

ESTTA Tracking number: **ESTTA145285**

Filing date: **06/11/2007**

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

Proceeding	91177055
Party	Defendant Star Industries, Inc. Star Industries, Inc. 425 Underhill Blvd. Syosset, NY 11791
Correspondence Address	Louis S. Ederer Arnold & Porter LLP 399 Park Avenue New York, NY 10022 trademarkdocketing@aporter.com
Submission	Answer
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Date	06/11/2007
Attachments	Answer to Notice of Opposition.pdf (3 pages)(14124 bytes)

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

In the Matter of Application Serial No.78/896,278
Filed: May 30, 2006
For the mark: HARTLEY PARKER’S

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BARTON BRANDS, LTD.	:	
	:	
Opposer,	:	OPPOSITION NO.: 91177055
	:	
- against -	:	
	:	
STAR INDUSTRIES, INC.	:	
	:	
Applicant.	:	
	:	
-----	x	

ANSWER TO NOTICE OF OPPOSITION

Applicant, Star Industries, Inc. (hereinafter “Applicant” or “Star”), through its undersigned attorneys, hereby responds to the allegations contained in the Notice of Opposition (hereinafter the “Opposition”) filed by Barton Brands, Ltd. (hereinafter “Opposer”) as follows:

1. Applicant denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 1 of the Opposition.
2. Applicant denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 2 of the Opposition.
3. Applicant denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 3 of the Opposition.
4. Applicant denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 4 of the Opposition.
5. Applicant denies knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 5 of the Opposition.

6. Applicant denies the allegations contained in paragraph 6 of the Opposition.
7. Applicant denies the allegations contained in paragraph 7 of the Opposition.
8. Applicant denies the allegations contained in paragraph 8 of the Opposition.

FIRST AFFIRMATIVE DEFENSE

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

SECOND AFFIRMATIVE DEFENSE

2. The Opposition is barred by the doctrines of laches, waiver, estoppel and/or acquiescence.

Dated: June 11, 2007

Respectfully submitted,

ARNOLD & PORTER LLP

By: /s/John Maltbie
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Opposition No. 91177055

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing ANSWER TO NOTICE OF OPPOSITION has been served upon Opposer by sending a copy on June 11, 2007 via First Class Mail and electronic mail to the attorneys for Opposer: Jeffrey H. Brown, Michael Best & Friedrich LLP, 180 N. Stetson Avenue, Suite 2000, Chicago, IL 60601.

 /s/ John Maltbie
John Maltbie