

ESTTA Tracking number: **ESTTA74678**

Filing date: **04/05/2006**

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

Proceeding	91169296
Party	Defendant VI?A SAN PEDRO S.A. VI?A SAN PEDRO S.A. Vitacura N?4380, 6th & 7th Floors Vitacura CLX Santiago,
Correspondence Address	CYNTHIA CLARKE WEBER SUGHRUE MION, PLLC. SUITE 800 2100 PENNSYLVANIA AVENUE, N.W. WASHINGTON, DC 20037-3213
Submission	Answer
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Date	04/05/2006
Attachments	400038 Answer to Notice of Opposition.pdf.PDF ( 3 pages )

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

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SOCIEDADE DOS VINHOS BORGES, S.A.,	:	
	:	
vs.                    Opposer,	:	
	:	Opposition No. <u>91/169,296</u>
	:	
VINA SAN PEDRO S.A.,	:	
	:	
Applicant.	:	

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**ANSWER TO NOTICE OF OPPOSITION**

Applicant, Vina San Pedro S.A., responds to the numbered paragraphs of the Notice of Opposition as follows:

1. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 1, and accordingly denies same.
2. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 2, and accordingly denies same.
3. Admitted.
4. Denied that Opposer will be damaged by the registration of Applicant's mark.

**AFFIRMATIVE DEFENSES**


Applicant states for its affirmative defenses the following:

1. Opposer has failed to state a claim upon which relief can be granted.

2. Applicant is the senior party, which prevents entry of judgment in Opposer's favor.

Respectfully submitted,

VINA SAN PEDRO S.A.

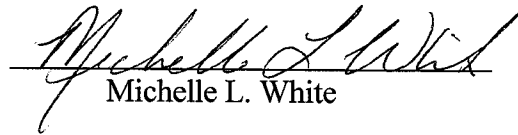
By: 

Cynthia Clarke Weber  
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SUGHRUE MION, PLLC  
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**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the foregoing Answer to Notice of Opposition has been mailed this 5<sup>th</sup> day of April, 2006, by first-class mail, postage prepaid to:

Robert Alpert, Esq.  
**LADAS & PARRY LLP**  
26 West 61st Street  
New York, New York 10023

  
Michelle L. White