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

Proceeding	91174969
Party	Defendant Dieffenbach, Craig Dieffenbach, Craig 636 West Mercer Place Seattle, WA 98119
Correspondence Address	JOHN P. MELE 5752 159TH PL SE BELLEVUE, WA 98006-5321
Submission	Answer
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Date	01/23/2007
Attachments	801050.answer.pdf (6 pages)(132980 bytes)

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

In re the Matter of Application Serial No. 78/781902
Mark Opposed: HENDRIX ELECTRIC & Design

WILLIAM GRANT & SONS, INC.,)	
)	
Opposer,)	
)	
v.)	Opposition No. 91/174969
)	
DIEFFENBACH, CRAIG,)	
)	
Applicant.)	
)	

APPLICANT’S ANSWER TO NOTICE OF OPPOSITION

Applicant, by its attorneys, hereby responds to the Notice of Opposition as follows:

1. Applicant has insufficient knowledge or information upon which to form a belief as to the truth of the allegations set forth in Numbered Paragraph 1 of the Notice of Opposition and, therefore, Applicant denies said allegations.

2. Applicant has insufficient knowledge or information upon which to form a belief as to the truth of the allegations set forth in Numbered Paragraph 2 of the Notice of Opposition and, therefore, Applicant denies said allegations.

3. Applicant has insufficient knowledge or information upon which to form a belief as to the truth of the allegations set forth in Numbered Paragraph 3 of the Notice of Opposition and, therefore, Applicant denies said allegations.

4. Applicant has insufficient knowledge or information upon which to form a belief as to the truth of the allegations set forth in Numbered Paragraph 4 of the Notice of Opposition and, therefore, Applicant denies said allegations.

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5. Applicant admits that it caused to have filed an application for registration of the mark HENDRIX ELECTRIC & Design (“Applicant’s Mark”), for use in connection with vodka (Applicant’s goods”) on December 28, 2005. Applicant denies all other allegations noted in Numbered Paragraph 5 of the Notice of Opposition.

6. Applicant admits the allegations set forth in Numbered Paragraph 6 of the Notice of Opposition.

7. Applicant admits the allegations set forth in Numbered Paragraph 7 of the Notice of Opposition.

8. Applicant denies the allegations set forth in Numbered Paragraph 8 of the Notice of Opposition.

9. Applicant admits the allegations set forth in Numbered Paragraph 9 of the Notice of Opposition.

10. Applicant admits the allegations set forth in Numbered Paragraph 10 of the Notice of Opposition.

11. Applicant denies the allegations set forth in Numbered Paragraph 11 of the Notice of Opposition. The terms “HENDRIX” and “HENDRICK’S” speak for themselves.

12. Applicant admits the allegations set forth in Numbered Paragraph 12 of the Notice of Opposition.

13. Applicant admits the allegations set forth in Numbered Paragraph 13 of the Notice of Opposition.

14. Applicant admits the allegations set forth in Numbered Paragraph 14 of the Notice of Opposition.

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15. Applicant has insufficient knowledge or information upon which to form a belief as to the truth of the allegations set forth in Numbered Paragraph 15 of the Notice of Opposition and, therefore, Applicant denies the allegations.

16. Applicant admits the allegations set forth in Numbered Paragraph 16 of the Notice of Opposition.

17. Applicant admits the allegations set forth in Numbered Paragraph 17 of the Notice of Opposition.

18. Applicant denies the allegations set forth in Numbered Paragraph 18 of the Notice of Opposition. The terms “HENDRIX MARTINI” and “HENDRICK’S MARTINI” speak for themselves.

19. Applicant admits the allegations set forth in Numbered Paragraph 19 of the Notice of Opposition.

20. Applicant denies the allegations set forth in Numbered Paragraph 20 of the Notice of Opposition.

21. Applicant denies the allegations set forth in Numbered Paragraph 21 of the Notice of Opposition.

22. Applicant has insufficient knowledge or information upon which to form a belief as to the truth of the allegations set forth in Numbered Paragraph 22 of the Notice of Opposition and, therefore, Applicant denies the allegations.

23. Applicant has insufficient knowledge or information upon which to form a belief as to the truth of the allegations set forth in Numbered Paragraph 23 of the Notice of Opposition and, therefore, Applicant denies the allegations.

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24. Applicant has insufficient knowledge or information upon which to form a belief as to the truth of the allegations set forth in Numbered Paragraph 24 of the Notice of Opposition and, therefore, Applicant denies the allegations.

25. Applicant has insufficient knowledge or information upon which to form a belief as to the truth of the allegations set forth in Numbered Paragraph 25 of the Notice of Opposition and, therefore, Applicant denies the allegations.

26. No answer required.

27. Applicant denies the allegations set forth in Numbered Paragraph 27 of the Notice of Opposition.

28. Applicant denies the allegations set forth in Numbered Paragraph 28 of the Notice of Opposition.

29. Applicant denies the allegations set forth in Numbered Paragraph 29 of the Notice of Opposition.

30. Applicant denies the allegations set forth in Numbered Paragraph 30 of the Notice of Opposition.

31. Applicant denies the allegations set forth in Numbered Paragraph 31 of the Notice of Opposition.

32. Applicant denies the allegations set forth in Numbered Paragraph 32 of the Notice of Opposition.

33. No answer required.

34. Applicant denies the allegations set forth in Numbered Paragraph 34 of the Notice of Opposition.

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35. Applicant denies the allegations set forth in Numbered Paragraph 35 of the Notice of Opposition.

36. Applicant denies the allegations set forth in Numbered Paragraph 36 of the Notice of Opposition.

37. Applicant denies the allegations set forth in Numbered Paragraph 37 of the Notice of Opposition.

38. Applicant denies the allegations set forth in Numbered Paragraph 38 of the Notice of Opposition.

WHEREFORE, Applicant requests that the opposition be dismissed with prejudice, and that Applicant's mark proceed to allowance.

Respectfully submitted,

CRAIG DIEFFENBACH

By:



Kevin G. Smith

Jody H. Drake

Gary D. Krugman

Attorneys for Applicant

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Date: January 23, 2007.

CERTIFICATE OF SERVICE

I, Kevin G. Smith, Esq., hereby certify that on January 23, 2007, a true copy of **APPLICANT'S ANSWER TO NOTICE OF OPPOSITION** was sent via First Class U.S. Mail, postage prepaid to Applicant:

Paul F. Kilmer
Anthony R. Masiello
HOLLAND & KNIGHT LLP
2099 Pennsylvania Avenue, N.W.
Washington, D.C. 20006
Attorneys for Opposer

A handwritten signature in black ink that reads "Kevin G. Smith" with a small superscripted letter "e" at the end of the name.

Kevin G. Smith