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U.S. Patent & TMOfo/TM Mail Rcpt Dt. #58

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I hereby certify that on the date specified below, this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to BOX TTAB/FEE, Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513.

9/23/02
Date

David H. Deits

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

Seattle Pacific Industries, Inc.,)
)
Opposer,)
)
v.)
)
Cherise Belnavis-Johnson,)
)
Applicant.)

OPPOSITION NO.
Serial No. 76/339,251
File No. 58507-11

TRADEMARK TRIAL AND
APPEAL BOARD
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BOX TTAB/FEE
Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

NOTICE OF OPPOSITION

In the matter of an application under the Trademark Act of 1946 filed by Cherise Belnavis-Johnson ("Applicant") of Charlotte, North Carolina, in International Class 25 on November 19, 2001, under Serial No. 76/339,251, seeking a trademark registration on the Principal Register for "BLACK COLLEGE REUNION CHEER & DANCE COMPETITION (STYLIZED)" for shirts, which application was published for opposition on August 27, 2002. Seattle Pacific Industries, Inc. ("Opposer") believes that it would be damaged by such registration and hereby gives Notice of Opposition to the registration of the alleged mark.

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The grounds for this opposition are as follows:

1. Opposer, Seattle Pacific Industries, Inc., is a corporation organized under the laws of the State of Washington with an address at 1633 Westlake Avenue North, Seattle, Washington 98109.

2. Opposer is engaged in the sale and marketing of a wide variety of men's, women's, and children's apparel, including casual wear and sportswear, accessories and related products, in the United States, its territories and possessions and internationally.

3. Since as early as February 20, 1985, prior to the November 19, 2001 filing date of Applicant's application, Opposer has continuously engaged in the sale in commerce of clothing, including without limitation, men's clothing and sportswear garments including shirts, accessories, and related products, under the marks "REUNION" and "REUNION MENSWEAR" (hereinafter the "REUNION marks") with and without additional elements.

4. Opposer is the owner of United States Trademark Registration Nos. 2,121,893; 1,951,488; and 1,949,233 for its REUNION marks.

5. Opposer's REUNION marks symbolize extensive goodwill and consumer recognition which has been developed by Opposer through substantial sales of goods under its marks, which ranges into the many millions of dollars in the United States alone, and through substantial and extensive advertising, promoting and popularizing of its marks in the United States and foreign countries.

6. As a result of Opposer's use and advertising of its REUNION marks, the marks are well known in the United States and in foreign countries and are recognized as identifying the high-quality goods of Opposer. The marks and the associated goodwill are valuable assets of Opposer.

7. The goods listed in Applicant's application, namely, shirts, are the same type as or are so closely related to the clothing, accessories, and related products sold and marketed in association with Opposer's REUNION marks, that if the parties' respective goods are sold under the same or similar marks, a likelihood of confusion will result.

8. The mark "BLACK COLLEGE **REUNION** CHEER & DANCE COMPETITION (STYLIZED)" for shirts, is confusingly and deceptively similar to Opposer's REUNION marks and variants thereof for clothing, accessories, and related products, such that the trade and purchasing public will be confused and deceived by believing that Applicant's goods originate with or are otherwise authorized by, sponsored by, licensed by, or associated with Opposer.

9. Opposer's REUNION marks are famous marks and have been famous marks since prior to the November 19, 2001 filing date of Applicant's application.

10. The distinctive quality of Opposer's REUNION marks will be diluted by the mark Applicant seeks to register.

11. By reason of all of the foregoing, Opposer would be greatly damaged by the grant to applicant of a registration for "BLACK COLLEGE **REUNION** CHEER & DANCE COMPETITION (STYLIZED)" for shirts.

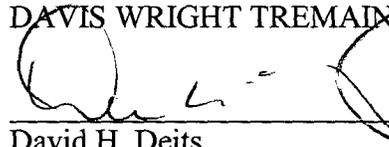
WHEREFORE, Opposer prays that this Opposition be sustained and the application be denied and the mark refused registration.

Opposer herewith submits this Notice of Opposition in duplicate along with the requisite filing fee in the amount of three hundred dollars (\$300) for each class opposed. Please charge any additional fees or credit any excess to our Deposit Account No. 04-0258. A duplicate copy of this notice is enclosed.

Please direct all communications to David H. Deits of Davis Wright Tremaine, LLP, 2600 Century Square, 1501 Fourth Avenue, Seattle, Washington 98101.

DATED this 23rd day of September, 2002.

Respectfully submitted,
Seattle Pacific Industries, Inc.
DAVIS WRIGHT TREMAINE, LLP



David H. Deits
Attorneys for Opposer

2600 Century Square
1501 Fourth Avenue
Seattle, WA 98101

DHD:mw

Enclosures:

- Postcard
- Check for \$300.00
- Notice of Opposition (triplicate)

cc: Seattle Pacific Industries, Inc.