 22313-1451 on the 28<sup>th</sup> day of April, 2005.



THOMAS M. MCEACHIN

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

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MOET HENNESSEY ASIA PACIFIC  
PTE LTD.,

Petitioner,

v.

CELEBRATION DISTILLATION  
CORPORATION,

Registrant

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Reg. No. 2,926,706

Cancellation No. 92044336

**ANSWER TO PETITION FOR CANCELLATION**

**NOW APPEARS** Celebration Distillation Corporation (“Registrant”), who herein responds to the Petition for Cancellation filed by Moet Hennessey Asia Pacific Pte. Ltd. (“Petitioner”), as follows:

1. The allegations contained in Paragraph 1 are admitted.
2. The allegations contained in Paragraph 2 are denied.
3. The allegations contained in Paragraph 3 call for a legal conclusion and do not require a response. To the extent that these allegations require a response, they are denied.
4. The allegations contained in Paragraph 4 call for a legal conclusion and do not require a response. To the extent that these allegations require a response, they are denied.

5. The allegations contained in Paragraph 5 call for a legal conclusion and do not require a response. To the extent that these allegations require a response, they are denied.
6. The allegations contained in Paragraph 6 are denied, as Registrant is without knowledge or information sufficient to form a belief as to the truth thereof.
7. The allegations contained in paragraph 7 are denied.
8. The allegations contained in paragraph 8 are denied.

**FIRST AFFIRMATIVE DEFENSE**

Petitioner fails to state a claim upon which relief can be granted.

**SECOND AFFIRMATIVE DEFENSE**

Registrant affirmatively pleads estoppel.

**WHEREFORE**, Registrant requests that the Petition for Cancellation be dismissed at Petitioner's cost.

Respectfully submitted,



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Attorneys for Celebration Distillation Corporation

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Answer to Petition for Cancellation has been served upon counsel of record by facsimile and U.S. mail, this 28<sup>th</sup> day of April, 2005.

A handwritten signature in black ink, appearing to read 'T.M. Mceachin', written above a horizontal line.

THOMAS M. MCEACHIN