

ESTTA Tracking number: **ESTTA424237**

Filing date: **08/10/2011**

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

Proceeding	92053542
Party	Defendant Fegley Enterprises, Inc.
Correspondence Address	JEANNE HAMBURG NORRIS McLAUGHLIN & MARCUS PA 875 THIRD AVENUE 8TH FLOOR NEW YORK, NY 10022 UNITED STATES jhamburg@nmmlaw.com,bcmarin@nmmlaw.com,blarocca@nmmlaw.com
Submission	Answer and Counterclaim
Filer's Name	Jeanne Hamburg
Filer's e-mail	jhamburg@nmmlaw.com,bcmarin@nmmlaw.com
Signature	/jeanne hamburg/
Date	08/10/2011
Attachments	submission fee payment.pdf (2 pages)(23476 bytes)

Registration Subject to the filing

Registration No	2887242	Registration date	09/21/2004
Registrant	Troegs Brewing Company 800 Paxton Street Harrisburg, PA 17104 UNITED STATES		
Grounds for filing	The registered mark has been abandoned.		
	The registration was obtained fraudulently.		

Goods/Services Subject to the filing

Class 032. First Use: 2002/12/10 First Use In Commerce: 2002/12/10
All goods and services in the class are requested, namely: Beer, ale and lager

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

In the matter of U.S. Registration No. 3,047,757
For the mark RUDE ELF'S RESERVE and Design
Registered on January 24, 2006

TROEGS BREWING COMPANY,

Petitioner/Counterdefendant,

vs.

FEGLEY ENTERPRISES, INC.,

Registrant/Counterclaimant.

Cancellation No. 92053542

**SUBMISSION OF FEE PAYMENT FOR
REGISTRANT'S MOTION TO AMEND
TO ADD COUNTERCLAIMS FOR CANCELLATION**

In response to the Board's Order dated August 9, 2011, please charge the filing fee of \$300, or any fee necessary for the Board's consideration of Registrant's Motion to Amend to Add Counterclaims for Cancellation, filed July 28, 2011, to Deposit Account No. 14-1263.

Dated: New York, New York
August 10, 2011

Respectfully submitted,



Jeanne Hamburg
NORRIS, MCLAUGHLIN & MARCUS, P.A.
Attorneys for Registrant
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New York, NY 10022
Phone 212.808.0700

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CERTIFICATE OF SERVICE

I hereby certify that on August 10, 2011 a copy of the foregoing Submission of Fee Payment for Motion to Amend to Add Counterclaims for Cancellation is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the attorneys for Petitioner as follows:

Harvey Freedenberg
Brian P. Gregg
100 Pine Street
P.O. Box 1166
Harrisburg, PA 17108



Jeanne Hamburg