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

Proceeding	92063027
Party	Plaintiff Viniolio Exports and Imports, LLC
Correspondence Address	J SCOTT GERIEN DICKENSON PEATMAN & FOGARTY 1455 FIRST ST, STE 301 NAPA, CA 94559 UNITED STATES tmltg@dpf-law.com
Submission	Answer to Counterclaim
Filer's Name	Jaymie Kilgore
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Signature	/Jaymie Kilgore/
Date	04/04/2016
Attachments	Answer to Counterclaim (#92063027).pdf(333071 bytes)

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Dated: 4/4/16

By [Signature] Jaymie Kilgore

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

REN ACQUISITIONS INC., Successor in Interest to VINOLIO EXPORTS AND IMPORTS, LLC,

Petitioner and Counterdefendant,

vs.

JUSTICE BEVERAGES LLC,

Registrant and Counterclaimant.

CANCELLATION NO. 92063027

ANSWER TO COUNTERCLAIM FOR CANCELLATION OF PETITIONER'S TRADEMARK

TO THE COMMISSIONER OF TRADEMARKS:

Rights in Reg. No. 3,713,775 for the mark JUSTICE were assigned from Vinolio Exports And Imports, LLC to Ren Acquisitions, Inc., a Delaware corporation (hereinafter "Petitioner and Counterdefendant" or "Ren"), making Ren the Successor in Interest in this proceeding. Solely for purposes of this proceeding, Ren answers the counterclaim for cancellation brought by Justice Beverages LLC as follows:

1. Answering Paragraph 22 in the Counterclaim for Cancellation of Petitioner's Trademark, Ren is without sufficient information to admit or deny the allegations and on such basis denies all of the allegations contained therein.

1 2. Answering Paragraph 23 in the Counterclaim for Cancellation of Petitioner’s
2 Trademark, Ren states that Vinolio is a Delaware limited liability company, not a Delaware
3 corporation, and otherwise admits the allegation contained therein.

4 3. Answering Paragraph 24 in the Counterclaim for Cancellation of Petitioner’s
5 Trademark, Ren is without sufficient information to admit or deny the allegations and on such
6 basis denies all of the allegations contained therein.

7 4. Answering Paragraph 25 in the Counterclaim for Cancellation of Petitioner’s
8 Trademark, Ren denies the allegations contained therein.

9 5. Answering Paragraph 26 in the Counterclaim for Cancellation of Petitioner’s
10 Trademark, Ren denies the allegations contained therein.

11 6. Answering Paragraph 27 in the Counterclaim for Cancellation of Petitioner’s
12 Trademark, Ren admits that the marks JUSTICE IS SERVED, POETIC JUSTICE, FRONTIER
13 JUSTICE and BLIND JUSTICE have been used as marks for wine and have been registered with
14 the USPTO by Ren and/or its predecessors in interest, but Ren denies that the mark JUSTICE has
15 never been used by Ren and/or its predecessors in interest.

16 7. Answering Paragraph 28 in the Counterclaim for Cancellation of Petitioner’s
17 Trademark, Ren denies the allegations contained therein.

18 8. Answering Paragraph 29 in the Counterclaim for Cancellation of Petitioner’s
19 Trademark, Ren denies the allegations contained therein.

20 9. Answering Paragraph 30 in the Counterclaim for Cancellation of Petitioner’s
21 Trademark, Ren denies the allegations contained therein.

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AFFIRMATIVE DEFENSES

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25 10. Registrant and Counterclaimant has failed to state a claim upon which relief can be
26 granted.

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11. Registrant and Counterclaimant has failed to sufficiently plead a cause of action related to use of the mark JUSTICE by Ren and/or its predecessors in interest and has not based its pleading on sufficient information or belief.

12. Registrant and Counterclaimant's claims based upon the sufficiency of the specimens submitted to and accepted by the USPTO as evidencing use of the mark JUSTICE cannot stand as the sufficiency of what was submitted in an application is a technical question which is within the province of the examining attorney to determine and cannot form the basis of a proceeding before the Board.

WHEREFORE, Ren requests that Registrant and Counterclaimant take nothing by its claims and that the Counterclaim for Petition for Cancellation of Petitioner's Trademark be denied in its entirety.

Dated: 4/4/16

Respectfully submitted,
DICKENSON, PEATMAN & FOGARTY
By: 
J. Scott Gerien
Christopher J. Passarelli

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Napa, California 94559
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Attorneys for Petitioner and Counterdefendant,
REN ACQUISITIONS INC., Successor in Interest to
VINOLIO EXPORTS AND IMPORTS, LLC

PROOF OF SERVICE

I declare that I am over the age of 18 years, employed in the County of Napa, and not a party to the within action; my business address is 1455 First Street, Ste. 301, Napa, California 94559.

On April 4, 2016, I placed a copy of the following document(s):

- ANSWER TO COUNTERCLAIM FOR CANCELLATION OF PETITIONER'S TRADEMARK

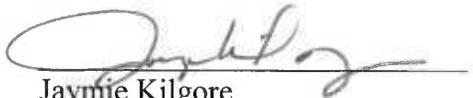
in a sealed envelope addressed as shown below and placing the envelope for collection and mailing following our ordinary business practices. I am readily familiar with this business' practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.

The persons served are as follows:

STEVE LORY
3016 WAVERLY DRIVE, SUITE 105
LOS ANGELES, CA 90039

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed April 4, 2016, at Napa, California.


Jaymie Kilgore
Legal Secretary

DICKENSON PEATMAN & FOGARTY