TTAB

Attorney Docket No.: 13105.1

BOX TTAB NO FEE

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

Acorn Alegria Winery, Dba Acorn Winery Opposer, v. Sweely Holdings, LLC Applicant.	Opposition No. 91/168,790 Appln. Serial No. 78/497,107, 78/497,110, 78/497,114

ANSWER TO OPPOSITION

Applicant, SWEELY HOLDINGS, LLC, as and for its Answer to the Notice of Opposition of Opposer, ACORN ALEGRIA WINERY, responds as follows:

Responding to the Preamble of the Notice of Opposition (the "Preamble"), Applicant lacks information sufficient to form a belief regarding whether Opposer is or was doing business as Acorn Winery, and therefore denies the same. Applicant also lacks information sufficient to form a belief as to Opposer's claims of damage set forth in the Preamble, and therefore denies the same.

1. Applicant admits the allegations contained in paragraph 1 of the Notice of Opposition.

2. Applicant lacks information sufficient to form a belief regarding the allegations contained in paragraph 2 of the Notice of Opposition, and therefore denies the same.

3. Applicant lacks information sufficient to form a belief regarding the allegations contained in paragraph 3 of the Notice of Opposition, and therefore denies the same.

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4. Applicant lacks information sufficient to form a belief regarding the allegations contained in paragraph 4 of the Notice of Opposition, and therefore denies the same.

5. Applicant lacks information sufficient to form a belief regarding the allegations contained in paragraph 5 of the Notice of Opposition, and therefore denies the same.

6. Responding to the allegations set forth in paragraph 6 of the Notice of Opposition, Applicant specifically denies the first sentence of paragraph 6. The second sentence of paragraph 6 sets forth a legal conclusion and is therefore not subject to admission or denial. Applicant lacks information sufficient to form a belief regarding the allegations set forth in the last sentence of paragraph 6, and therefore denies the same.

Applicant lacks information sufficient to form a belief regarding the allegations set forth in the unnumbered paragraph following paragraph 6 of the Notice of Opposition, and therefore denies the same.

WHEREFORE, Applicant, SWEELY HOLDINGS, LLC, respectfully requests that Opposition No. 91/168,790 be dismissed with prejudice, and that the U.S. Patent and Trademark

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Office issue a Notice of Allowance for Application Serial Nos. 78/497,107, 78/497,110, and 78/497,114.

Respectfully submitted,

SWEELY HOLDINGS, LLC

By: _____

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Date: February 27, 2006

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing **ANSWER TO OPPOSITION** was served on counsel for Opposer, this 27th day of February, 2006, by sending same via First Class Mail, postage prepaid, to:

Gregory N. Owen, Esq.
Owen, Wickersham & Erickson, P.C.
455 Market Street, Suite 1910
San Francisco, CA 94105

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By: Jason J. Romero