

ESTTA Tracking number: **ESTTA359757**

Filing date: **07/23/2010**

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

Proceeding	91195269
Party	Defendant Silver Wines, LLC
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Submission	Answer
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Date	07/23/2010
Attachments	Answer to Opposition to Rothschild 072310.pdf (3 pages)(60566 bytes)

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

Baron Philippe de Rothschild, S.A.	}	Opposition No. 91195269
	}	
Opposer,	}	Mark: SILVER & Design
	}	
v.	}	Serial No. 77824159
	}	Filing Date: September 10, 2009
Silver Wines, LLC.	}	
	}	
Applicant.	}	

ANSWER TO OPPOSITION

Applicant answers the Opposition as follows:

Applicant denies each and every allegation and averment in the Opposition except as expressly admitted or otherwise denied below. In response to the preamble before the numbered paragraphs of the Opposition, Applicant denies that Opposer will be damaged by the registration of Applicant's SILVER mark ("Mark").

1. Applicant lacks sufficient information to admit or deny the allegations of Paragraph 1 and on that basis denies same.
2. Applicant lacks sufficient information to admit or deny the allegations of Paragraph 2 and on that basis denies same.
3. Applicant admits the allegations of Paragraph 3 to the extent that they aver that Registrant is the owner of record of U.S. Registration No. 1865391 for the AILE D'ARGENT mark for wines, according to the database maintained by the U.S. Patent and

Trademark Office. Applicant lacks sufficient information to admit or deny the remaining allegations of Paragraph 3 and on that basis denies same.

4. Applicant admits that one possible translation of AILE D' ARGENT is SILVER WING but, to the extent that Registrant avers that SILVER WING is the only translation of AILE D' ARGENT, Applicant denies that allegation of Paragraph 4.
5. Applicant admits that it seeks registration of the mark SILVER S and design for wine. Applicant denies the remaining allegations of Paragraph 5.
6. Applicant admits that its goods are wine and also admits that Registrant's goods are wine. Applicant denies the remaining allegations of Paragraph 6.
7. Applicant denies the allegations of Paragraph 7.
8. Applicant denies the allegations of Paragraph 8.

WHEREFORE, Applicant respectfully submits that the opposition is meritless and should be dismissed.

DATED: July 23, 2010

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By: 

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PROOF OF SERVICE BY MAIL

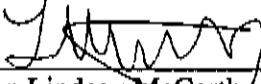
The undersigned declares and says as follows: my business address is 930 Montgomery Street, Suite 502, San Francisco, CA 94133. I am employed in the City and County of San Francisco; I am over the age of 18 years, and I am not a party to this cause. I am readily familiar with this firm's practices for collection and processing correspondence for mailing with the United States Postal Services. On the same day that a sealed envelope is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service with postage fully prepaid.

I served the within ANSWER TO OPPOSITION on Opposer at the following address of record for Opposer's Counsel:

Martin J. Beran, Esq.
Ostrolenk Faber LLP
1180 Avenue of the Americas
New York, NY. 10036-8403
Customer No. 2352

By placing a true copy thereof, enclosed in a sealed envelope with postage thereon fully prepaid, for deposit in the United States mail for collection and mailing on this day following ordinary business practices of Strike & Techel.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this Declaration is executed in San Francisco, California, this _____ day of June 2010.



By: Lindsay McCarthy