

ESTTA Tracking number: **ESTTA1071054**

Filing date: **07/28/2020**

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	Glen J. Lerner
Granted to Date of previous extension	08/08/2020
Address	C/O WHITELAW LEGAL GROUP 3838 TAMIAMI TRAIL N., SUITE 310 NAPLES, FL 34103 UNITED STATES
Correspondence information	JENNIFER L. WHITELAW WHITELAW LEGAL GROUP 3838 TAMIAMI TRAIL N., SUITE 310 NAPLES, FL 34103 UNITED STATES Primary Email: ttabmail@whitelawfirm.com No phone number provided.

Applicant Information

Application No.	88795136	Publication date	06/09/2020
Opposition Filing Date	07/28/2020	Opposition Period Ends	08/08/2020
Applicant	Godine, Chris D 601 SAWYER STREET SUITE 200 601 SAWYER STREET SUITE 200 HOUSTON, TX 77007 UNITED STATES		

Goods/Services Affected by Opposition

Class 045. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Providing customized legal information, counseling, and advice, and litigation services in the field of personal injury
--

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)
Other	Grounds as more fully set forth in the Notice of Opposition filed herein

Marks Cited by Opposer as Basis for Opposition

U.S. Registration	4824793	Application Date	02/12/2014
-------------------	---------	------------------	------------

No.			
Registration Date	10/06/2015	Foreign Priority Date	NONE
Word Mark	IN A WRECK NEED A CHECK		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 045. First use: First Use: 1999/00/00 First Use In Commerce: 1999/00/00 Legal services; Legal services in the field of personal injury and tort claims; Legal counseling and advice to others; Providing information to others on legal services; Providing information to others on legal services via the internet		

U.S. Registration No.	4446411	Application Date	11/02/2012
Registration Date	12/10/2013	Foreign Priority Date	NONE
Word Mark	IN A WRECK? NEED A CHECK?		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 045. First use: First Use: 2010/11/01 First Use In Commerce: 2010/11/01 Legal services		

U.S. Registration No.	4318769	Application Date	04/30/2012
Registration Date	04/09/2013	Foreign Priority Date	NONE
Word Mark	CAR WRECK GET A CHECK		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 045. First use: First Use: 2012/09/07 First Use In Commerce: 2012/09/07 Legal services, namely, providing legal advice, counsel, and representation to individuals who have sustained a personal injury or damage to personal property in a motor vehicle accident		

U.S. Application No.	86671095	Application Date	06/23/2015
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	FROM WRECK TO CHECK		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 045. First use: First Use: 0 First Use In Commerce: 0 Legal services		

Attachments	Notice of Opposition 88795136.pdf(114632 bytes)
-------------	--

Signature	/JENNIFER L. WHITELAW/
Name	JENNIFER L. WHITELAW
Date	07/28/2020

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

To the Commissioner for Trademarks
P.O. Box 1451
Alexandria, Virginia 22313-1451

In the matter of Application Serial No. 88795136 for the mark “I GET CHECKS FOR WRECKS”, Published in the Official Gazette on June 9, 2020

GLEN J. LERNER,

Opposer,

Opposition No. _____

v.

CHRIS D. GODINE,

Applicant.

NOTICE OF OPPOSITION

Opposer **GLEN J. LERNER** (hereinafter “Opposer”), an individual, believes he will be damaged by registration of the mark “I GET CHECKS FOR WRECKS”, shown in Serial No. 88795136, filed February 12, 2020 (hereinafter the “Subject Mark”), by **CHRIS D. GODINE**, (hereinafter “Applicant”), and published for opposition in the Official Gazette of June 9, 2020.

GLEN J. LERNER hereby opposes registration of the subject application in International Class 045, on the following grounds:

1. Opposer is a well known and highly successful attorney with a national reputation for success in the legal profession and one of the largest advertisers of legal services in the United States.
2. Opposer owns, among others, the following trademarks, including without limitation, all right, title and interest in and to:

- **IN A WRECK NEED A CHECK**, U.S. Registration No. 4824793 for Legal services; Legal services in the field of personal injury and tort claims; Legal counseling and advice to others; Providing information to others on legal services; Providing information to others on legal services via the internet in Class 45;
 - **IN A WRECK? NEED A CHECK?** U.S. Registration No. 4446411 for legal services in Class 45;
 - **CAR WRECK GET A CHECK**, U.S. Registration No. 4318769 for legal services, namely, providing legal advice, counsel, and representation to individuals who have sustained a personal injury or damage to personal property in a motor vehicle accident in Class 45; and
 - **FROM WRECK TO CHECK**, U.S. Serial No. 86671095 for legal services in Class 45 (hereinafter collectively referred to as the "WRECK/CHECK Family of Marks").
3. Opposer's WRECK/CHECK Family of Marks are all fully valid and legally subsisting and, Opposer has invested considerable time and resources in the development of its trademarks, reputation, and goodwill.
 4. Opposer has used one or more of Opposer's WRECK/CHECK Family of Marks in the United States since at least as early as 1999, and long prior to any first use date which has been or could be claimed by Applicant.
 5. Opposer has used all of the marks of Opposer's WRECK/CHECK Family of Marks in the United States, and the same have each and all come to possess a widely recognizable reputation and favorable brand recognition. By virtue of Opposer's widely successful efforts and the expenditure of considerable sums for advertising and promotional activities, and by virtue of the excellence of the services associated with Opposer's WRECK/CHECK Family of Marks, the same have also achieved a valuable reputation, as well as the trust of its consumers.

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.