

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

Daniel Cremieux )  
 )  
 Opposer )  
 )  
 v. ) Opposition No. \_\_\_\_\_  
 )  
 Wind-Lock Corporation )  
 )  
 Applicant ) Application Serial No. 76/310,560  
 \* \* \* \* \*

NOTICE OF OPPOSITION

BOX: TTAB (fee)  
Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington VA 22202-3513

Sir:

Daniel Cremieux, an individual of France, having a place of business at 3, RUE SIBILLE; 83990 SAINT-TROPEZ, FRANCE, believes that he will be damaged by registration of the mark shown in Serial No. 76/310,560 and hereby opposes the same.

Description of Applicant's Application: Filed on September 6, 2001. Published for Opposition in the Official Gazette of June 25, 2002. Mark: Black Lab Apparel (with dog design) in International Class 25 for: Team and Promotional Apparel, namely, hats, sweatshirts, polo shirts, T-shirts, and jackets, based upon Intent to Use (ITU).

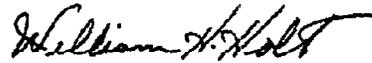
As grounds of opposition, it is alleged that:

1. Opposer is the owner of U.S. Trademark Registration No. 2,600,360 for the mark of a (Dog Design) for use on items of

clothing included in International Class 25. Said registration was based on an application filed in the U.S. Patent and Trademark Office on September 18, 2000, which is a date prior to the date of filing of applicant's application which is based upon intent to use. Said registered mark of Opposer is valid and subsisting and is *prima facie* evidence of Opposer's exclusive right to use said mark in commerce on the goods specified in said registration. In view of the similarity of the respective marks and the related nature of the goods of the respective parties, it is alleged that applicant's mark so resembles Opposer's registered mark, as to be likely to cause confusion, or to cause mistake, or to deceive. A photocopy of Opposer's registration 2,600,360 is attached hereto as Exhibit A.

Respectfully submitted,

September 23, 2002

  
William H. Holt  
Opposer's Attorney

William H. Holt  
Law Offices of William H. Holt  
Unit 2 - First floor  
1423 Powhatan Street  
Alexandria VA 22314

Telephone: 703 838 2700  
Email: [WilliamHolt@HoltLawOffices.com](mailto:WilliamHolt@HoltLawOffices.com)

Int. Cl.: 25

Prior U.S. Cls.: 22 and 39

United States Patent and Trademark Office

Reg. No. 2,600,360

Registered July 30, 2002

TRADEMARK  
PRINCIPAL REGISTER



DANIEL CREMIEUX (FRANCE INDIVIDUAL)  
3, RUE SIBILLE  
83990 SAINT-TROPEZ, FRANCE

FOR: SPORT JACKETS, SKIRTS, SHIRTS, PANTS,  
COATS, BLAZERS, JACKETS, PARKAS, OVER-  
COATS, RAINCOATS, SUITS, JOGGING SUITS,  
SWEATERS, T-SHIRTS, BLOUSES, POLO SHIRTS,  
PULLOVERS, DRESSES, SWEATSHIRTS, SHORTS,  
BERMUDA SHORTS, NECKTIES, GLOVES,  
SCARVES, STOLAS, SLEEP WEAR, PAJAMAS, UN-

DERWEAR, BRIEFS, BATHING SUITS, OVERALLS,  
CLOTHING BELTS, CYCLING PANTS, LEGGINGS,  
SPORT LEGGINGS, SOCKS, FOOTWEAR EXCEPT  
FOR ORTHOPEDIC FOOTWEAR, HEADWEAR, IN  
CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 3-1-2000; IN COMMERCE 3-1-2000.

SER. NO. 76-131,794, FILED 9-18-2000.

LEIGH LOWRY, EXAMINING ATTORNEY


**WILLIAM H. HOLT**  
**ATTORNEY AT LAW**  
 1423 FOWHATAN ST.  
 ALEXANDRIA, VA 22314

68-11121  
 580  
 02298104  
 9/23/2002

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Commissioner of Patents & Trademarks \$300<sup>00</sup>  
 Three Hundred and No/100


**FIRST VIRGINIA BANK**  
 SERVING NORTHERN VIRGINIA  
 FALLS CHURCH, VIRGINIA 22042

No. of Opp. 76/310,560

William H. Holt

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PATENT AND TRADEMARK OFFICE  
 13-10-0001  
 10-07-0000  
 FOR CREDIT TO THE  
 U.S. TREASURY

FIRST VIRGINIA BANK  
 0560011184

PAID  
 FIRST VIRGINIA BANK  
 FALLS CHURCH, VA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
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 Wind-Lock Corporation )  
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 Applicant )  
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 \* \* \* \* \*

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

Application Serial No. 76/310,560

*w/ \$300.00 check*

LETTER OF TRANSMITTAL

LAW OFFICES OF  
WILLIAM H. HOLT  
UNIT 2, FIRST FLOOR  
ALEXANDRIA, VIRGINIA 22314

Telephone: (703) 838-2700  
Facsimile: (703) 838-2701

FACSIMILE TRANSMITTAL COVER SHEET

To: Miss Shelly Jamison  
TTAB

Facsimile No.: 703-746-7119

Date: April 15, 2003

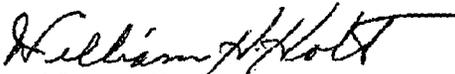
Pages to Follow: 6

Re: Appln. Ser. No. 76/310,560 - Notice of Opposition

Dear Miss Jamison:

In accordance with our telephone conversation of today, transmitted herewith are copies of the documents that we filed on September 23, 2002, namely, a LETTER OF TRANSMITTAL, a NOTICE OF OPPOSITION, a copy of Reg. No. 2,600,360, a copy of our transacted check #4170, and a copy of the receipt stamped by the Patent and Trademark Office mail room on September 23, 2002.

Very truly yours,

  
William H. Holt

WHH:cjw  
Enclosures

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

Daniel Cremieux	)	
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Opposer	)	
	)	
v.	)	Opposition No. _____
	)	
Wind-Lock Corporation	)	
	)	
Applicant	)	Application Serial No. <u>76/310,560</u>
* * * * *	)	

LETTER OF TRANSMITTAL

BOX: TTAB (fee)  
Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington VA 22202-3513

Sir:

Transmitted herewith are:

1. Notice of Opposition, in duplicate.
2. Check for fee of \$300.00.

Respectfully submitted,

*William H. Holt*  
 William H. Holt  
 Opposer's Attorney

September 23, 2002

William H. Holt  
Law Offices of William H. Holt  
Unit 2 - First floor  
1423 Powhatan Street  
Alexandria VA 22314

Telephone: 703 838 2700  
Email: [WillianHolt@HoltLawOffices.com](mailto:WillianHolt@HoltLawOffices.com)

*Ex mr.*  
*Herman Russ*  
*703 308 9108*