

ESTTA Tracking number: **ESTTA822952**

Filing date: **05/24/2017**

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	Advertising Specialty Institute		
Entity	Corporation	Citizenship	Pennsylvania
Address	4800 Street Road Trevose, PA 19053 UNITED STATES		

Attorney information	Roberta Jacobs-Meadway Eckert Seamans Cherin & Mellott, LLC 50 S. 16th Street Two Liberty Place, 22nd Floor Philadelphia, PA 19102 UNITED STATES rjacobsmeadway@eckertseamans.com, rlalonde@eckertseamans.com, ipdocket@eckertseamans.com Phone:215-851-8522		
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Applicant Information

Application No	87271680	Publication date	05/23/2017
Opposition Filing Date	05/24/2017	Opposition Period Ends	06/22/2017
Applicant	Sharif Sumner 628 Crescent st Brooklyn, NY 11208 UNITED STATES		

Goods/Services Affected by Opposition

<p>Class 025. First Use: 2015/08/01 First Use In Commerce: 2015/08/01 All goods and services in the class are opposed, namely: Apparel for dancers, namely, tee shirts, sweatshirts, pants, leggings, shorts and jackets; Jackets; Pants; Shirts; Shirts for suits; Sweaters; A-shirts; Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms; Athletic pants; Athletic shirts; Athletic sweaters; Balloon pants; Body shirts; Bomber jackets; Button down shirts; Camouflage jackets; Camouflage pants; Capri pants; Cargo pants; Children's and infant's apparel, namely, jumpers, overall sleepwear, pajamas, rompers and one-piece garments; Children's and infants' apparel treated with fire and heat retardants, namely, jumpers, overall sleepwear, pajamas, rompers and one-piece garments; Clothing shields, namely, pads applied to the underarms of shirts, blouses and sweaters; Collared shirts; Crew neck sweaters; Crop pants; Denims; Down jackets; Dress pants; Dress shirts; Fashion hats; Fishing shirts; Flood pants; Fur jackets; Gloves for apparel; Golf shirts; Graphic T-shirts; Gym pants; Headbands for clothing; Heavy jackets; Henley shirts; Hoodies; Hunting jackets; Hunting pants; Hunting shirts; Jogging pants; Knit shirts; Leather pants; Long jackets; Lounge pants; Mock turtle-neck sweaters; Motorcycle jackets; Nurse pants; Outer jackets; Over shirts; Padded jackets; Padding jackets; Petti-pants; Pockets for clothing; Polo shirts; Reversible jackets; Rugby shirts; Shell jackets; Shoulder wraps for clothing; Ski pants; Sleep pants; Sleep shirts; Snow pants; Snowboard pants; Sport shirts; Sports pants; Sports shirts; Stretch pants; Stuff jackets; Sweat jackets; Sweat pants; Sweat shirts; T-shirts; Tee shirts; Tee-shirts; Track jackets; Track pants; Turtleneck sweaters; V-neck sweaters; Wind pants; Wind shirts; Woven shirts; Yoga</p>

pants; Yoga shirts

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.	1176093	Application Date	07/02/1979
Registration Date	11/03/1981	Foreign Priority Date	NONE
Word Mark	ASI		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 016. First use: First Use: 1950/09/00 First Use In Commerce: 1950/09/00 Printed Material-Namely, Reports, Directories, Indices, Newsletters, Magazines,Catalogues and Brochures Class 035. First use: First Use: 1950/09/00 First Use In Commerce: 1950/09/00 Preparing Specialty Advertising for Others; Rental of Mailing Lists to Others; and Business Consultation for Others in Connection with Advertising		

U.S. Registration No.	1729220	Application Date	05/07/1990
Registration Date	11/03/1992	Foreign Priority Date	NONE
Word Mark	ASI QUARTERLY REGISTER		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 016. First use: First Use: 1990/04/00 First Use In Commerce: 1990/04/00 printed directories comprising information about specialty advertising companies		

U.S. Registration No.	2160263	Application Date	03/14/1997
Registration Date	05/26/1998	Foreign Priority Date	NONE
Word Mark	ASI CENTRAL		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 1996/07/00 First Use In Commerce: 1996/07/00 computer services, namely, providing anon-line bulletin board in the field of the promotion products industry and providing on-line facilities for real-time interaction with other computer users concerning the promotional products industry, including scheduled discussions featuring prominent people in the promotional-products industry		

U.S. Registration No.	4193073	Application Date	06/29/2011
Registration Date	08/21/2012	Foreign Priority	NONE

		Date	
Word Mark	ASI		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 035. First use: First Use: 1995/11/00 First Use In Commerce: 1995/11/00 Marketing services, namely, providing on-line non-downloadable software that permits distributors to locate products and suppliers, program providing supplier data over a wireless device, creating and maintaining Internet sites for suppliers and distributors; Publishing of magazines and catalogs for the advertising specialty/promotional products industry; Promoting, advertising and marketing the on-line electronic publications of others; Membership club services, namely, providing training to members in the field of advertising/promotional products industry; Advertising, promotion and marketing services based on consumer credit reports and scores of others</p> <p>Class 036. First use: First Use: 1995/11/00 First Use In Commerce: 1995/11/00 On-line financial credit scoring services that report on the paying habits of distributors</p> <p>Class 041. First use: First Use: 1997/10/00 First Use In Commerce: 1997/10/00 Publishing of magazines and catalogs for the advertising specialty/promotional products industry; Non-downloadable electronic publications in the nature of promotional products distributorship in the field of advertising specialty/promotional products; Membership club services, namely, providing training to members in the field of business and professional development; Conducting, arranging, and organizing trade shows for commercial and advertising purposes; Educational services, namely, providing on-line classes, seminars, workshops in the field of advertising specialty/promotional products</p> <p>Class 042. First use: First Use: 1995/11/00 First Use In Commerce: 1995/11/00 Providing a website featuring non-downloadable software that permits distributors to locate products and suppliers, program providing supplier data over a wireless device, creating and maintaining Internet sites for suppliers and distributors; Providing temporary use of on-line non-downloadable software development tools for advertising specialty/promotional products industry for use in the field of advertising specialty/promotional products</p>		

Attachments	85359112#TMSN.png(bytes) Notice of Opposition 87271680.pdf(280769 bytes) EXHIBIT A TO NOTICE OF OPPOSITION.PDF(4011639 bytes) EXHIBIT B TO NOTICE OF OPPOSITION.PDF(220164 bytes)
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Signature	/Roberta Jacobs-Meadway/
Name	Roberta Jacobs-Meadway
Date	05/24/2017

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