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

In the Matter of Registration No. 1,906,220 for the Mark FRUIT BLASTERS



Southeast-Atlantic Beverage Corporation,

11-06-2003

Petitioner,

U.S. Patent & TMOfo/TM Mail Ropt Dt. #22

v.

Cancellation No.: 92042440

SIG Combibloc, Inc.,

Registrant.

REGISTRANT'S ANSWER TO PETITION TO CANCEL

Now comes Registrant, SIG Combibloc, Inc., who, by and through counsel, in answer to the Petition to Cancel filed by Petitioner, Southeast-Atlantic Beverage Corporation, states as follows:

1. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 1 of the Petition to Cancel, and therefore, denies the same.
2. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 2 of the Petition to Cancel, and therefore, denies the same.
3. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegation contained in paragraph 3 of the Petition to Cancel that Petitioner has been refused Registration, and therefore, denies the same. Registrant admits that the mark "BLASTERS!" so resembles Registrant's mark as to be likely to cause confusion, to cause mistake, or to deceive.

4. Registrant denies the allegations contained in paragraph 4 of the Petition to Cancel. See, for example, attached Exhibit A evidencing current use of the mark in commerce by Registrant. See attached Exhibit B showing the specimens previously sent to the Trademark Office evidencing use of the mark in commerce by Registrant.

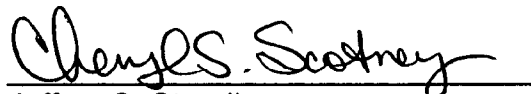
5. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 5 of the Notice of Opposition, and therefore, denies the same.

6. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegation contained in paragraph 6 of the Notice of Opposition as to what Petitioner has seen, and therefore, denies the same.

7. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 7 of the Notice of Opposition, and therefore, denies the same.

WHEREFORE, Registrant prays that Petitioner's Petition to Cancel be dismissed with prejudice.

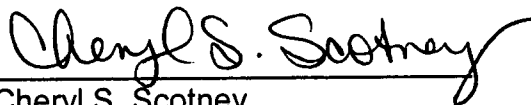
Respectfully submitted by,



Jeffrey S. Standley  
Cheryl S. Scotney  
Standley Law Group LLP  
Attorneys for Registrant  
495 Metro Place South, Suite 210  
Dublin, Ohio 43017-5319  
(614) 792-5555 - Telephone  
(614) 792-5536 - Facsimile

## CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing Registrant's Answer to Petition to Cancel was sent via first class mail, postage pre-paid this 4<sup>th</sup> day of November 2003 to Thomas A. Reynolds, Reynolds Law Firm, 340 Main Street, Ninth Floor, Suite 910, Worcester, MA 01608.



Cheryl S. Scotney  
Standley Law Group LLP  
Attorneys for Registrant  
495 Metro Place South, Suite 210  
Dublin, Ohio 43017-5319  
(614) 792-5555 - Telephone  
(614) 792-5536 - Facsimile

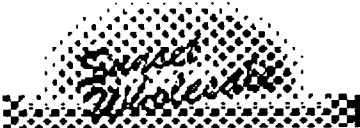
### CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

Date of Deposit: November 4, 2003

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to BOX TTAB, Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202.



Kim B. Powers



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PRODUCT SEARCH

Product or Item Number



SUNSET'S NEW PRODUCTS

- DEPARTMENTS
- Grocery Items
  - Snack Foods
  - Beverages
  - Candy
  - Health & Beauty
  - Baby & Apparel
  - Books, Stationery
  - Housewares
  - Hardware, Auto, Electric
  - Gifts & Candles
  - Toys
  - Paper Products
  - Pet Supplies
  - Chemical Supplies
  - Seasonal
  - Easter Items
  - Halloween Items
  - Christmas Items
  - Miscellaneous

CONTACT CUSTOMER SERVICE

1-800-876-2123



**8.45oz FRUIT BLASTERS-ORANGE**

Item #: 7065

Expiration Date: 09/17/03

This product is out of date code

Weight: 16.0000lbs.

