

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

\_\_\_\_\_  
VARSITY SPIRIT CORPORATION, )  
 )  
Opposer )  
 )  
v. )  
 )  
NSG CORPORATION, )  
 )  
Applicant )  
\_\_\_\_\_ )



08-02-2002

U.S. Patent & TMOtc/TM Mail Rcpt Dt. #71

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

TRADEMARK TRIAL AND  
APPEAL BOARD  
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**NOTICE OF OPPOSITION**

Opposer, Varsity Spirit Corporation, a Tennessee Corporation with a business address of 6745 Lenox Center Court, Suite 300, Memphis, TN 38115, hereby opposes registration of the mark NDA NATIONAL DANCE ALLIANCE (and design) that is the subject of application Serial No. 76,343,881, published in the *Official Gazette* of July 2, 2002, and requests that registration to Applicant be refused.

As grounds in support of its opposition, Opposer asserts as follows:

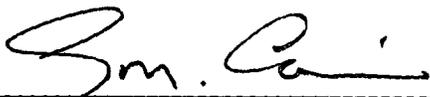
1. Opposer, for many years and since long prior to any date of first use upon which Applicant can rely, has adopted and continuously used the term NATIONAL DANCE TEAM CHAMPIONSHIP as a trademark in connection with entertainment services, namely, conducting a national competition for high school and junior high school dance teams, drill teams and pom pon squads.
2. Opposer is the owner of all right, title and interest in and to the mark NATIONAL DANCE TEAM CHAMPIONSHIP. Opposer owns all right, title and interest in two Federal registrations for the mark NATIONAL DANCE TEAM CHAMPIONSHIP, Reg. Nos. 1,776,825 and 1,545,915.
3. Applicant has filed a use-based application to register the mark NDA NATIONAL DANCE ALLIANCE (and design) for the following goods and services: namely, pre-recorded video tapes and audio tapes featuring instructional programs for dancers; educational services, namely, conducting camps, workshops, classes, clinics and competitions in the field of dance; providing instructional training workshops for dancers, and association services, namely, promoting scholastic dance. That application was filed on November 30, 2001, and was assigned Serial No.

was filed on November 30, 2001 , and was assigned Serial No. 76,343,881.

4. Applicant's mark so resembles Opposer's previously used mark as to be likely, when applied to the goods and services set forth in Applicant's application, to cause confusion, mistake, or deception within the meaning of Section 2(d) of the Trademark Act.
5. Opposer will be damaged by registration of Applicant's mark.

WHEREFORE, Opposer prays that the opposition be sustained and that registration to Applicant be refused.

Respectfully submitted,

By: 

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Attorney for Opposer  
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Stevens & Cannada, PLLC  
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Date: 7/29/02

CERTIFICATE OF FIRST CLASS MAIL UNDER 37 CFR 1.8

Date of Deposit: 7/30/2002

I hereby certify that this paper or fee is being deposited with the United States Postal Service First Class Mail, postage prepaid, under 37 CFR 1.8 on the date indicated above and is addressed to the Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513.

J. Montgomery  
(Typed or printed name of person mailing paper or fee)

J. Montgomery  
(Signature of person mailing paper or fee)

TTAB

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& CANNADA, PLLC**

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GRADY M. GARRISON  
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July 30, 2002

Assistant Commissioner for Trademarks  
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2900 Crystal Drive  
Arlington, Virginia 22202-3513



08-02-2002

U.S. Patent & TMO/TM Mail Rcpt Dt. #71

Re: Mark: NDA NATIONAL DANCE ALLIANCE (and Design)  
Applicant: NSG Corporation  
Filed: November 30, 2001  
Serial No: 76/343,881  
Publication Date: July 2, 2002

Dear Sir:

Enclosed please find the following:

1. A Notice of Opposition, in Triplicate; and
2. A Return Postcard.

The Commissioner is hereby authorized to charge any additional payment, or credit any refund that may be due to our Deposit Account No. 50-0858.

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Date of Deposit:	7/30/2002
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(Typed or printed name of person mailing paper or fee)	J. Montgomery
(Signature of person mailing paper or fee)	<i>J. Montgomery</i>

Respectfully submitted,

*Grady M. Garrison*  
Grady M. Garrison  
Attorney for Opposer

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*JM*