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Filing date: **03/02/2015**

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

Proceeding	91220269
Party	Defendant Bourbon Limited
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Date	03/02/2015
Attachments	Answer to Opposition.pdf(82385 bytes )

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

Rebel Wine Co., LLC	)	
	)	
Opposer,	)	
	)	Opposition No. 91220269
v.	)	
	)	Ser. No. 86352503
Bourbon Limited	)	
	)	
Applicant.	)	

**ANSWER TO OPPOSITION**

Applicant, Bourbon Limited (“Applicant”) through its undersigned attorneys, hereby answers the Notice of Opposition filed by Opposer, Rebel Wine Co., LLC (“Opposer”), in connection with the above-captioned opposition proceeding.

With respect to the preamble of the Notice of Opposition, Applicant denies that Opposer is being or will be damaged by the registration of U.S. trademark application Ser. No. 86352503 filed on July 30, 2014 and published for opposition in the Trademark Official Gazette on January 6, 2015.

1. Applicant admits that on July 30, 2014 it filed Application Ser. No. 86352503, based on Section 1(b) of the Trademark Act, for the mark WHISKEY THIEF covering “whiskey” in International Class 33.

2. Admitted.

3. Admitted.

4. Applicant responds to Paragraph 4 subsections (a) – (c) of the Notice of Opposition as follows:

- a. Applicant admits that United States Patent and Trademark Office (“US PTO”) records identify Opposer as owner of U.S. Trademark Registration No. 2789854 covering “wine” in International Class 33. Applicant is without sufficient information to admit or deny the remaining allegations of Paragraph 4(a) and, therefore, denies each and every allegation therein.
- b. Applicant admits that US PTO records identify Opposer as owner of U.S. Trademark Registration No. 3932672 covering “wine” in International Class 33. Applicant is without sufficient information to admit or deny the remaining allegations of Paragraph 4(b) and, therefore, denies each and every allegation therein.
- c. Applicant admits that US PTO records identify Opposer as owner of U.S. Trademark Application Ser. No. 86223106, filed on March 17, 2014 under Section 1(b) of the Trademark Act, covering “wine” in International Class 33. The remaining allegations of Paragraph 4(c) call for a legal conclusion and, to the extent that a response is required, Applicant denies each and every allegation contained therein.

5. Applicant denies each and every allegation contained within Paragraph 5 of the Notice of Opposition.

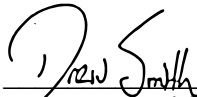
6. Applicant denies each and every allegation contained within Paragraph 6 of the Notice of Opposition.

Applicant reserves the right to raise affirmative defenses as may become known during the discovery and/or testimony periods.

WHEREFORE, Applicant prays that the Notice of Opposition be immediately dismissed with prejudice and that the opposed application be promptly registered.

Respectfully submitted,

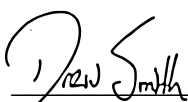
Bourbon Limited

By:   
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## CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing "ANSWER" was served on Opposer's attorney, J. Scott Gerien of Dickenson, Peatman & Fogarty with an address at 1455 First Street, Suite 301, Napa, California 94559, via first class mail, postage prepaid, today March 2, 2015

By:   
Drew M. Smith