



03-19-2002

TTAB

FORE THE UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK TRIAL AND APPEAL BOARD
2900 Crystal Drive
Arlington, Virginia 22202-3513

Applicant: Thomas Cook Holding, Limited

Serial No.: 75/754,117

Mark: JMC

STATEMENT OF OPPOSITION

The Honorable Trademark Trial and Appeal Board:

Pursuant to CFR Title 37, Chapter I, Part 2, Section 2.101 and 2.104, please accept this Statement of Opposition in regard to the above-referenced application. This Statement of Opposition is filed pursuant to an earlier request that was approved allowing for an extension of time to oppose the application. The transmission of the approval of extension was unfortunately delayed prompting this filing shortly after March 4, 2002. Please be advised that the undersigned was out of the country until March 11, 2002 and has promptly filed the Statement herein following receipt of the formal approval for extension of time to oppose.

The basis of the opposition filed herein is that LJM Products, Inc. d/b/a JMC Products ("LJM") presently holds Registration No. 2472941 trademarking the word mark "JMC." This Registration was effective July 31, 2001 pursuant to an application filed in Serial No. 75/824517. In addition, LJM holds other trademarks and has routinely sought additional trademarks from the United States Patent and Trademark Office somewhat related to the core trademark of JMC.

In the pertinent application, LJM respectfully maintains that approval of the pending application may cause confusion in the marketplace. It is important to note that LJM has not previously opposed various trademark applications that contain the word JMC along with some logo or some nature of stylized print. In fact, the applicant herein has filed before the United States Patent and Trademark Office an application in Serial No. 75/894285, that may well now be final, which was not opposed by LJM. In that application, reference was made to the word JMC but it was in a stylized block setting.

03/27/2002 CHAY11 00000122 75754117

The purpose of this opposition is not to unduly hamstring the efforts of the applicant in conducting business in the United States. It is LJM's understanding that the applicant conducts operations in the United Kingdom and possibly other countries in Europe. LJM respectfully argues, however, that "JMC" is a mark identified in the United States as concerning the activities of LJM, namely supplying heat sinks, cooling fans and a variety of other devices for

the computer industry. The earlier Registration by LJM for the pertinent term "JMC" is in Class 9. The mark "JMC" is routinely used by LJM in marking products, advertising materials, instructional manuals and packaging materials for a variety and ever-growing array of products. LJM is concerned that the applicant's use of the mark JMC will result in confusion in the marketplace.

Please be advised that a copy of this Statement of Opposition will be served upon the attorney representing the applicant. If you require any additional information or have questions for the undersigned, please do not hesitate to contact the undersigned. In all respects, LJM respectfully urges that the pertinent application be denied or modified in some fashion so as to preclude the likely confusion to result from approval of the application in its current form.

Respectfully submitted,

LJM PRODUCTS, INC., d/b/a JMC
PRODUCTS

By: *John Murphy, President*
John Murphy, President

10315-A Metropolitan
Austin, Texas 78758

xc: Mr. Glenn A. Gundersen
Dechert, Price & Rhoads
4000 Bell Atlantic Tower
1717 Arch Street
Philadelphia, Pennsylvania 19103-2793

Mr. Charles E. Munson
Selman Munson & Lerner, P.C.
111 Congress Avenue, Suite 1000
Austin, Texas 78701



03-19-2002



10315 A Metropolitan Dr.

Austin, TX 78758

ph 512.834.8866

ph 512.834.8867

fx 512.834.8868

email: sales@jmcproducts.com

www.jmcproducts.com

www.rdjd.net

March 15, 2002

United States Patent and Trademark Office
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

Re: Applicant: Thomas Cook Holding, Limited
Serial No.: 75/754,117
Mark: JMC

Dear Trial and Appeal Board Members:

Please find enclosed the original Statement of Opposition filed by LJM Products, Inc. in the above matter. In addition, please find enclosed two additional signed copies of the Statement of Opposition as well as a firm check in the amount of \$300.00 made payable to the United States Patent and Trademark Office to cover the pertinent filing fee.

In addition, please find enclosed a copy of this transmittal letter. Please place the appropriate stamp on such copy confirming receipt of the Statement of Opposition and return the same to the undersigned in the enclosed self-addressed, stamped envelope.

Very truly yours,

John Murphy

xc: Mr. Charles E. Munson
Selman Munson & Lerner, P.C.
111 Congress Avenue, Suite 1000
Austin, Texas 78701