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Filing date: **05/04/2009**

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

Proceeding	92050333
Party	Plaintiff REMINGTON HEALTH PRODUCTS, LLC
Correspondence Address	Robert M. Chiaviello, Jr. Fulbright & Jaworski L.L.P. 2200 ROSS AVENUE, Suite 2800 DALLAS, TX 75201 UNITED STATES DOIPDocket@Fulbright.com
Submission	Answer to Counterclaim
Filer's Name	Robert M. Chiaviello Jr.
Filer's e-mail	DOIPDocket@Fulbright.com
Signature	/rmc/
Date	05/04/2009
Attachments	answer to counterclaim.pdf (3 pages)(69021 bytes)

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

REMINGTON HEALTH PRODUCTS,
LLC,

Petitioner,

v.

TROPICANA PRODUCTS,
INC.

Registrant.

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Cancellation No.: 92050333

ANSWER TO COUNTERCLAIM FOR CANCELLATION

Petitioner Remington's responses to Registrant's Counterclaim for Cancellation are set forth below. Paragraph numbers 1-7 correspond to those in the Counterclaim for Cancellation. Remington reserves the right to amend or supplement its Answer to Counterclaim as appropriate.

1. Remington is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 1 and therefore denies them.

2. Remington admits that it seeks to cancel Registrant's Registration No. 2,319,909 based on a claim that there is a likelihood of confusion between Registrant's mark and the mark DRINKABLES in Remington's Registration No. 2,552,892, but notes that Remington also bases its petition for cancellation on Registrant's abandonment of the mark in Registrant's Registration No. 2,319,909. Applicant is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 2 and therefore denies them.

3. Admitted.

4. Remington denies each and every allegation contained in Paragraph 4.

5. Remington denies each and every allegation contained in Paragraph 5.

6. Remington admits that Registrant has attached an Exhibit A to its Counterclaim

for Cancellation, but denies all remaining allegations in Paragraph 6.

7. Remington denies each and every allegation contained in Paragraph 7.

To the extent that Remington has not admitted or denied any allegation contained in Registrant's Counterclaim for Cancellation, all such allegations are hereby denied by Remington.

WHEREFORE, Remington prays that Registrant's Counterclaim for Cancellation be dismissed with prejudice.

Dated: May 4, 2009

Respectfully submitted,

/rnc/

Robert M. Chiaviello, Jr.

Erin B. Frazier

FULBRIGHT & JAWORSKI L.L.P.

2200 Ross Avenue, Suite 2800

Dallas, Texas 75201

Telephone: 214.855.8000

Fax: 214.855.8200

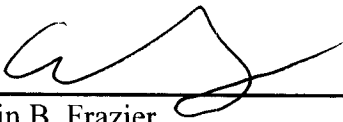
Email: DOIPDocket@Fulbright.com

COUNSEL FOR REMINGTON HEALTH
PRODUCTS, LLC

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing ANSWER TO COUNTERCLAIM was served by First Class Mail, postage prepaid, on May 4, 2009, upon Registrant's Attorney at the address below:

Patricia S. Smart
Smart & Bostjancich
30 West Monroe Street, Suite 800
Chicago, IL 60603
United States



Erin B. Frazier