

ESTTA Tracking number: **ESTTA968063**

Filing date: **04/18/2019**

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

Proceeding	91246910
Party	Plaintiff HEINEKEN ASIA PACIFIC PTE. LTD
Correspondence Address	Brent E. Routman Merchant & Gould, P.C. P.O. Box 2910 Suite 3200 IDS Center, 80 South 8th St. Minneapolis, MN 55402-0910 UNITED STATES broutman@merchantgould.com 612-336-4619
Submission	Opposition/Response to Motion
Filer's Name	Brent E. Routman
Filer's email	broutman@merchantgould.com, dockmpls@merchantgould.com
Signature	/ber/
Date	04/18/2019
Attachments	Opposition to Extension of Time to File Answer Or Otherwise Plead in TIGER HEAD CREAM ALE.pdf(129897 bytes) Exhibit A Revocation Appointment of Attorney Domestic Representative.pdf(15283 bytes) Exhibit B Notification of Notice of Publication.pdf(7079 bytes)

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

Heineken Asia Pacific Pte. Ltd.,)	
)	
Plaintiff,)	Opposition No. 91246910 _____
)	
vs.)	Mark: TIGER HEAD CREAM ALE
)	
Thunder Bay Brewing Company LLC)	
)	Serial No. 88/122,821
Applicant.)	Filing Date: September 19, 2018

**PLAINTIFF’S OPPOSITION TO APPLICANT’S MOTION TO EXTEND TIME TO
FILE AN ANSWER OR OTHERWISE PLEAD**

Heineken Asia Pacific Pte. Ltd., ("Plaintiff") opposes the Applicant’s Motion to Extend Time to File an Answer Or Otherwise Plead and as grounds therefore would state as follows:

1. The Applicant is seeking ninety (90) days to file an Answer in this Proceeding, in addition to the forty (40) days allotted by the Scheduling Order in this matter, for a total of 135 days, to simply file an Answer. The Motion filed herein was filed 3 days before the due date, nearly 37 days after the Notice of Institution. The amount of time sought is not reasonable under the circumstances and the Motion should be denied.
2. Counsel for the Applicant filed his appearance in the underlying Application, namely, Serial No. 88/122,821, on February 6, 2019. See Exhibit A filed herewith.
3. The Notice of Publication in the underlying application issued on February 20, 2019, two weeks after counsel had already commenced representing the Applicant. See Exhibit B filed herewith.
4. The Application published on March 12, 2019, over one month after Counsel had entered an appearance on the Record.

5. The Notice of Institution issued by the Trademark Trial and Appeal Board on March 12, 2019, recited that the Notice of Institution was served on Counsel, as counsel was of record in the Application.

6. The Notice of Institution set a date of April 21, 2019, for the filing of an Answer effectively giving the Applicant forty (40) days to file an Answer to the Notice of Opposition.

7. To the best of the Opposer's Counsel's knowledge and belief, no attempt has been made by the Movant to contact Opposer's Counsel at any time between Institution and the filing of the Motion to seek any additional time to file an Answer.

8. Opposer's Counsel certainly would not object to a reasonable length of time to file an Answer. However, it is respectfully submitted that a request for an additional ninety days (135 days from institution), three days from the due date, without any showing of good cause, does not seem reasonable. As a result, the Motion should be denied.

Respectfully submitted,

Heineken Asia Pacific Pte. Ltd.,

By its Attorney(s),

Merchant & Gould, P.C.

P.O. Box 2910

Minneapolis, Minnesota 55402-0910

Telephone: (612) 332-5200

Dated: April 18, 2019

By: /ber/
Brent E. Routman

Revocation, Appointment, and/or Change of Address of Attorney/Domestic Representative

