

ESTTA Tracking number: **ESTTA1358511**  
Filing date: **05/14/2024**

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	05/18/2024
Address	C/O WHITELAW LEGAL GROUP 3838 TAMIAMI TRAIL N., SUITE 310 NAPLES, FL 34103 UNITED STATES

Attorney information	JENNIFER L. WHITELAW WHITELAW LEGAL GROUP 3838 TAMIAMI TRAIL N. SUITE 310 NAPLES, FL 34103 UNITED STATES Primary email: ttabmail@whitelawfirm.com Secondary email(s): usptomail@whitelawfirm.com No phone number provided
Docket no.	

### Applicant information

Application no.	97936849	Publication date	03/19/2024
Opposition filing date	05/14/2024	Opposition period ends	05/18/2024
Applicant	Clarel Jean-Louis Jr. 1261 PARKER ROAD CONYERS, GA 30094 UNITED STATES		

### Goods/services affected by opposition

Class 044. First Use: None First Use In Commerce: None  
All goods and services in the class are opposed, namely: Chiropractic services

### 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 no.	4318769	Application date	04/30/2012
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Register	Principal		
Registration date	04/09/2013	Foreign priority date	NONE
Word mark	CAR WRECK GET A CHECK		
Design mark	CAR WRECK GET A CHECK		
Description of mark	NONE		
Goods/services	Class 045. First use: First Use: Sep 7, 2012 First Use In Commerce: Sep 7, 2012 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. registration no.	4824793	Application date	02/12/2014
Register	Principal		
Registration date	10/06/2015	Foreign priority date	NONE
Word mark	IN A WRECK NEED A CHECK		
Design mark	IN A WRECK NEED A CHECK		
Description of mark	NONE		
Goods/services	Class 045. First use: First Use: 1999 First Use In Commerce: 1999 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
Register	Principal		
Registration date	12/10/2013	Foreign priority date	NONE
Word mark	IN A WRECK? NEED A CHECK?		
Design mark	IN A WRECK? NEED A CHECK?		
Description of mark	NONE		
Goods/services	Class 045. First use: First Use: Nov 1, 2010 First Use In Commerce: Nov 1, 2010 Legal services		

U.S. registration no.	6789718	Application date	06/23/2015
Register	Principal		
Registration date	07/12/2022	Foreign priority	NONE

		date	
Word mark	FROM WRECK TO CHECK		
Design mark	FROM WRECK TO CHECK		
Description of mark	NONE		
Goods/services	Class 045. First use: First Use: Jun 5, 2019 First Use In Commerce: Jun 5, 2019 Legal services		

U.S. registration no.	6952116	Application date	11/28/2017
Register	Principal		
Registration date	01/17/2023	Foreign priority date	NONE
Word mark	TURN YOUR WRECK INTO A CHECK		
Design mark	TURN YOUR WRECK INTO A CHECK		
Description of mark	NONE		
Goods/services	Class 045. First use: First Use: 2006 First Use In Commerce: 2006 Legal services		

Attachments	85612433#TMSN.png( bytes ) 86191518#TMSN.png( bytes ) 85770221#TMSN.png( bytes ) 86671095#TMSN.png( bytes ) 87699851#TMSN.png( bytes ) Notice of Opposition Serial No. 97936849.pdf(115481 bytes )
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Signature	/Jennifer L. Whitelaw/
Name	JENNIFER L. WHITELOW
Date	05/14/2024

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

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

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In the matter of Application Serial No. 97936849 for the mark CAR WRECK? GET CHECKED FOR A WRECK, Published in the Official Gazette on March 19, 2024

**GLEN J. LERNER,**

Opposer,

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

v.

**CLAREL JEAN-LOUIS JR.,**

Applicant.

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**NOTICE OF OPPOSITION**

Opposer **GLEN J. LERNER** (hereinafter “Opposer”), an individual, believes he will be damaged by registration of the mark CAR WRECK? GET CHECKED FOR A CHECK, shown in Serial No. 97936849, filed May 15, 2023 (hereinafter the “Subject Mark”), by **CLAREL JEAN-LOUIS JR.**, (hereinafter “Applicant”), and published for opposition in the Official Gazette of March 19, 2024. **GLEN J. LERNER** hereby opposes registration of the subject application in International Class 044, 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:

- **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 (a mark which also has achieved the status of incontestable pursuant to the Federal Trademark Act);
- **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 (a mark which also has achieved the status of incontestable pursuant to the Federal Trademark Act);
- **IN A WRECK? NEED A CHECK?** U.S. Registration No. 4446411 for legal services in Class 45 (a mark which also has achieved the status of incontestable pursuant to the Federal Trademark Act);
- **FROM WRECK TO CHECK**, , U.S. Registration No. 6789718 for legal services in Class 45; and
- **TURN YOUR WRECK INTO A CHECK**, U.S. Registration No. 6952116 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

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