

ESTTA Tracking number: **ESTTA392014**

Filing date: **02/07/2011**

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	C.J. Advertising, LLC
Granted to Date of previous extension	02/06/2011
Address	209 10th Avenue South Suite 500 Nashville, TN 37203 UNITED STATES

Attorney information	Paul W. Kruse Bone McAllester Norton PLLC 511 Union Street Suite 1600 Nashville, TN 32719 UNITED STATES trademarks@bonelaw.com Phone:615-238-6304
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Applicant Information

Application No	77966918	Publication date	08/10/2010
Opposition Filing Date	02/07/2011	Opposition Period Ends	02/06/2011
Applicant	Rassas, Mark A. Glenn Building, Suite 101 120 South Second Street Clarksville, TN 37040 UNITED STATES		

Goods/Services Affected by Opposition

Class 045. First Use: 2010/03/15 First Use In Commerce: 2010/03/15 All goods and services in the class are opposed, namely: Attorney services
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Grounds for Opposition

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

U.S. Registration No.	3285044	Application Date	11/17/2006
Registration Date	08/28/2007	Foreign Priority Date	NONE
Word Mark	GET A LAWYER. GET IT DONE.		

Design Mark	GET A LAWYER. GET IT DONE.
Description of Mark	NONE
Goods/Services	Class 035. First use: First Use: 2003/05/19 First Use In Commerce: 2003/05/19 Advertising agency services directed to law firms

U.S. Registration No.	3688122	Application Date	04/30/2008
Registration Date	09/29/2009	Foreign Priority Date	NONE
Word Mark	GET A LAWYER. GET IT DONE.		
Design Mark	GET A LAWYER. GET IT DONE.		
Description of Mark	NONE		
Goods/Services	Class 045. First use: First Use: 2003/05/19 First Use In Commerce: 2003/05/19 Legal services		

Attachments	77046681#TMSN.jpeg (1 page)(bytes) 77462386#TMSN.jpeg (1 page)(bytes) Notice of Opposition with Exhibits (00581404).PDF (12 pages)(1800553 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	/Paul W. Kruse/
Name	Paul W. Kruse
Date	02/07/2011

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

C.J. Advertising, L.L.C.,)	
)	
Opposer,)	Opposition No. _____
)	
v.)	
)	Ser. No. 77966918
Mark A. Rassas,)	
)	
Applicant.)	
)	
Attorney Ref. No. 004616-60801)	

NOTICE OF OPPOSITION

Box TTAB FEE
Commissioner for Trademarks
P.O. Box 1451
Alexandria, Virginia 22313-1451

Sir:

C.J. Advertising, L.L.C. (hereinafter Opposer) is or will be damaged by the registration of the mark GET IT DONE...RIGHT!, which is set forth in application Ser. No. 77966918 and owned by Mark A. Rassas (hereinafter Applicant), and hereby opposes the same.

As grounds for the opposition, Opposer, by its attorneys, avers as follows:

1. On August 28, 2007 and September 29, 2009, the United States Patent and Trademark Office issued Reg. Nos. 3285044 and 3688122 based on use of the mark set forth therein since at least as early as May 19, 2003. Copies of these registrations are submitted herewith, incorporated herein and made of record thereby.

2. On March 24, 2010, Applicant submitted application Ser. No. 77966918 to the United States Patent and Trademark Office based on use of the mark set forth therein since at {00580716.1}

least as early as March 15 2010. Information about this application is submitted herewith, incorporated herein and made of record thereby.

3. Opposer owns Reg. Nos. 3285044 and 3688122.

4. The mark set forth in Reg. Nos. 3285044 and 3688122 is GET A LAWYER. GET IT DONE.

5. The services set forth in Reg. Nos. 3285044 and 3688122 are “advertising agency services directed to law firms” and “legal services”.

6. On August 10, 2010, application Ser. No. 77966918 was published for opposition.

7. The mark set forth in Ser. No. 77966918 is GET IT DONE...RIGHT!

8. The services set forth in Ser. No. 77966918 are “attorney services”.

9. On information and belief, Applicant has practiced personal injury law in Middle Tennessee including in Clarksville since at least as early as May 19, 2003.

10. Registrant’s authorized trademark licensee Hughes & Coleman has practiced personal injury law in Middle Tennessee including Clarksville since at least as early as May 19, 2003.

11. As an authorized trademark licensee of Registrant, Hughes & Coleman’s use of GET A LAWYER. GET IT DONE. in connection with legal services inures to the benefit of Registrant.

12. On information and belief, Applicant started using GET IT DONE...RIGHT! in connection with attorney services despite being aware of Hughes & Coleman’s use of GET A LAWYER. GET IT DONE. in connection with legal services.

{00580716.1}

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