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BOX: TTAB FEE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Before the Trademark Trial and Appeal Board

IN RE: Application SN 78/124,112
Trademark: UNCLAIMED GEMS
Applicant: Bond Jewelers, Inc.
Published: May 20, 2003
Attorney Docket No: 3006119-0001/01

US PATENT & TRADEMARK OFFICE
2003 JUN 15 P 4:04
TRADEMARK FEE PROCESS

NOTICE OF OPPOSITION

Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

Dear Sir or Madam:

Rosdebor International, Inc. of Philadelphia, PA, believes it will be damaged by the registration of the mark of the above application and hereby opposes its registration on the Principal Trademark Register.

The grounds for its opposition are as follows:

1. The mark of the application is a generic name of the goods sold using the services of the application, and is therefore incapable of functioning as a service mark.
2. The mark of the application is merely descriptive of the goods sold using the services of the application and has not acquired distinctiveness.



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3. Applicant has asserted that the use by Opposer of “unclaimed gems” in connection with its jewelry business is an infringement of Applicant’s claimed rights.

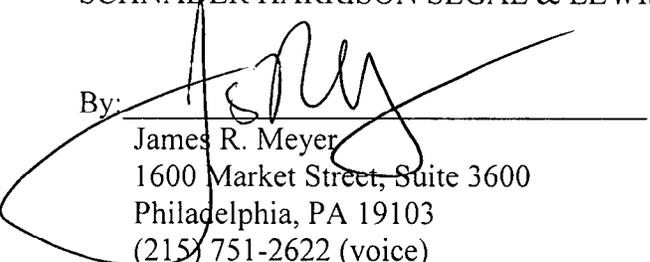
4. Opposer believes it would be damaged by registration of the mark of this application as such registration would grant to Applicant the statutory benefits for the claimed mark under the Lanham Act, including but not limited to *prima facie* evidence of the validity of the claimed mark, Applicant’s ownership of the claimed mark and Applicant’s exclusive right to use the claimed mark in commerce, all to the detriment of Opposer’s right to use “unclaimed diamonds” to fairly and accurately describe its jewelry business.

Wherefore, Opposer requests that the Opposition be granted and the above application be refused registration.

Respectfully submitted,

SCHNADER HARRISON SEGAL & LEWIS LLP

Dated: August 14, 2003

By: 

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ATTORNEYS FOR OPPOSER

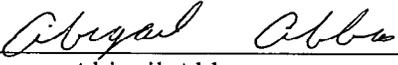
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Certification Under 37 CFR 1.8

I hereby certify that this paper or fee is being deposited with the United States Postal Service with sufficient postage as first class mail under 37 CFR 1.8 on the date indicated below addressed to:

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Date: August 14, 2003


Name: Abigail Abbas