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Filing date: **01/16/2013**

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

Proceeding	92056543
Party	Defendant Jump Brands, LLC
Correspondence Address	JUMP BRANDS LLC 1970 112TH CIRCLE NE BLAINE, MN 55449 UNITED STATES
Submission	Answer
Filer's Name	David E. Krause
Filer's e-mail	dkrause@krausehovland.com
Signature	/s/David E. Krause
Date	01/16/2013
Attachments	ANSWER.pdf (3 pages)(190303 bytes)

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

Iron Horse Brewery I, Inc.,)	Cancellation No.: 92056543
)	
Petitioner,)	Registration No.: 3905691
)	
v.)	Registration Date: January 11, 2011
)	
Jump Brands, LLC,)	Mark: HIGH FIVE & Design
)	
Registrant.)	

ANSWER OF REGISTRANT

Jump Brands, LLC, a Minnesota limited liability company (“Registrant”), for its Answer to the Petition for Cancellation (the “Petition”), to cancel Registration No. 3905691 states and alleges as follows:

1. Registrant admits the allegations in paragraph 1 of the Petition.
2. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 2 of the Petition and therefore denies the allegations of said paragraph 2.
3. Registrant denies the allegations in paragraph 3 of the Petition, except that Registrant admits that its application leading to Registration No. 3905691 was filed on March 8, 2010.
4. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 4 of the Petition and therefore denies the allegations in said paragraph 4.
5. Registrant is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 5 of the Petition and therefore denies the allegations in said paragraph 5.

6. Registrant denies the allegations in paragraph 6 of the Petition.
7. Registrant denies the allegations in paragraph 7 of the Petition.
8. Registrant denies the allegations in paragraph 8 of the Petition.
9. Registrant denies the allegations in paragraph 9 of the Petition.
10. Registrant denies each and every allegation, matter or thing contained in the Petition except as may have been expressly admitted, qualified or otherwise alleged above herein.

Defenses

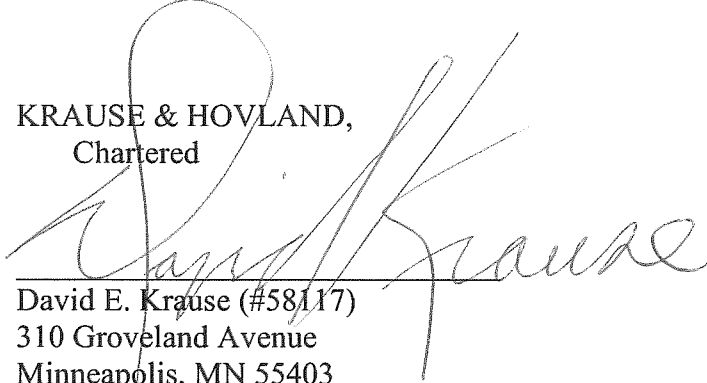
11. Petitioner has failed to allege facts sufficient to state a claim for cancellation under 15 U.S.C. § 1064(a).

12. The Petition is barred by the equitable doctrines of acquiescence, laches and estoppel.

WHEREFORE, Registrant requests that the Trademark Trial and Appeal Board dismiss the Petition with prejudice and on the merits and provide the Registrant with all other relief to which the Registrant is entitled.

Dated: January 16, 2013

KRAUSE & HOVLAND,
Chartered

By: 

David E. Krause (#58117)
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Minneapolis, MN 55403
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ATTORNEYS FOR REGISTRANT
JUMP BRANDS, LLC

CERTIFICATE OF SERVICE

It is hereby certified that a true and correct copy of the Answer of Registrant was served upon the Petitioner's Attorney of Record via First Class Mail, postage prepaid on January 16, 2013, addressed as follows:

Thomas D. Foster, Esq.
TDFoster – Intellectual Property Law
12626 High Bluff Drive, Suite 150
San Diego, CA 92130

CERTIFICATE OF ELECTRONIC FILING

I hereby certify that a copy of the within Answer of Registrant is being electronically transmitted with the United State Patent and Trademark Office, Attn: Trademark Trial and Appeal Board, this 16th day of January, 2013.

s/David E. Krause
Signature

Date of Signature: January 16, 2013