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

Proceeding	92055717
Party	Defendant Michael Brown
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Submission	Answer
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Date	08/17/2012
Attachments	AnswertoPetitionforCancellation.pdf ( 4 pages )(69533 bytes )

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

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ATLANTIC CAPES FISHERIES, INC.	)	
a New Jersey Corporation	)	Cancellation No. 92055717
	)	In re Registration No. 3,536,673
Petitioner,	)	Issued: November 25, 2008
	)	
v.	)	
	)	
MICHEAL BROWN, Individually	)	
	)	
Registrant.	)	
	)	

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**ANSWER TO PETITION FOR CANCELLATION**

High Seas Tuna, Inc., currently owns the registration of the mark HIGH SEAS GOURMET ALBACORE TUNA (Registration No. 3,536,673), and is hereinafter referred to as 'Registrant'.

Registrant, by and through its attorney, answers the Petition for Cancellation filed by Atlantic Capes Fisheries, Inc., against the registration of the mark HIGH SEAS GOURMET ALBACORE TUNA (Registration No. 3,536,673) as follows:

1. Registrant admits to most of the allegations in paragraph 1 of the Petition for Cancellation. The date of first use in commerce of the mark may be prior to November 30, 2007.
  
2. Registrant does not have sufficient information or knowledge to form a belief as to the allegations contained in paragraph 2 of the Petition for Cancellation, and therefore denies the same.

3. Registrant does not have sufficient information or knowledge to form a belief as to the allegations contained in paragraph 3 of the Petition for Cancellation, and therefore denies the same.
4. Registrant does not have sufficient information or knowledge to form a belief as to the allegations contained in paragraph 4 of the Petition for Cancellation, and therefore denies the same.
5. Registrant does not have sufficient information or knowledge to form a belief as to the allegations contained in paragraph 5 of the Petition for Cancellation, and therefore denies the same.
6. Registrant does not have sufficient information or knowledge to form a belief as to the allegations contained in paragraph 6 of the Petition for Cancellation, and therefore denies the same.
7. Registrant does not have sufficient information or knowledge to form a belief as to the allegations contained in paragraph 7 of the Petition for Cancellation, and therefore denies the same.
8. Petitioner has not identified, as 8., a ground for cancellation.
9. Petitioner has not identified, as 9., a ground for cancellation.
10. Petitioner has not identified, as 10., a ground for cancellation.
11. Registrant does not have sufficient information or knowledge to form a belief as to the allegations contained in paragraph 11 of the Petition for Cancellation, and therefore denies the same.

12. Registrant does not have sufficient information or knowledge to form a belief as to the allegations contained in paragraph 12 of the Petition for Cancellation, and therefore denies the same.
13. Petitioner has not identified, as 13., a ground for cancellation.
14. Petitioner has not identified, as 14., a ground for cancellation.
15. Petitioner has not identified, as 15., a ground for cancellation.
16. Petitioner has not identified, as 16., a ground for cancellation.
17. Registrant does not have sufficient information or knowledge to form a belief as to the allegations contained in paragraph 17 of the Petition for Cancellation, and therefore denies the same.
18. Registrant does not have sufficient information or knowledge to form a belief as to the allegations contained in paragraph 18 of the Petition for Cancellation, and therefore denies the same.
19. Registrant does not have sufficient information or knowledge to form a belief as to the allegations contained in paragraph 19 of the Petition for Cancellation, and therefore denies the same.

WHEREFORE, Registrant requests that this Petition for Cancellation be resolved in favor of Registrant, and that Registrant's registration of the mark HIGH SEAS GOURMET ALBACORE TUNA - Registration No. 3,536,673 - be maintained.

Dated 17 August 2012

Respectfully submitted,  
Janeway Patent Law PLLC  
Counsel for Applicant

/John Janeway/

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### **CERTIFICATE OF MAILING; PROOF OF SERVICE**

I hereby certify that this ANSWER TO PETITION FOR CANCELLATION is being deposited on 17 August 2012 with the United States Postal Service as First Class Mail with sufficient postage, in an envelope addressed to:

John Christopher  
Christopher & Weisberg, PA,  
200 East Las Olas Boulevard  
Suite 2040  
Fort Lauderdale, Florida 33301

/John M. Janeway/

John M. Janeway