Quantity Available: 813

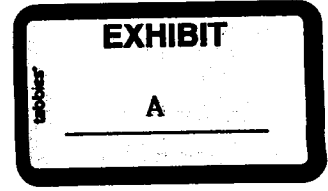
Case Pack: 27

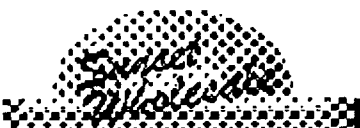
Case Price: \$2.70

Price per piece: \$0.10

This Item Sold by the Case Only!

**Purchase By The Case**





Product View

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PRODUCT SEARCH

Product or Item Number

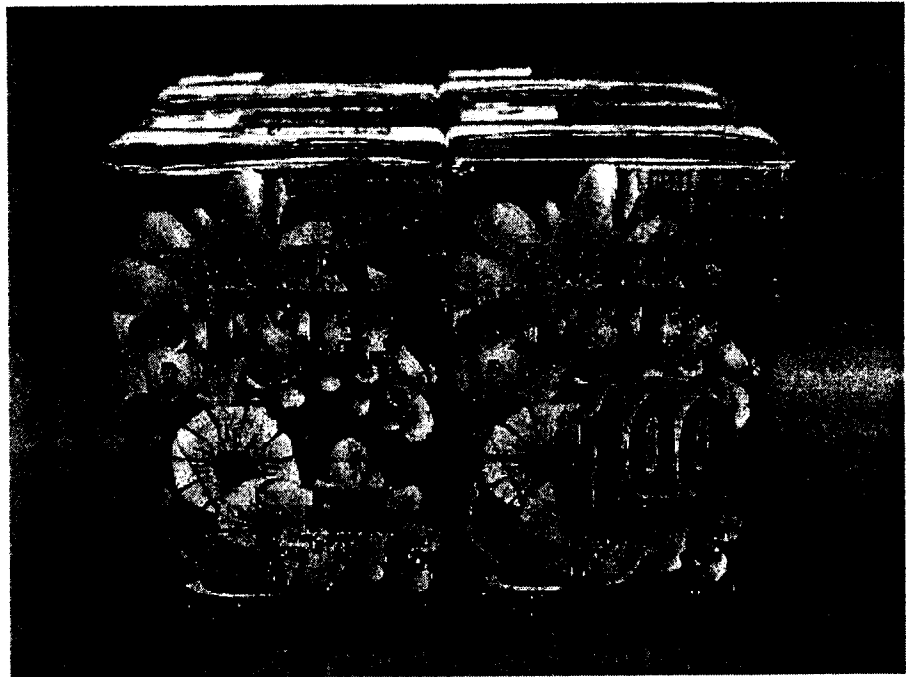


SUNSET'S NEW PRODUCTS

- DEPARTMENTS
- Grocery Items
  - Snack Foods
  - Beverages
  - Candy
  - Health & Beauty
  - Baby & Apparel
  - Books, Stationery
  - Housewares
  - Hardware, Auto, Electric
  - Gifts & Candles
  - Toys
  - Paper Products
  - Pet Supplies
  - Chemical Supplies
  - Seasonal
  - Easter Items
  - Halloween Items
  - Christmas Items
  - Miscellaneous

CONTACT CUSTOMER SERVICE

1-800-876-2123



**4-8.45oz FRUIT BLACSTERS-FR PUNC**

Item #: 7070

Expiration Date: 05/02/03

This product is out of date code

Weight: 15.0000lbs.

Quantity Available: 407

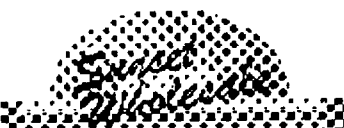
Case Pack: 6

Case Price: \$2.40

Price per piece: \$0.40

This Item Sold by the Case Only!

