

ESTTA Tracking number: **ESTTA765504**

Filing date: **08/19/2016**

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

## Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

### Opposer Information

Name	Ironfire Brewing Company, Inc.		
Entity	Corporation	Citizenship	California
Address	42095 Zevo Drive, Suite 1 Temecula, CA 92590 UNITED STATES		

Attorney information	KC Bean, Esq. Bean Law Office 2404 Margie Way Vista, CA 92084 UNITED STATES kcbean@beanlawoffice.com Phone:7609400761		
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### Applicant Information

Application No	86953053	Publication date	08/16/2016
Opposition Filing Date	08/19/2016	Opposition Period Ends	09/15/2016
Applicant	Jailhouse Brewing Company, LLC 14 Cherry Street Hampton, GA 30228 UNITED STATES		

### Goods/Services Affected by Opposition

Class 032. First Use: 0 First Use In Commerce: 0  
All goods and services in the class are opposed, namely: Beer

### Grounds for Opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)
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### Mark Cited by Opposer as Basis for Opposition

U.S. Application No.	87125718	Application Date	08/03/2016
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	51/50		

Design Mark	<h1>51/50</h1>
Description of Mark	NONE
Goods/Services	Class 032. First use: First Use: 2012/08/30 First Use In Commerce: 2012/08/30 Beer

Attachments	87125718#TMSN.png( bytes ) Notic_of_Opposition.pdf(18777 bytes )
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### Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/KC Bean/
Name	KC Bean, Esq.
Date	08/19/2016

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
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IRONFIRE BREWING COMPANY, INC.	)	
	)	
Opposer,	)	
	)	
v.	)	Opposition No.:
	)	
JAILHOUSE BREWING COMPANY, LLC.	)	
	)	
<u>Applicant.</u>	)	

**NOTICE OF OPPOSITION**

In the matter of Application Serial No. 86/953,053 or registration, of the mark 5150 (Mark), in International Class 032, by Jailhouse Brewing Company, LLC (Applicant), which was published in the Official Gazette of August 16, 2016, Ironfire Brewing, Inc., a California Corporation having a principal place of business at 42095 Zevo Drive Suite #1 Temecula, CA 92590 , California (Opposer), believes it will be damaged by the registration and therefore opposes on the following grounds:

1. Applicant seeks to register the Mark in connection with "Beer" in International Class 032.
2. The opposed application serial no. 86/953,053 was filed on or about March 25, 2016.
3. Opposer alleges, on information and belief, that Applicant has not yet commenced use of the mark.

4. Opposer alleges, on information and belief, that Opposer has superior rights to the Mark based on prior use of the Mark, which use has afforded Opposer superior rights in said Mark.

5. Opposer owns U.S. Trademark Application Serial No. 87/125,718 for its 51/50 mark which is valid and pending.

6. Opposer alleges, on information and belief that the goods set forth in the opposed Application Serial No. 86/953,053 are or will be offered, sold or seen to and by the same class of purchasers and users who purchase, use or observe Opposer's goods.

7. Opposer believes that the applied-for mark so resembles Opposer's mark that, as used in connection with the applied-for goods, it would be likely to cause confusion, mistake, or deception of the relevant trade and public, to the damage of Opposer.

Wherefore, Opposer prays that this opposition be sustained, that Application Serial No. 86/953,053 be rejected and the mark applied-for therein refused registration. A check in the amount of \$300.00 is enclosed to cover the statutory filing fee.

IRONFIRE BREWING COMPANY, INC.



Date: August 19, 2016

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Vista, CA 92084  
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