

ESTTA Tracking number: **ESTTA724070**

Filing date: **02/01/2016**

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	VEVO LLC
Granted to Date of previous extension	01/31/2016
Address	4 Times Square, 25th Floor New York, NY 10036 UNITED STATES

Attorney information	David Donahue Fross Zelnick Lehrman & Zissu, P.C. 866 United Nations Plaza New York, NY 10017 UNITED STATES ddonahue@fzlj.com, atucker@fzlj.com, fkohn@fzlj.com, ykarzoan@fzlj.com Phone:212-813-5900
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### Applicant Information

Application No	86325390	Publication date	08/04/2015
Opposition Filing Date	02/01/2016	Opposition Period Ends	01/31/2016
Applicant	Fomine, Alexei Nikolaevich 1607 Tucumcari Dr Houston, TX 77090 UNITED STATES		

### Goods/Services Affected by Opposition

Class 035. First Use: 0 First Use In Commerce: 0

All goods and services in the class are opposed, namely: Providing consumer information services and making referrals in the field of entertainment services for products, services, events, activities, facilities and locations

### 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.	3994771	Application Date	01/14/2009
Registration Date	07/12/2011	Foreign Priority Date	NONE
Word Mark	VEVO		


Design Mark	<h1>VEVO</h1>
Description of Mark	NONE
Goods/Services	Class 041. First use: First Use: 2009/12/00 First Use In Commerce: 2009/12/00 Providing online entertainment, namely, providing sound and video recordings in the field of music and music based entertainment; entertainment services, namely, providing online non-downloadable prerecorded musical sound and video recordings via a global computer network; entertainment in the nature of live concerts and performances by musical artists and groups; entertainment services, namely, personal appearances by musical groups, musical artists and celebrities; entertainment services in the nature of performances rendered by musical artists through audio and video recordings; entertainment services, namely, recorded performances by musical artists; entertainment services, namely, providing a web site featuring musical performances, musical videos, related film clips, and other multimedia materials featuring music and music-related entertainment; entertainment services, namely, providing prerecorded music and information in the field of music, all on-line via a global computer network


U.S. Registration No.	4388423	Application Date	01/14/2009
Registration Date	08/20/2013	Foreign Priority Date	NONE

Word Mark	VEVO
Design Mark	<h1>VEVO</h1>
Description of Mark	NONE
Goods/Services	Class 041. First use: First Use: 2012/01/00 First Use In Commerce: 2012/01/00 Production of television programs featuring music and music-related entertainment; entertainment in the nature of ongoing television programs in the field of music and music-related entertainment; entertainment, namely, a continuing music and music-related entertainment show distributed over television and video media; entertainment services, namely, production and presentation of music shows and music-related award shows featuring music and music-related entertainment which are all broadcast live or taped for later broadcast; entertainment services, namely, providing a web site featuring photographs featuring music

	and music-related entertainment; entertainment services, namely, providing commentary and articles about music, all on-line via a global computer network; entertainment services, namely, organizing exhibitions for entertainment purposes featuring music
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U.S. Registration No.	4478335	Application Date	01/14/2009
Registration Date	02/04/2014	Foreign Priority Date	NONE
Word Mark	VEVO		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 041. First use: First Use: 2010/00/00 First Use In Commerce: 2010/00/00 Distribution of motion picture films featuring music and music-related entertainment; entertainment services, namely, production and presentation of fashion shows featuring music and music-related entertainment which are all broadcast liveor taped for later broadcast		

U.S. Registration No.	4225928	Application Date	01/14/2009
Registration Date	10/16/2012	Foreign Priority Date	NONE
Word Mark	VEVO		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 038. First use: First Use: 2009/12/00 First Use In Commerce: 2009/12/00 Transmitting streamed musical and music-related sound and audio-visual recordings via the Internet; streaming of audio and video music and music-related material on the Internet; and providing on-line forums and electronic bulletin boards for transmission of messages among usersconcerning music and music-related entertainment		

U.S. Registration No.	4309416	Application Date	01/14/2009
Registration Date	03/26/2013	Foreign Priority Date	NONE
Word Mark	VEVO		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2009/12/00 First Use In Commerce: 2009/12/00 Distributorship of music; distributorship in the field of musical sound recordings and music-related video recordings; on-line retail store services featuring music-related clothing and music-related general merchandise		

U.S. Registration No.	4301598	Application Date	01/14/2009
Registration Date	03/12/2013	Foreign Priority Date	NONE
Word Mark	VEVO		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2011/03/00 First Use In Commerce: 2011/03/00 Pre-recorded audio discs, video discs, digital audio and audio video discs, CD-sand DVDs featuring music and music-related entertainment; musical sound recordings; musical and music-related video recordings; downloadable music, mp3 files featuring music and music-related entertainment, music-related images and music-related videos		

Attachments	77981990#TMSN.png( bytes ) 77983546#TMSN.png( bytes ) 77649247#TMSN.png( bytes ) 77649235#TMSN.png( bytes ) 77983272#TMSN.png( bytes ) 77649124#TMSN.png( bytes ) Notice of Opposition (VIVOSOCIAL).PDF(1685860 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	/David Donahue/
Name	David Donahue
Date	02/01/2016

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