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

Proceeding	92074531
Party	Defendant Rogue Ridge, LLC
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Submission	Answer
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Date	09/19/2020
Attachments	Answer.pdf(84168 bytes)

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

COULTER VENTURES, LLC,)	
)	
Petitioner,)	Cancellation No. 92074531
)	
v.)	Reg. No. 6059112
)	
ROGUE RIDGE, LLC,)	Mark: ROGUE RIDGE
)	
Registrant.)	
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ANSWER

Registrant ROGUE RIDGE, LLC (“ROGUE RIDGE”), for its Answer, states as follows:

1. ROGUE RIDGE is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 1 of the Petition for Cancellation (“Petition”).
2. ROGUE RIDGE admits that the chart provided by Opposer in paragraph 2 of the Petition reflects the information on file with the U.S. Patent and Trademark Office but is without knowledge or information sufficient to form a belief as to the truth of Opposer’s assertions of ownership of such marks.
3. ROGUE RIDGE admits that Section 15 affidavits have been filed for Reg. Nos. 4056202 and 4055351.
4. ROGUE RIDGE is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 4 of the Petition.

5. ROGUE RIDGE is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 5 of the Petition.

6. Paragraph 6 of the Petition does not require a response from ROGUE RIDGE because Opposer is simply stating that it intends to refer to Opposer's alleged registered and common law rights in the mark ROGUE, alone and in combination with other words, collectively as the "ROGUE Marks."

7. ROGUE RIDGE is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 7 of the Petition.

8. ROGUE RIDGE denies that Petitioner has "successfully opposed" the applications listed in paragraph 8 of the Petition. All of these cases were resolved on the basis of a default judgment, settlement, or withdrawal of the application. None of these cases was adjudicated on the merits. All these cases prove is that Coulter Ventures is litigious and over-reaching in its assertion of trademark rights.

9. ROGUE RIDGE is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 9 of the Petition.

10. ROGUE RIDGE admits the allegations contained in paragraph 10 of the Petition.

11. ROGUE RIDGE admits the allegations contained in paragraph 11 of the Petition but denies that Opposition No. 91252714 has merit.

12. ROGUE RIDGE admits the allegations contained in the first sentence of paragraph 12 of the Petition and denies the allegations contained in the second sentence of the Petition.

COUNT 1

LIKELIHOOD OF CONFUSION

13. ROGUE RIDGE incorporates by references its responses to paragraph 1-12 above.

14. ROGUE RIDGE denies the allegations contained in paragraph 14 of the Petition.

15. ROGUE RIDGE denies the allegations contained in paragraph 15 of the Petition.

16. ROGUE RIDGE denies the allegations contained in paragraph 16 of the Petition.

17. ROGUE RIDGE denies the allegations contained in paragraph 17 of the Petition.

18. ROGUE RIDGE denies the allegations contained in paragraph 18 of the Petition.

19. ROGUE RIDGE denies the allegations contained in paragraph 19 of the Petition.

20. ROGUE RIDGE denies the allegations contained in paragraph 20 of the Petition.

21. ROGUE RIDGE denies the allegations contained in paragraph 21 of the Petition.

CLAIM FOR RELIEF/DAMAGE

22. ROGUE RIDGE denies the allegations contained in paragraph 19 of the Petition.

AFFIRMATIVE DEFENSES

FIRST DEFENSE

23. The Petition fails to state a claim upon which relief may be granted.

SECOND DEFENSE

24. Petitioner lacks standing to file the Petition because it does not have a reasonable basis for its belief that it will be damaged by the continued registration of the ROGUE RIDGE mark by Registrant.

THIRD DEFENSE

25. The mark that is the subject of U.S. Trademark Reg. No. 6059112 is not confusingly similar to any of Petitioner's registered marks.

FOURTH DEFENSE

26. The goods set forth in U.S. Trademark Reg. No. 6059112 are not sufficiently related to the goods and services covered by Petitioner's registrations for confusion, mistake or deception to be likely.

WHEREFORE, having fully answered the Petition, ROGUE RIDGE respectfully prays:

- (i) that the Petition be dismissed and/or denied in its entirety;
- (ii) that judgment be entered in favor of ROGUE RIDGE on the Petition and each and every claim and count thereof;
- (iii) that U.S. Trademark Reg. No. 6059112 not be canceled; and
- (iv) that ROGUE RIDGE be granted such other and further relief as the Board deems just and proper.

Dated: September 19, 2020

Respectfully submitted,

/Antoinette M. Tease/

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing ANSWER is being served on September 19, 2020, by email to Louis DiSanto, attorney for Petitioner, at the following email address(es) on file with the Trademark Trial and Appeal Board:

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