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

PUEBLO INTERNATIONAL, LLC,

Opposer,

OPPOSITION NO.

vs.

IFS FINANCIAL CORPORATION

Applicant.



06-10-2002

U.S. Patent & TMOtc/TM Mail Ropt Dt. #34

Application Serial No. 75/899,318

Mark: PUEBLO FINANCIAL CORPORATION

Filed: January 19, 2000

Published: February 12, 2002, TM 367

Assistant Commissioner for Trademarks
BOX TTAB - FEE
2900 Crystal Drive
Arlington, VA 22202-3513

NOTICE OF OPPOSITION

Sir:

PUEBLO INTERNATIONAL, LLC, ("Pueblo") a Delaware limited liability corporation formerly known as Pueblo International Inc., having obtained an extension of time until June 10, 2002 to file an opposition to the above-referenced mark, hereby files this opposition and would show the Board as follows:

1. Pueblo has a principal place of business at Campo Rico Avenue, Corner Loiza Expressway, Carolina, Puerto Rico 00982 and a mailing address at G.P.O. Box 3288, San Juan,

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Puerto Rico 00936

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2. Pueblo believes that it might be damaged by the registration of the above referenced mark to Applicant IFS FINANCIAL CORPORATION (“IFS”).

3. Pueblo has used the name and mark PUEBLO in relation to its supermarket business since at least as long ago as 1955, and owns registered trademarks consisting of or including PUEBLO, including U.S. Registration Nos. 1,997,786 for the mark PUEBLO and 2,509,402 for the mark PUEBLOXTRA, each for use in connection with “supermarket and retail grocery store services.” Pueblo also sells PUEBLO brand food products and owns registrations of PUEBLO for those products in many countries of Central America.

4. Other goods and services available to consumers at Pueblo’s supermarkets and retail grocery stores include commercial and financial transactions such as money transfers, mail services, bill paying services, banking services, and entertainment services.

5. Pueblo uses a variety of means to advertise its stores and the broad range of goods and services available at its stores, including but not limited to print and visual media, print advertisements, mail, and event sponsorships.

6. PUEBLO and PUEBLOXTRA stores are universally known in Puerto Rico and the U.S. Virgin Islands and to people from those islands now residing on the United States mainland.

7. IFS’s business, operated under the name Pueblo Financial Corporation, uses names and marks consisting of or including the word PUEBLO, and markets services promoting consumer goods and services of others through direct mailing, telemarketing, print advertising, event sponsorships, radio and television advertising, and advertising on a global computer network.

8. IFS’s business targets Hispanic consumers in the United States.

9. People from Puerto Rico and the U.S. Virgin Islands make up a substantial part of the U.S. Hispanic market. These people are likely to associate IFS's business with that of Pueblo, given the broad range of goods and services offered in Pueblo's stores.

10. Pueblo has invested many years and substantial sums of money in creating and developing goodwill for its PUEBLO and PUEBLOXTRA brand among the Puerto Rican and Virgin Islands communities. Potential customers for IFS's services are likely to be confused, deceived or mistaken in thinking that IFS's services are in some way associated, affiliated, sponsored or approved by Pueblo.

11. Pueblo's marks PUEBLO and PUEBLOXTRA are famous marks. IFS's use of the mark applied for would cause dilution of the distinctive quality of Pueblo's marks.

WHEREFORE, Pueblo International, LLC prays that application S.N. 75/899,318 be refused in accordance with the provisions of Section 13(a) of the Lanham Act.

A duplicate copy of this paper and the required fee for opposition are enclosed herewith.

<p>CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8</p> <p>I hereby certify that the papers enclosed herein are being deposited with the United States Postal Service as Express Mail Label No. EL 843248689 US on the date indicated below and in an envelope addressed to: Assistant Commissioner for Trademarks, Box TTAB - Fee, 2900 Crystal Drive, Arlington, VA 22202-3513.</p> <p><u>CAROL YOUNG</u> (Typed name of person mailing paper)</p> <p><u>Carol Young</u> (Signature of person mailing paper)</p> <p>Date: <u>June 10, 2002</u></p> <p>EL843248689US</p>
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Respectfully submitted,

John M. Cone / JMC
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Attorneys for Opposer

Date: June 10, 2002

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June 10, 2002



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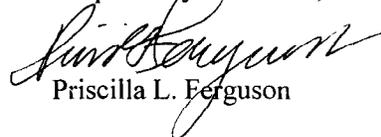
Sir:

Enclosed is a Notice of Opposition in duplicate, a check in the amount of \$300.00 to cover the filing fee, and a return postcard.

Please address all correspondence to JOHN M. CONE of the firm of AKIN, GUMP, STRAUSS, HAUER & FELD, L.L.P., P.O. Box 688, Dallas, Texas 75313-0688.

The Commissioner of Patents & Trademarks is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 01-0657. A duplicate copy of this letter is enclosed for that purpose.

Respectfully submitted,


Priscilla L. Ferguson

PLF:cy
Enclosures

Opposer: Pueblo International, LLC
Applicant: IFS Financial Corporation
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cc: Fernando Jose Bonilla (w/enclosure)

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