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

Proceeding	91214297
Party	Defendant HAP Trademarks, LLC
Correspondence Address	IAN D. TITLEY SCHRODER FIDLOW, PLC 1901 E FRANKLIN ST STE 107 RICHMOND, VA 23223-6966 idt@schroderfidlow.com
Submission	Answer
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Date	01/23/2014
Attachments	Answer to Opposition.pdf(377329 bytes)

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

In the Matter of Trademark Application Serial No. 85964703

Thompson & Co. of Tampa, Inc.,)	
)	
Opposer,)	
)	
vs.)	Opposition No. 91214297
)	Application Serial No. 85964703
)	
HAP Trademarks, LLC,)	
a Virginia limited liability company)	
)	
Applicant)	

ANSWER TO OPPOSITION

Applicant HAP Trademarks, LLC ("HAP"), a Virginia limited liability company through its undersigned counsel, hereby timely files it's Answer to Opposition as follows:

With respect to the preface of the Notice of Opposition, Applicant is without knowledge or information sufficient to determine the truth of the allegations regarding Thompson & Co. of Tampa, Inc.'s ("Thompson") claims that it: 1) is a multi-channel merchant, 2) has been selling products for over 90 years, 3) is a mail-order cigar company, or 4) is the oldest mail order cigar company in the United States, and therefore denies the same. Applicant also denies Opposer's allegation that "it is or will be damaged by the registration of the mark 804's." To the extent there are any other factual allegations in the preface Applicant denies each and every one.

With respect to Opposer's grounds for opposition, Applicant answers as follows:


1. Paragraph 1: Admitted.
2. Paragraph 2: Denied.

3. Paragraph 3: Denied.
4. Paragraph 4: Applicant is without sufficient information to form a belief as to the truth of the allegations in Paragraph 4 of the Notice of Opposition and therefore denies those allegations.
5. Paragraph 5: Applicant is without sufficient information to form a belief as to the truth of the allegations in Paragraph 5 of the Notice of Opposition and therefore denies those allegations.
6. Denied.
7. Paragraph 7: Applicant acknowledges there are legal benefits associated with owning federal trademark registrations, and is without sufficient information to form a belief as to the truth of the remaining allegations in Paragraph 7 of the Notice of Opposition and therefore denies those allegations.
8. Paragraph 8: Applicant is without sufficient information to form a belief as to the truth of the allegations in Paragraph 8 of the Notice of Opposition and therefore denies those allegations.

AFFIRMATIVE DEFENSES

Applicant hereby reserves the right to rely upon any affirmative defense shown by discovery to be available in this case.

Respectfully Submitted,

By: 
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Attorney for Opposer

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Answer to Notice of Opposition was served this 23rd day of January, 2014 upon Opposer by forwarding said copy via email and first class mail to Arthur W, Fisher, III, at the following address:

Arthur W, Fisher, III
Suite 609 5553 W Waters Avenue
Tampa, Florida 33634
mail@tampaiplaw.com

By: 
Ian D. Titley