**Purchase By The Case**



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PRODUCT SEARCH

Product or Item Number

SUNSET'S

NEW PRODUCTS

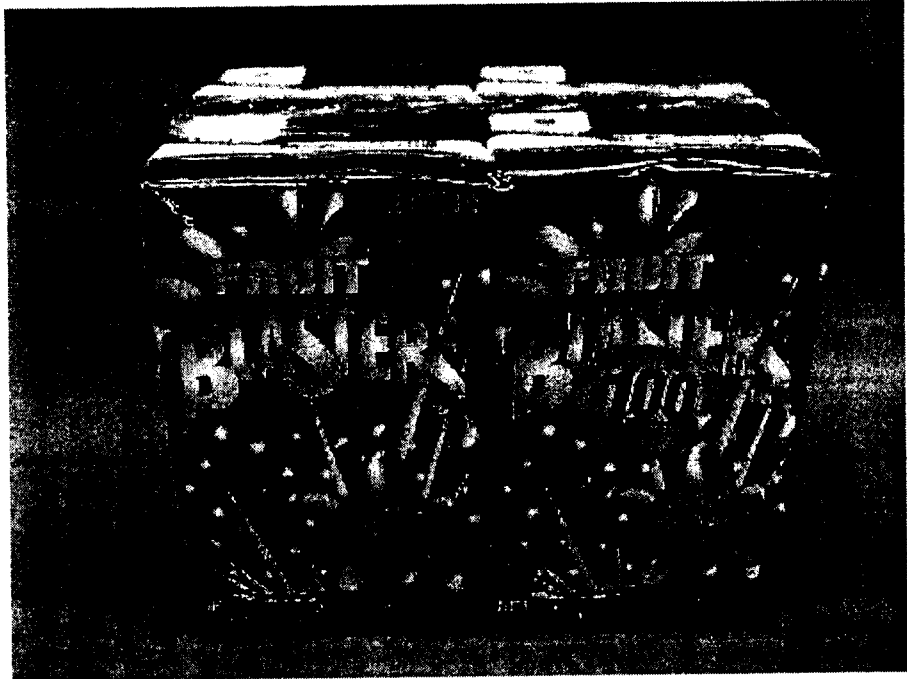
DEPARTMENTS

- Grocery Items
- Snack Foods
- Beverages
- Candy
- Health & Beauty
- Baby & Apparel
- Books, Stationery
- Housewares
- Hardware, Auto, Electric
- Gifts & Candles
- Toys
- Paper Products
- Pet Supplies
- Chemical Supplies
- Seasonal
- Easter Items
- Halloween Items
- Christmas Items
- Miscellaneous

CONTACT

CUSTOMER SERVICE

1-800-876-2123



**4-8.45oz FRUIT BLASTERS-GRAPE**

Item #: 7075

Expiration Date: 04/30/03

This product is out of date code

Weight: 15.0000lbs.

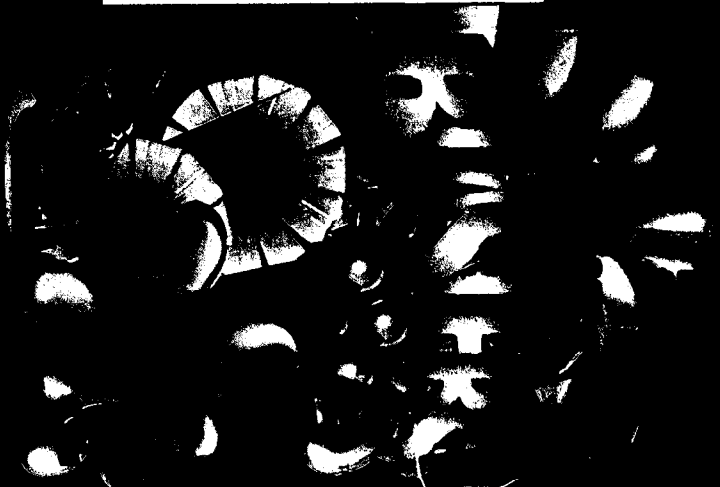
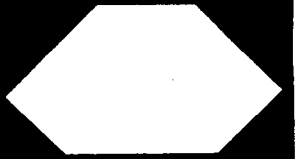
Quantity Available: 8

Case Pack: 6

Case Price: \$2.40

Price per piece: \$0.40

This Item Sold by the Case Only!



