

# Exhibits

TAB

2868-101L  
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Application  
Serial No. 76/197,778, published in the  
Official Gazette on May 21, 2002,  
page TM 151.



06-20-2002

U.S. Patent & TMO/TM Mail Rcpt Dt. #34

Valentino Globe B.V., )  
)  
Opposer, )  
)  
v. )  
)  
Orrick International )  
Trading Group, Inc., )  
)  
Applicant )

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

**NOTICE OF OPPOSITION**

Valentino Globe B.V., a Netherlands/Holland corporation,  
(hereinafter "Valentino") with an address at Blaak 16, 6<sup>th</sup> Floor,  
3011 TA Rotterdam, The Netherlands believes that it will be  
damaged by registration of the mark V ORRICK ORRICK VALENTINE and  
Design for "Valentine's Day gift items, namely, leather and  
imitations of leather sold in bulk; leather or limitation leather  
items, namely, attache' cases, diaper bags, bags for mountain-  
climbing, satchels, name-card cases, rucksacks, wallets, beach  
bags, briefcases, suitcases, ticket cases, credit card cases,  
traveling bags, traveling trunks, school bags, handbags and  
cosmetic cases sold empty" in Class 18 and "Valentine's Day gift  
items, namely, leather belts and waist belts made of leather or  
imitation leather," in Class 25 as set forth in Application

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Serial No. 76/197,778, filed January 22, 2001, and published May 21, 2002 (hereinafter "the Orrick Mark"), owned by Orrick International Trading Group, Inc., a California corporation, with an address at 2464 Mariondale Avenue, Los Angeles, California 90032 (hereinafter "Orrick"), and hereby opposes the same. As grounds for this opposition it is alleged that:

1. Since long prior to January 22, 2001, (the filing date of the intent-to-use application) Valentino has held significant common law and statutory rights in the marks "V" and "VALENTINO" and variations thereof which include these terms (hereinafter "the Valentino Marks") as applied to various leather goods, bags, clothing items and other goods by virtue of long and extensive use and federal registrations as pleaded hereinafter.

2. Valentino is the owner, user and registrant of the following representative registrations:

- Registration No. 910,955, registered on April 6, 1971 for VALENTINO for "articles of clothing and accessories, namely, dresses, belts, gloves, scarves, swimwear and ties";
- Registration No. 916,465, registered on July 13, 1971 for VALENTINO for "fashion consultation services, namely, creating clothing, jewelry and accessory designs and selection of designs and materials for couture clientele";

- Registration No. 1,268,029, registered on February 21, 1984 for VALENTINO; (stylized) for, *inter alia*, articles of clothing, including belts and gloves;
- Registration No. 1,191,740, registered on March 9, 1982 for V and Design for, *inter alia*, articles of clothing, including belts, jackets and gloves;
- Registration No. 1,268,030, registered on February 21, 1984 for VALENTINO V and Design for, *inter alia*, articles of clothing, including belts, gloves, coats and jackets;
- Registration No. 1,419,190, registered on December 2, 1986 for V VALENTINO GARAVANI for "valises, garment bags for travel, handbags, shoulder bags, clutch bags, brief cases, attache cases, umbrellas, and small leather goods - namely, passport cases, wallets, key cases, billfolds, vanity cases sold empty and credit card holders";
- Registration No. 1,422,015, registered on December 23, 1986 for V VALENTINO GARAVANI for, *inter alia*, articles of clothing, including boots, shoes and belts;
- Registration No. 1,655,604, registered on September 3, 1991 for VALENTINO V MISS V for, *inter alia*, articles of clothing;

- Registration No. 2,315,165, registered on February 8, 2000 for V and Design for "spectacle frames and sunglasses";

3. Attached at Tab A are print-outs from the U.S. Patent and Trademark Office's TESS website concerning each registration as set forth in Paragraph 2.

4. The Valentino Marks are regularly advertised in leading fashion magazines such as *Vogue*, *Harper's*, *Elle*, *Cosmopolitan* and *GQ*.

5. By virtue of the uncompromising and prestigious quality of the goods sold, advertised, and promoted under the Valentino Marks and by virtue of the extensive sales, promotion and advertising of such high quality goods for more than forty years, Valentino's goods are widely popular throughout the United States and the world.

6. The Valentino Marks are highly distinctive and are so well known throughout the U.S. and the world that they are in the category of famous marks.

7. Upon information and belief, Orrick has made no use of Orrick's Mark for any goods prior to January 22, 2001 (the filing date of the application).

8. The addition of the term "ORRICK," a house mark, does not obviate the likelihood of confusion between Orrick's Mark and the Valentino Marks.

9. The use and registration of the Orrick Mark would dilute the singular, distinctive and unique quality of the famous Valentino Marks.

10. Consumers and others familiar with the famous Valentino Marks will assume (mistakenly) that Orrick's Mark is a mark for goods emanating from the makers of goods sold under the Valentino Marks.

11. If Orrick is permitted to use and register Orrick's Mark for its goods, as specified in the subject application, such would likely result in confusion in trade, deception or mistake, all to the damage of the prior user and registrant, Valentino.

**WHEREFORE**, Valentino prays that this opposition be sustained and registration on the application be refused.

Respectfully submitted,

Valentino Globe B.V.

By Robert H. Cameron

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June 20, 2002



06-20-2002

U.S. Patent & TMO/TM Mail Rcpt Dt. #34

\* NOT ADMITTED IN D.C.  
† IN NE OFFICE

Assistant Commissioner for Trademarks  
2900 Crystal Drive  
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Re: Notice of Opposition to Registration of  
V ORRICK ORRICK VALENTINE AND DESIGN  
U.S. Serial No. 76/197,778  
Filed : January 22, 2001  
Published : May 21, 2002  
Attorney Docket No.: 2868-101L

Sir:

Submitted herewith, in duplicate, is a notice of opposition to the above application.

A check in the amount of \$300.00 is enclosed to cover the appropriate Government opposition fee. Please charge any additional fees or credit any overpayment to Deposit Account No. 02-2135. An extra copy of this letter is attached for that purpose.

Respectfully submitted,

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By

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