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

Proceeding	91206101
Party	Defendant Phillips Products Company, LLC
Correspondence Address	PAULETTE R. CAREY BUCHMAN LAW FIRM, LLP 510 THORNALL ST STE 200 EDISON, NJ 08837-2204 prcarey@buchmanlaw.com
Submission	Answer
Filer's Name	Paulette R. Carey
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Date	02/15/2013
Attachments	2.15.13 Applicant's Answer Notice of Opposition.pdf (4 pages)(590573 bytes)

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

In the Matter of Application Serial No. 85/456,434
Published in the Official Gazette of March 20, 2012

SAZERAC COMPANY, INC.)	Opposition No. 91206101
)	
)	
vs.)	
)	
PHILLIPS PRODUCTS COMPANY, LLC)	
)	
Applicant,)	
)	
)	
)	

APPLICANT’S ANSWER TO NOTICE OF OPPOSITION

Applicant, Phillips Products Company, LLC by its attorney of record hereby answers the Notice of Opposition as follows:

1. Applicant has no knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 1 of the Notice of Opposition and accordingly, denies the same.

2. Applicant has no knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 2 of the Notice of Opposition and accordingly, denies the same.

3. Applicant admits that Sazerac is the owner of record of U.S. Trademark Registration No. 31714292.
4. Applicant has no knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 4 of the Notice of Opposition and accordingly, denies the same.
5. Applicant admits the allegations contained in Paragraph 5 of the Notice of Opposition.
6. Applicant denies the allegations contained in Paragraph 6 of the Notice of Opposition.
7. Applicant has no knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 7 of the Notice of Opposition and accordingly, denies the same.
8. Applicant has no knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 8 of the Notice of Opposition and accordingly, denies the same.
9. Applicant has no knowledge or information sufficient to form a belief as to the allegations contained in Paragraph 9 of the Notice of Opposition and accordingly, denies the same.

10. Applicant admits that its goods description contains no restrictions or limitations as to Applicant's channels of trade. Applicant has no knowledge or information sufficient to form a belief as to the remaining allegations contained in Paragraph 10 of the Notice of Opposition and accordingly, denies the same.

11. Applicant denies the allegations set forth in Paragraph 11 of the Notice of Opposition.

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

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

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

15. Applicant denies the allegations set forth in Paragraph 15 of the Notice of Opposition.

AFFIRMATIVE DEFENSE


16. There is no likelihood of confusion, mistake or deception because, *inter alia*, the Parties' respective marks are not confusingly similar.

Wherefore, Applicant requests that the Notice of Opposition be denied in all respects.

Dated: February 15, 2013

Respectfully Submitted,

BUCHMAN LAW FIRM, LLP
Attorneys for Applicant

By: 
Paulette R. Carey, Esq.
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CERTIFICATE OF SERVICE

I hereby certify that on February 15, 2013, I caused to be served on Plaintiffs true and correct copy of Applicant's Answer to Notice of Opposition by depositing same with the U.S. Postal Service for delivery by first-class mail postage prepaid to the following individual(s):

John Paul Oleksiuk
Cooley LLP
777 6th Street, NW
Suite 1100
Washington, DC 20001

By: 
Linda Johnson