**Nutrition Facts**  
Serving Size 1 Package

	Value*
Total Fat	0%
Saturated Fat	1%
Trans Fat	11%
Total Protein	11%

Vitamin C 100%

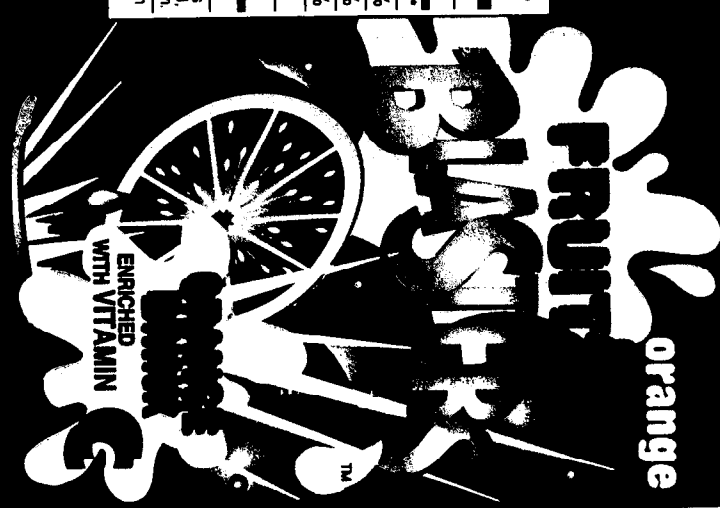
Not a significant source of calories from fat, saturated fat, cholesterol, dietary fiber, vitamin A, calcium and iron.  
\*Percent Daily Values are based on a 2000 calorie diet.



Combibloc, Inc., Columbus, Ohio, U.S.A.  
U.S. PAT. 3,998,378 4,239,150 4,254,693  
Printed in U.S.A.

Class 16

50993-01



**Nutrition Facts**  
Serving Size 1 Package

	Value*
Total Fat	0%
Saturated Fat	1%
Trans Fat	11%
Total Protein	11%

Vitamin C 100%

Not a significant source of calories from fat, saturated fat, cholesterol, dietary fiber, vitamin A, calcium and iron.  
\*Percent Daily Values are based on a 2000 calorie diet.



Combibloc, Inc., Columbus, Ohio, U.S.A.  
U.S. PAT. 3,998,378 4,239,150 4,254,693  
Printed in U.S.A.

Class 8a

50994-01

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EXHIBIT

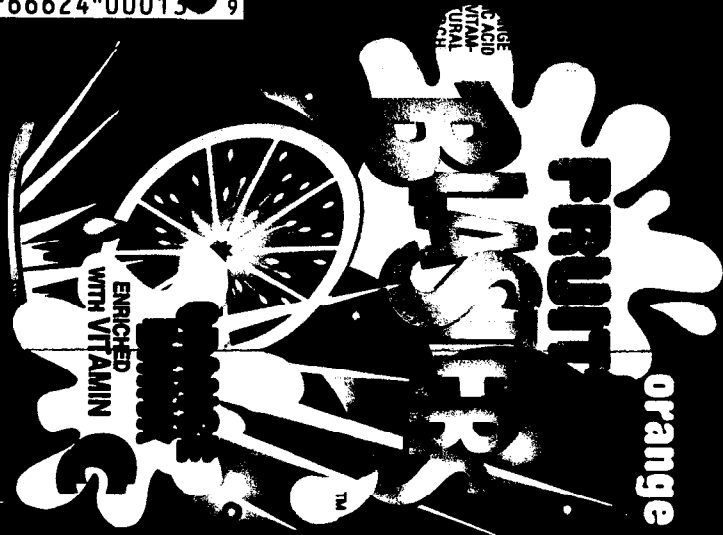
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