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	88122821
LAW OFFICE ASSIGNED	LAW OFFICE 101
ATTORNEY DOCKET NUMBER	154354-00101
MARK SECTION	
MARK	TIGER HEAD CREAM ALE (see, https://tmng-al.uspto.gov/resting2/api/img/88122821/large)
NEW ATTORNEY INFORMATION	
STATEMENT TEXT	By submission of this request, the undersigned hereby APPOINTS the following new attorney:
NAME	John P. Sullivan
FIRM NAME	Blank Rome LLP
INTERNAL ADDRESS	8th Floor
STREET	One Logan Square
CITY	Philadelphia
STATE	Pennsylvania
COUNTRY	United States
POSTAL/ZIP CODE	19103
PHONE	215-569-5703
FAX	215-832-5703
EMAIL	jsullivan@blankrome.com
ATTORNEY AUTHORIZED TO COMMUNICATE VIA E-MAIL	YES
NEW OTHER APPOINTED ATTORNEYS	Timothy D. Pecsénye, David M. Perry, Bruce D. George, Lisa Casey Spaniel, Megan E. Spitz, Zachary A. Aria, Matthew A. Homyk, Bradford Craig, Shaun J. Bockert, Thomas H. Kelly, Samar Aryani-Sabet and Blake Fink
NEW CORRESPONDENCE ADDRESS	
NAME	John P. Sullivan
FIRM NAME	Blank Rome LLP
INTERNAL ADDRESS	8th Floor
STREET	One Logan Square
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AUTHORIZED TO COMMUNICATE VIA E-MAIL	YES
INDIVIDUAL ATTORNEY DOCKET/REFERENCE NUMBER	154354-00101
SIGNATURE SECTION	
SIGNATURE	/Louis Farrell/
SIGNATORY NAME	Lou Farrell
SIGNATORY DATE	02/06/2019
SIGNATORY POSITION	Partner
FILING INFORMATION SECTION	
SUBMIT DATE	Wed Feb 06 08:47:23 EST 2019
TEAS STAMP	USPTO/RAA-XX.XX.XXX.XX-20 190206084723684010-881347 85-620f384d01a60652ba747b 915bc9f9117a92cd142e358b9 2e9a997b4ec19feda-N/A-N/A -20190205103514083480

Revocation, Appointment, and/or Change of Address of Attorney/Domestic Representative

To the Commissioner for Trademarks:

MARK: TIGER HEAD CREAM ALE (see, <https://tmng-al.uspto.gov/resting2/api/img/88122821/large>)

SERIAL NUMBER: 88122821

ATTORNEY DOCKET NUMBER 154354-00101

Original Correspondence Address :

THUNDER BAY BREWING COMPANY LLC

THUNDER BAY BREWING COMPANY LLC

2240 E ORVILLA RD

HATFIELD Pennsylvania 19440

US

lou.farrell@gmail.com

By submission of this request, the undersigned hereby APPOINTS the following new attorney: In addition, any additional previously-appointed attorneys that are currently listed in the application are replaced with the new "Other Appointed Attorneys" listed below.

New attorney information:

John P. Sullivan

Blank Rome LLP

8th Floor

One Logan Square

Philadelphia, Pennsylvania 19103

United States

215-569-5703

215-832-5703

jsullivan@blankrome.com (authorized)

New Other Appointed Attorneys:

Timothy D. Pecsénye, David M. Perry, Bruce D. George, Lisa Casey Spaniel, Megan E. Spitz, Zachary A. Aria, Matthew A. Homyk, Bradford Craig, Shaun J. Bockert, Thomas H. Kelly, Samar Aryani-Sabet and Blake Fink

The following is to be used as the correspondence address:

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The attorney docket/reference number is 154354-00101.

Signature: /Louis Farrell/ Date: 02/06/2019

Signatory's Name: Lou Farrell

Signatory's Position: Partner

Serial Number: 88122821

Internet Transmission Date: Wed Feb 06 08:47:23 EST 2019
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010-88134785-620f384d01a60652ba747b915bc
9f9117a92cd142e358b92e9a997b4ec19feda-N/
A-N/A-20190205103514083480

From: TMOfficialNotices@USPTO.GOV
Sent: Wednesday, February 20, 2019 04:32 AM
To: jsullivan@blankrome.com
Subject: Official USPTO Notification of Notice of Publication: U.S. Trademark SN 88122821: TIGER HEAD CREAM ALE: Docket/Reference No. 154354-00101

NOTIFICATION OF "NOTICE OF PUBLICATION"

Your trademark application (U.S. Serial No. 88122821) is scheduled to publish in the *Official Gazette* on Mar 12, 2019. To preview the Notice of Publication, go to the Trademark Status & Document Retrieval (TSDR) database, accessible at <https://tsdr.uspto.gov/search.action?sn=88122821>. If you have difficulty accessing the Notice of Publication, contact the Trademark Assistance Center (TAC) by e-mail at TrademarkAssistanceCenter@uspto.gov or by telephone at 800-786-9199.

PLEASE NOTE:

1. The Notice of Publication may not be immediately available but will be viewable within 24 hours of this e-mail notification.
2. You will receive a second e-mail on the actual "Publication Date," which will include a link to the issue of the *Official Gazette* in which the mark has published.

Please confirm that the correspondence information shown in TSDR is correct. If the correspondence information is not correct, please update this information using the online Change of Correspondence Address Form, Accessible at <https://teas.uspto.gov/ccr/cca>.

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