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

Proceeding	92057198
Party	Defendant Pure Fishing, Inc.
Correspondence Address	PURE FISHING INC 3281 EXECUTIVE CENTER DRIVE BOCA RATON, FL 33431 UNITED STATES
Submission	Answer
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Date	06/24/2013
Attachments	purfishinganswer.pdf(94989 bytes )

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

<b>SWIFT FLY FISHING</b>	)	
	)	
<b>Petitioner,</b>	)	
	)	
<b>v.</b>	)	<b>Cancellation No. 92057198</b>
	)	
	)	<b>Registration No. 2062238</b>
<b>PURE FISHING, INC.</b>	)	
	)	
<b>Registrant.</b>	)	
	)	

**ANSWER TO PETITION FOR CANCELLATION**

Pure Fishing, Inc. (“Registrant”), in answer to the Petition for Cancellation filed by Swift Fly Fishing (“Petitioner”), states as follows in response to the numbered paragraphs of the Petition:

1. Registrant is without information or knowledge sufficient to form a belief about the truth of the allegations set forth in Paragraph 1 of the Petition for Cancellation, and therefore denies the same and demands strict proof thereof.

2. Registrant is without information or knowledge sufficient to form a belief about the truth of the allegations set forth in Paragraph 2 of the Petition for Cancellation, and therefore denies the same and demands strict proof thereof.

3. Registrant is without information or knowledge sufficient to form a belief about the truth of the allegations set forth in Paragraph 3 of the Petition for Cancellation, and therefore denies the same and demands strict proof thereof.

4. Registrant denies the allegations of Paragraph 4 of the Petition for Cancellation and demands strict proof thereof. Registrant affirmatively avers that it made bona fide sales of

fishing reel products bearing the mark (or fishing reel products in packaging bearing the mark) in interstate commerce at least as recently as 2011, and further that it currently has fishing reel products bearing the mark in production with anticipated sales of those products in the third or fourth quarter of 2013.

5. Registrant denies the allegations of paragraph 5 of the Petition for Cancellation and demands strict proof thereof.

6. Registrant admits that Exhibit 2 to the Petition for Cancellation appears to be a copy of an exchange of emails between a person named Carl McNeil and Mitchell Customer Service. Registrant denies the remaining allegations of Paragraph 6 of the Petition for Cancellation and demands strict proof thereof.

7. Registrant denies the allegations of Paragraph 7 of the Petition for Cancellation and demands strict proof thereof.

8. Registrant denies the allegations of Paragraph 8 of the Petition for Cancellation and demands strict proof thereof.

9. Registrant admits the allegations set forth in Paragraph 9 of the Petition for Cancellation.

#### AFFIRMATIVE DEFENSES

1. The Petition for Cancellation fails to state a claim upon which relief can be granted.

2. Registrant has not discontinued use of the subject mark with intent not to resume such use; thus, Registrant has not abandoned the subject mark.

3. Registrant denies all material allegations of the Petition for Cancellation that are not expressly admitted.

4. Registrant denies that Petitioner is entitled to the relief requested in the Petition for Cancellation.

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

Respectfully Submitted,

/s/ Elizabeth C. Josephs  
Elizabeth C. Josephs  
Michael S. Denniston  
Attorneys for Registrant

OF COUNSEL:

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**CERTIFICATE OF SERVICE**

I hereby certify that I have this date served the above and foregoing Answer to Petition for Cancellation on:

Darren S. Rimer  
Rimer & Mathewson LLP  
30021 Tomas, Suite 300  
Rancho Santa Margarita, CA 92688

by placing a copy of the same in the United States Mail, first class postage prepaid, on this 24th day of June, 2013.

/s/ Elizabeth C. Josephs

OF COUNSEL