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

Proceeding	91215024
Party	Defendant Olympic Seafood AS
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Submission	Motion for Summary Judgment
Filer's Name	Wendy E. Miller
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Signature	/Wendy E. Miller/
Date	03/16/2015
Attachments	Opposition Brief and Cross-Motion w Decl.pdf(4812553 bytes)

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

U.S. App. No. : 79/125,884
Filed : September 17, 2012
Trademark : THE DIFFERENCE IS CLEAR (and design)

	X	
NEW CHAPTER, INC.,	:	
	:	
Opposer,	:	Opposition No. 91215024
	:	
v.	:	
	:	
OLYMPIC SEAFOOD AS,	:	
	:	
Applicant.	:	
	X	

CROSS-MOTION BY APPLICANT FOR SUMMARY JUDGMENT

Applicant, Olympic Seafood AS, hereby cross-moves for summary judgment pursuant to Rule 56, F.R.Civ.P., and 37 C.F.R. § 2.116(a), dismissing this opposition on the ground that there is no genuine issue of material fact which would permit the conclusion that Opposer has priority in this case. Applicant has priority as a matter of law, summary judgment should be granted in favor of Applicant, and the opposition should be dismissed.

In support of this motion, Applicant relies on the accompanying Memorandum and Declaration of Wendy E. Miller.

Dated: March 16, 2015

Respectfully submitted,

By: Wendy E. Miller/
Wendy E. Miller
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Attorneys for Applicant

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	:	
Applicant.	:	
	X	

**MEMORANDUM OF APPLICANT IN OPPOSITION TO
OPPOSER'S MOTION FOR SUMMARY JUDGMENT AND IN SUPPORT OF
APPLICANT'S CROSS-MOTION FOR SUMMARY JUDGMENT**

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TABLE OF CONTENTS

I. MATERIAL FACTS THAT ARE NOT IN DISPUTE 3

II. ARGUMENT 5

 A. There Is No Evidentiary Dispute Concerning The Material Facts In This
 Opposition..... 5

 B. The Indisputable Facts Require The Conclusion That Opposer Has Failed To
 Establish Trademark Use Or Priority Relative To Applicant. 6

 C. The Indisputable Facts Demonstrate That The Term “The Difference Is Clear” Is
 Merely Descriptive Of Opposer’s Goods And Cannot Form The Basis For This
 Opposition..... 10

 D. Likelihood Of Confusion Is Not Material In This Case Because Opposer Does
 Have A Valid Trademark Or Priority Relative To Applicant..... 12

 E. Opposer Cannot Meet Its Burden Of Proof Based On Applicant’s Unresolved
 Objections To Opposer’s Discovery..... 15

III. CONCLUSION..... 18

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