

ESTTA Tracking number: **ESTTA828101**

Filing date: **06/19/2017**

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	Nike, Inc.
Granted to Date of previous extension	06/18/2017
Address	One Bowerman Drive Beaverton, OR 97005 UNITED STATES

Attorney information	HELEN HILL MINSKER BANNER & WITCOFF LTD 10 SOUTH WACKER DRIVE, SUITE 3000 CHICAGO, IL 60606 UNITED STATES Email: hminsker@bannerwitcoff.com, aheinze@bannerwitcoff.com, mhouston@bannerwitcoff.com, bwptotm@bannerwitcoff.com, bwlitdock-et@bannerwitcoff.com
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### Applicant Information

Application No	87012317	Publication date	12/20/2016
Opposition Filing Date	06/19/2017	Opposition Period Ends	06/18/2017
Applicant	Gronk Nation, L.L.C. 1601 Kingswood Lane Colleyville, TX 76034 UNITED STATES		

### Goods/Services Affected by Opposition


Class 025. First Use: 0 First Use In Commerce: 0  
All goods and services in the class are opposed, namely: Clothing, namely, hats, caps, shirts, T-shirts, jerseys, sweatshirts, pants, jackets, rain jackets

### Grounds for Opposition


Priority and likelihood of confusion	Trademark Act Section 2(d)
Dilution by blurring	Trademark Act Sections 2 and 43(c)

### Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	1742019	Application Date	11/16/1989
Registration Date	12/22/1992	Foreign Priority Date	NONE

Word Mark	NONE
Design Mark	
Description of Mark	NONE
Goods/Services	Class 018. First use: First Use: 1988/01/31 First Use In Commerce: 1988/01/31 ALL-PURPOSE SPORTS BAGS AND BACKPACKS [WAISTPACKS ] Class 025. First use: First Use: 1987/11/24 First Use In Commerce: 1987/11/24 FOOTWEAR AND CLOTHING, NAMELY PANTS, SHORTS, SHIRTS, T-SHIRTS, SWEATSHIRTS, TANK TOPS, WARM-UP SUITS, JACKETS, HATS, CAPS, AND SOCKS

U.S. Registration No.	1558100	Application Date	05/13/1988
Registration Date	09/26/1989	Foreign Priority Date	NONE

Word Mark	NONE
Design Mark	

Description of Mark	NONE
Goods/Services	Class 025. First use: First Use: 1987/11/24 First Use In Commerce: 1987/11/24 FOOTWEAR, T-SHIRTS, SHORTS, PULLOVERS, PANTS, WARM-UP SUITS AND TANK TOPS

U.S. Registration No.	3428287	Application Date	09/23/2005
Registration Date	05/13/2008	Foreign Priority Date	NONE

Word Mark	NONE
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Design Mark	
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Description of Mark	NONE
Goods/Services	Class 028. First use: First Use: 2007/01/01 First Use In Commerce: 2007/01/01 Basketballs

Attachments	74000758#TMSN.png( bytes ) 73728115#TMSN.png( bytes ) 78719454#TMSN.png( bytes ) Gronk Nation Opposition .pdf(187570 bytes ) Gronk Exhibit A.pdf(304730 bytes )
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Signature	/helen hill minsker/
Name	HELEN HILL MINSKER
Date	06/19/2017

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

In the Matter of Trademark Applicant )

Gronk Nation, L.L.C. )



Serial No.: 87/012,317 )

Filing Date: April 25, 2016 )

Publication Date: December 20, 2016 )

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NIKE, INC., )

Opposer, )

vs. )

GRONK NATION, L.L.C. )

Applicant. )

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Opposition No. \_\_\_\_\_

**NOTICE OF OPPOSITION**

Opposer, NIKE, Inc. (“NIKE” or “Opposer”), a corporation organized under the laws of Oregon, whose address is One Bowerman Drive, Beaverton, Oregon 97005, believes it will be damaged by registration of the mark shown in the application identified above (hereinafter “Applicant’s Mark”), applied for on the Principal Register by Gronk Nation, L.L.C., a Florida limited liability company, whose address is 1601 Kingswood Lane, Colleyville, Texas 76034, and opposes the same in this Notice of Opposition filed pursuant to 37 CFR § 2.104(b).

The grounds for the opposition are as follows:

1. Opposer is a leading provider of a broad range of clothing, footwear, equipment, and other products and services relating to sports, fitness, lifestyle and fashion.

2. Opposer has continuously used the design mark shown in Figure 1 (hereinafter the “JUMPMAN DESIGN”), in interstate commerce since at least as early as 1987, in connection with various clothing and footwear items in Class 25.



Figure 1

3. Over the years since its first use of the JUMPMAN DESIGN in 1987, Opposer has expanded its use of the JUMPMAN DESIGN mark in interstate commerce and has used the JUMPMAN DESIGN mark in connection with a wide range of goods and services in interstate commerce continuously for more than 25 years.

4. Opposer is the owner of the following U.S. Trademark Registrations:

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