

ESTTA Tracking number: **ESTTA224409**

Filing date: **07/16/2008**

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

## Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

### Opposer Information

Name	Renato Watches, Inc.
Granted to Date of previous extension	07/16/2008
Address	14051 NW 14th Street Sunrise, FL 33323 UNITED STATES

Correspondence information	Renato Watches, Inc. 14051 NW 14th Street Sunrise, FL 33323 UNITED STATES lkaufman@rra-law.com Phone:(54)522-3456
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### Applicant Information

Application No	77142166	Publication date	03/18/2008
Opposition Filing Date	07/16/2008	Opposition Period Ends	07/16/2008
Applicant	Ira S. Krieger 3rd Floor 1665 Washington Avenue Miami Beach, FL 33139 UNITED STATES		

### Goods/Services Affected by Opposition

Class 014. All goods and services in the class are opposed, namely: watches; clocks; jewelry
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### Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
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### Mark Cited by Opposer as Basis for Opposition

U.S. Application No.	77203908	Application Date	06/12/2007
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	STALLION		
Design Mark			
Description of Mark	NONE		

Goods/Services	Class 014. First use: Watches
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Attachments	77203908#TMSN.jpeg ( 1 page )( bytes ) NOTICE OF OPPOSITION Stallion as filed 7-16-08.pdf ( 3 pages )(79394 bytes )
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### Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	s/Lisa N. Kaufman/
Name	Renato Watches, Inc.
Date	07/16/2008

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

Application Serial No: 77/142,166  
Published in the Official Gazette on March 18, 2008

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Renato Watches, Inc.,

Opposer

v.

Opposition No. \_\_\_\_\_

Ira S. Krieger, an individual,

Applicant

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**NOTICE OF OPPOSITION**

Renato Watches, Inc., a Florida corporation, with its principal place of business at 14051 NW 14 Street, Sunrise, Florida 33323, believes that it will be damaged by the registration of the mark shown in Application Serial Number S.N. 77/142,166 in International Class 14 and hereby opposes the same:

As grounds for the opposition it is alleged that:

1. Applicant, Ira S. Krieger, an individual, with an address at 11665 Washington Avenue, Miami Beach, FL 33139, seeks to register the mark **SEA STALLION** for watches, clocks and jewelry in International Class 14 under Serial No. 74/142166 based on intent to use. This application was filed on March 28, 2007 and published on March 18, 2008.
2. Opposer is well known in the watch industry and has been engaged in the marketing of its watches since at least as early as December 2006.
3. Opposer has used its well-recognized mark, **STALLION**, since a date prior to Applicant's date of its application for registration in the U.S. Trademark Office.
4. Opposer's **STALLION** mark is the subject of U.S. Trademark Application Serial No. 77/203,908 filed on June 12, 2007 for watches. Opposer's **STALLION** trademark application

was suspended by the USPTO Examining Attorney on September 15, 2007, pending the outcome of registration of Applicant's mark **SEA STALLION**.

5. By virtue of its efforts and the expenditure of considerable sums for the advertising and promotion of its distinctive **STALLION** watches as well as extensive sales of the product, Opposer has gained for its above identified mark a valuable reputation and goodwill.

6. Applicant's **SEA STALLION** mark is so similar to Opposer's **STALLION** mark as to be likely to cause confusion, mistake or deception as to the source of those products, especially because Applicant's mark is sought to be used in conjunction with goods that are identical to or closely related to the goods of Opposer.

7. If Applicant is permitted to register the mark **SEA STALLION** herein opposed for the goods specified in International Class 14, namely watches, clocks and jewelry, in its application, confusion in the trade and for the consumer will likely result, causing damage and injury to the Opposer. Persons familiar with Opposer's **STALLION** mark would be likely to purchase Applicant's products in the mistaken belief that such goods originate with or are sponsored by or affiliated with Opposer. Any such confusion will inevitably result in loss of sales to Opposer. Moreover, any objection or fault found with Applicant's products sold under the mark herein opposed would necessarily reflect upon and seriously injure the reputation which Opposer has established for its products offered under its mark and thereby erode the valuable goodwill established by Opposer in its mark.

8. If Applicant is granted the registration herein opposed, it will thereby obtain at least a prima facie exclusive right to use of that mark. Such registration of the mark at issue herein would be inconsistent with the prior rights of Opposer in its **STALLION** mark and would be a source of damage and injury to Opposer.

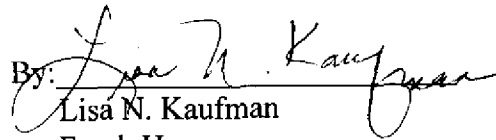
WHEREFORE, Opposer prays that this opposition be sustained and that Application Serial Number 77/142,166 be rejected, and that registration of the mark shown therein for the goods set forth in International Class 14 therein be refused and denied.

The Commissioner is hereby authorized to charge Deposit Account No. 503968 in the amount of \$300.00 for the fee for this Notice of Opposition required by Trademark Rule of

Practice 2.6 (a)(17). Should there be any additional fees, please charge those fees to this deposit account as well.

Date: July 16, 2008

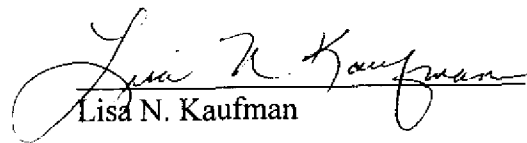
Respectfully submitted,

By:   
Lisa N. Kaufman

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ATTORNEYS FOR OPPOSER

**CERTIFICATE OF SERVICE**

I hereby certify that a true and complete copy of the foregoing Notice of Opposition against Application Serial No. 77/142,166 was served by First Class U.S. Mail, postage prepaid, on July 16, 2008 on Attorney for Opposer, John Cyril Malloy, III, at Malloy & Malloy, P.A. 2800 S.W. Third Avenue, Miami, Florida 33129.

  
Lisa N. Kaufman