

ESTTA Tracking number: **ESTTA559544**

Filing date: **09/16/2013**

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

Proceeding	92053314
Party	Plaintiff adidas AG
Correspondence Address	ANGELO NOTARO NOTARO MICHALOS ZACCARIA PC 100 DUTCH HILL ROAD ORANGEBURG, NY 10962 UNITED STATES jzaccaria@notaromichalos.com
Submission	Plaintiff's Notice of Reliance
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Signature	/J287-839-JZ/
Date	09/16/2013
Attachments	PNOR-1 with Exh. 1.pdf(5017421 bytes) PNOR-2 with Exh. 2.pdf(213465 bytes) PNOR-3 with Exh. 3.pdf(448684 bytes) PNOR-4 with Exh. 4.pdf(321228 bytes) PNOR-5 with Exh. 5.pdf(279594 bytes) PNOR-6 with Exh. 6.pdf(404626 bytes) PNOR-7 with Exh. 7.pdf(210391 bytes) PNOR-8 with Exh. 8.pdf(241520 bytes) PNOR-9 with Exh. 9-25.pdf(4693781 bytes) PNOR-10 with Exh. 26-30.pdf(1732947 bytes) PNOR-11 with Exh. 31-49.pdf(4353578 bytes) PNOR-12 with Exh. 50.pdf(645105 bytes) PNOR-13 with Exh. 51-62.pdf(4914640 bytes) PNOR-14 with Exh. 63-64.pdf(1397139 bytes)

adidas AG,	:	
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Petitioner,	:	Cancellation No. 92053314
	:	
v.	:	
	:	
Christian Faith Fellowship Church,	:	
	:	
Respondent.	:	

Petitioner, adidas AG (“Petitioner”), pursuant to 37 C.F.R. § 2.122(e) and TBMP 704.03(b)(2), introduces the file history of Petitioner’s trademark application, Serial No. 77/822,018, for Petitioner’s trademark “adizero” (“the adizero trademark application”), a copy of which is attached hereto as Petitioner’s Trial Exhibit No. 1. The file history of the adizero trademark application is relevant to the above-captioned cancellation in that it demonstrates that Petitioner is being damaged by Respondent’s Registration Nos. 3,173,207 and 3,173,208 for the trademarks ADD A ZERO and ADD A ZERO & Design, respectively, and therefore Petitioner has standing in the proceeding.

Respectfully submitted,

/Angelo Notaro/
Angelo Notaro
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Attorneys for Petitioner

In the Matter of Registration Nos. 3,173,207 and 3,173,208
For the mark ADD A ZERO and ADD A ZERO & Design

Respondent.

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Kristin Tetro

Petitioner's Trial Exhibit No. 1

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Mark: ADIZERO

ADIZERO

US Serial Number: 77822018

Application Filing Date: Sep. 08, 2009

Register: Principal

Mark Type: Trademark

Status: An appeal of a final refusal to register the mark is pending before the Trademark Trial and Appeal Board. For further information, see TTABVue on the Trademark Trial and Appeal Board web page.

Status Date: Sep. 29, 2010

Mark Information

Mark Literal Elements: ADIZERO

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Footwear, shirts, singlets, jackets, shorts, tights, bottoms

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Dec. 15, 2005

Use in Commerce: Jan. 01, 2006

Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: adidas AG

Owner Address: Adi-Dassler-Strasse 1
Herzogenaurach 91074
GERMANY

Legal Entity Type: JOINT STOCK COMPANY

State or Country Where
Organized: GERMANY

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Angelo Notaro

Docket Number: J287-767

Attorney Primary Email
Address: anotaro@notaromichalos.com

Attorney Email Yes
Authorized:

Correspondent

Correspondent
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