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

Proceeding	91181515
Party	Plaintiff Chateau Grand Traverse, Ltd.
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the matter of trademark application Serial No. 77/111,086  
For the mark GRAND TRAVERSE DISTILLERY  
Published in the Official Gazette on August 28, 2007

CHATEAU GRAND TRAVERSE, LTD.

Opposition No.91181515

Opposer,

v.

GRAND TRAVERSE DISTILLERY, LLC .

Applicant.

OPPOSER'S ANSWER TO APPLICANT'S COUNTERCLAIM

Opposer, Chateau Grand Traverse, Ltd., replies to the counterclaim of Applicant as follows:

1. Admitted.
2. Opposer admits that it submitted statements to the Trademark Office that the marks of the registration have been in use on a continuous and exclusive basis for the goods recited in the registration for well in excess of five years, but otherwise denies the allegations of paragraph 2.
3. Opposer admits that other parties use the phrase GRAND TRAVERSE in connection with other marks for other goods and services but otherwise denies the allegations of paragraph 3.
4. Opposer admits that the words GRAND TRAVERSE have geographic significance as the name of Grand Traverse County and admits that Grand Traverse County is

sometimes referred to as Grand Traverse, Grand Traverse Area, or Grand Traverse Region, and admits that there are a number of businesses that use the name Grand Traverse in their business names. Opposer also admits that some of the marks have become distinctive, including Opposer's marks. Opposer otherwise denies the allegations of paragraph 4.

5. Opposer denies the allegations of paragraph 5.

6. Opposer denies the allegations of paragraph 6.

7. Opposer denies the allegations of paragraph 7.

8. Opposer denies the allegations of paragraph 8 but admits that Opposer has opposed Applicant's attempt to register the term GRAND TRAVERSE as a trademark for alcoholic beverages.

#### Affirmative Defenses

1. Applicant is estopped from asserting that GRAND TRAVERSE is not protectable as a trademark by its own actions in attempting to register GRAND TRAVERSE as a trademark in its intent-to-use trademark application and by its inconsistent positions herein.

2. Applicant fails to state a claim upon which relief may be granted.

WHEREFORE, Opposer prays that Applicant's counterclaim be dismissed and that costs be awarded to Opposer.

Respectfully submitted,

CHATEAU GRAND TRAVERSE, LTD.

Dated: March 17, 2008

By:           /John A. Waters/            
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