

ESTTA Tracking number: **ESTTA1099559**

Filing date: **12/04/2020**

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

Proceeding	91231624
Party	Plaintiff Rolex Watch U.S.A., Inc.
Correspondence Address	BETH M. FRENCHMAN GIBNEY ANTHONY & FLAHERTY LLP 665 FIFTH AVENUE NEW YORK, NY 10022 UNITED STATES Primary Email: bfrenchman@gibney.com Secondary Email(s): docketing@gibney.com, jdupler@gibney.com, asgro@gibney.com, pcousins@gibney.com, trademark@gibney.com, bw-brokate@gibney.com, ang@gibney.com 212-906-3334
Submission	Plaintiff's Notice of Reliance
Filer's Name	Adam Sgro
Filer's email	asgro@gibney.com, bfrenchman@gibney.com
Signature	/Adam Sgro/
Date	12/04/2020
Attachments	01664978.PDF(5408393 bytes)

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

ROLEX WATCH U.S.A., INC.,

Opposition No.: 91231624

Serial No.: 79172020

Opposer

vs.

PWT A/S

Applicant.

OPPOSER’S SECOND NOTICE OF RELIANCE

Official Records and Internet Evidence

Pursuant to 37 C.F.R. § 2.122, and Rule 704 of the TBMP, Opposer, Rolex Watch U.S.A., Inc. (“Rolex”) submits this Second Notice of Reliance. Specifically, Rolex seeks to rely upon the official records of the Trademark Trial and Appeal Board (“TTAB”), USPTO, and internet evidence attached as **Exhibit A**. Rolex is submitting this evidence to show that from 2009 through 2017 Rolex has taken active steps and continues to take active steps to protect and enforce its Crown Design trademark.

Rolex also seeks to rely upon the official records of the United States District Court Middle District of Florida, Tampa Division, attached as **Exhibit B**. Rolex is submitting this evidence to show that Rolex has taken active steps to protect and enforce its Crown Design trademark.

The records in **Exhibit A** include the following:

- 1) Rolex's Notice of Opposition filed against the Application No. 77405892;
- 2) Rolex's Notice of Opposition filed against the Application No. 85835860;
- 3) Rolex's Notice of Opposition filed against the Application No. 85697658;
- 4) Rolex's Notice of Opposition filed against the Application No. 79145710;
- 5) Rolex's Notice of Opposition filed against the Application No. 79145541;
- 6) Rolex's Notice of Opposition filed against the Application No. 86446646;
- 7) Rolex's Notice of Opposition filed against the Application No. 86756557;
- 8) Rolex's Notice of Opposition filed against the Application No. 79176756;
- 9) Rolex's Notice of Opposition filed against the Application No. 87204867;
- 10) Rolex's Notice of Opposition filed against the Application No. 87307898; and
- 11) A list of proceedings in the TTAB where Rolex has asserted its rights to the CROWN DESIGN trademark, namely Reg. No. 0657756, taken from <https://ttabvue.uspto.gov> on November 17, 2020.

The records in **Exhibit B** include the following:

- 12) The complaint filed by Rolex in the case Rolex Watch U.S.A., Inc. v. Humza Jewelers Inc., et al. 16-cv-02219, in the Middle District of Florida.

Dated: December 4, 2020

Respectfully Submitted,

ROLEX WATCH U.S.A., INC.

By: /Beth Frenchman/
Beth Frenchman (bfrenchman@gibney.com)
Adam Sgro (asgro@gibney.com)
Gibney, Anthony & Flaherty, LLP
665 Fifth Avenue
New York, NY 10022
T: (212) 688-5151
F: (212) 688-8315

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Second Notice of Reliance has been served on this day of December 4, 2020, by electronic mail to:

ipmail@dykema.com, efingerhut@dykema.com and mgentner@dykema.com

/Veronika Sostak/
Veronika Sostak

EXHIBIT A

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.