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Filing date: **04/08/2010**

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

Proceeding	92052150
Party	Defendant Patrick Gilles
Correspondence Address	Patrick Gilles DBA WONDERBREAD 5 240 Lovell Avenue Mill Valley, CA 94941 UNITED STATES
Submission	Answer
Filer's Name	Matthew H. Swyers
Filer's e-mail	mswyers@TheTrademarkCompany.com
Signature	/Matthew H. Swyers/
Date	04/08/2010
Attachments	Answer and Grouonds of Defense.pdf ( 4 pages )(15015 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
The Trademark Trial and Appeal Board**

In the matter of Trademark Registration No. 3691948  
For the mark WONDERBREAD 5,

Wonderbread 5,	:	
	:	
Petitioner,	:	
	:	
vs.	:	Cancellation No. 92052150
	:	
Patrick Gilles,	:	
	:	
Registrant.	:	

**ANSWER AND GROUNDS OF DEFENSE**

COMES NOW, the Registrant, Patrick Gilles (hereinafter “Registrant”), by and through counsel, The Trademark Company, PLLC, and files his Answer and Grounds of Defense to the Petition for Cancellation and in response to Petitioner’s allegations states as follows:

**ANSWER**

In response to the specifically enumerated paragraphs of the Petition for Cancellation, Registrant responds as follows:

1. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 1 of the Petition for Cancellation and therefore denies the same.
2. Registrant admits the allegations of Paragraph 2.
3. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 3 of the Petition for Cancellation and therefore denies the same.
4. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 4 of the Petition for Cancellation and therefore denies the same.
5. Registrant denies the allegations set forth in Paragraph 5 of the Petition for Cancellation and demands strict proof thereof.
6. Registrant denies the allegations set forth in Paragraph 6 of the Petition for Cancellation and demands strict proof thereof.

7. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 7 of the Petition for Cancellation and therefore denies the same.

8. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 8 of the Petition for Cancellation and therefore denies the same.

9. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 9 of the Petition for Cancellation and therefore denies the same.

10. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 10 of the Petition for Cancellation and therefore denies the same.

11. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 11 of the Petition for Cancellation and therefore denies the same.

12. Registrant denies the allegations set forth in Paragraph 12 of the Petition for Cancellation and demands strict proof thereof.

13. Registrant denies the allegations set forth in Paragraph 13 of the Petition for Cancellation and demands strict proof thereof.

14. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 14 of the Petition for Cancellation and therefore denies the same.

15. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 15 of the Petition for Cancellation and therefore denies the same.

16. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 16 of the Petition for Cancellation and therefore denies the same.

17. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 17 of the Petition for Cancellation and therefore denies the same.

18. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 18 of the Petition for Cancellation and therefore denies the same.

19. Registrant denies the allegations set forth in Paragraph 19 of the Petition for Cancellation and demands strict proof thereof.

20. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 20 of the Petition for Cancellation and therefore denies the same.

21. Registrant denies the allegations set forth in Paragraph 21 of the Petition for Cancellation and demands strict proof thereof.

22. Registrant denies the allegations set forth in Paragraph 22 of the Petition for Cancellation and demands strict proof thereof.

23. Registrant denies the allegations set forth in Paragraph 23 of the Petition for Cancellation and demands strict proof thereof.

24. Registrant denies the allegations set forth in Paragraph 24 of the Petition for Cancellation and demands strict proof thereof.

Registrant further denies all allegations not specifically, actually or constructively, admitted in the foregoing paragraphs of this Answer and Grounds of Defense.

WHEREFORE, Registrant prays that the Petition for Cancellation be dismissed.

DATED this 8<sup>th</sup> day of April, 2010.

THE TRADEMARK COMPANY, PLLC

/Matthew H. Swyers/

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Attorney for Registrant Patrick Gilles

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	:	
Patrick Gilles,	:	
	:	
Registrant.	:	

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I caused a copy of the foregoing Answer and Grounds of Defense this 8th day of April, 2010, to be served, via first class mail, postage prepaid, upon:

Meagan McKinley Ball  
Phillips, Erlewine & Given LLP  
50 California Street, 35th Floor  
San Francisco, CA 94111

Matthew H. Swyers  
Matthew H. Swyers