

ESTTA Tracking number: **ESTTA4724**

Filing date: **01/15/2004**

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

Notice is hereby given that the following party opposes registration of the indicated application.

|                        |  |                               |       |
|------------------------|--|-------------------------------|-------|
| <b>Opposer Name</b>    | FIN.ING. S.r.l.                                    |                               |       |
| <b>Opposer Entity</b>  | limited liability company                          | <b>Citizenship of Opposer</b> | Italy |
| <b>Opposer Address</b> | Corso di Porta Romana, 3<br>Milano, 20122<br>ITALY |                               |       |

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| <b>Attorney information</b> | Angelo Notaro<br>Notaro & Michalos P.C.<br>100 Dutch Hill Road, Suite 110<br>Orangeburg, NY 10962<br>UNITED STATES<br>anotaro@notaromichalos.com Phone:845-359-7700 |
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**Applicant Information**

|                               |   |                               |            |
|-------------------------------|---|-------------------------------|------------|
| <b>Application No</b>         | 76393496  | <b>Publication date</b>       | 12/16/2003 |
| <b>Opposition Filing Date</b> | 01/15/2004  | <b>Opposition Period Ends</b> | 01/15/2004 |
| <b>Applicant</b>              | PORTER INTERNATIONAL CO., LTD.                                      |                               |            |
| <b>Address</b>                | 2F, NO. 86, SEC. 1 HUAMEI WEST ST., SHI CHIU<br>TAICHUNG,<br>TAIWAN |                               |            |

**Goods/Services Affected by Opposition**

Class 009 First Use: First Use In Commerce:

All goods and services in the class are opposed, namely: Optical apparatus and instruments, namely cameras, telescopes, and magnifying glasses; spectacles, spectacle lenses, spectacle frames, spectacle cases, spectacle chains; video recorders, audio tape recorders, digital audio tape recorders, and video tape recorders

**Class 014. First Use: First Use In Commerce:**

All goods and services in the class are opposed, namely: Clocks, watches, diving watches, chronographs for use as watches; chronometrical instruments, namely watches, clocks, and chronometers; cuff links, tie clips; jewelry cases of precious metal; brooches, necklaces, bracelets, rings, earrings; non-monetary and commemorative gold-plated or silver-plated coins

**Class 025. First Use: First Use In Commerce:**

All goods and services in the class are opposed, namely: Clothing namely, men's, women's jackets, shirts, trousers, suits, scarves, clothing belts, hats, gloves, socks, ties, neckties, shoes, boots, sandals and slippers

**Attachments** J118-128-NOP.pdf ( 4 pages )

1. Opposer owns United States trademark registration no. 1,610,625 which was registered on August 21, 1990 for the trademark REPORTER for goods identified as:

Jackets, suits, shirts, coats, waistcoats, overcoats, raincoats,  
T-shirts, sweaters, pullovers, scarves, neck ties, shawls,  
hats, caps

2. U.S. trademark registration no. 1,610,625 was based on an application filed on January 25, 1989, which is a date prior to the date of applicant's application.

3. U.S. trademark registration no.1,610,625 is valid and subsisting.

4. The registration of Opposer's registered trademark, REPORTER, U.S. trademark registration no. 1,610,625, is conclusive evidence of Opposer's exclusive right to use said trademark in commerce on the goods specified in said registration.

5. Opposer owns United States trademark registration no. 2,071,060 which was registered on June 17, 1997 for the trademark REPORTER for various goods, including goods identified as:

Eyeglasses, eyeglass cases, eyeglass chains and cords,  
eyeglass frames

Parasols, walking-sticks, trunks for traveling bags, suitcases,

wallets, handbags, purses, umbrellas, whips, harness and saddlery, all made of leather and/or imitation leather, in whole or in part; leather sold in bulk and imitation leather sold in bulk

Clothing, namely, suits, coats, jackets, blouses, shirts, T-shirts, pullovers, sweaters, cardigans, trousers, pants, ties and scarves, footwear, headwear

6. U.S. trademark registration no. 2,071,060 was based on an application filed on June 26, 1995, which is a date prior to the date of applicant's application.

7. U.S. trademark registration no.2,071,060 is valid and subsisting.

8. The registration of Opposer's registered trademark, REPORTER, U.S. trademark registration no. 2,071,060, is conclusive evidence of Opposer's exclusive right to use said trademark in commerce on the goods specified in said registration.

9. Opposer owns United States trademark registration no. 1,664,193 which was registered on November 12, 1991 for the trademark REPORTER for goods identified as footwear.

10. U.S. trademark registration no. 1,664,193 was based on an application

filed on October 10, 1990, which is a date prior to the date of applicant's application.

11. U.S. trademark registration no.1,664,193 is valid and subsisting.

12 The registration of Opposer's registered trademark, REPORTER, U.S. trademark registration no. 1,664,193, is conclusive evidence of Opposer's exclusive right to use said trademark in commerce on the goods specified in said registration.

13. Opposer owns United States trademark registration no. 1,618,470 which was registered on October 23,1990 for the trademark REPORTER for goods identified as spectacles, sung-glasses, lenses, frames, parts thereof.

14. U.S. trademark registration no. 1,618,470 was based on an application filed on January 1, 1989, which is a date prior to the date of applicant's application.

15. U.S. trademark registration no.1,618,470 is valid and subsisting.

16. The registration of Opposer's registered trademark, REPORTER, U.S. trademark registration no. 1,618,470, is conclusive evidence of Opposer's exclusive right to use said trademark in commerce on the goods specified in said registration.

17. Opposer owns United States trademark registration no. 2,081,735 which was registered on July 22, 1997 for the trademark REPORTER for goods identified as

clocks and watches; jewelry and imitation jewelry.

18. U.S. trademark registration no. 2,081,735 was based on an application filed on September 26, 1996, which is a date prior to the date of applicant's application.

19. U.S. trademark registration no.2,081,735 is valid and subsisting.

20. The registration of Opposer's registered trademark, REPORTER, U.S. trademark registration no. 2,081,735, is conclusive evidence of Opposer's exclusive right to use said trademark in commerce on the goods specified in said registration.

21. Opposer's trademark, REPORTER, so resembles the trademark Applicant seeks to register, namely, PORTER & design, when applied to the goods identified in Applicant's application, Serial No. 76-393,496, as to be likely to cause confusion or to cause mistake or deception.

WHEREFORE, Opposer believes that it will be damaged by the registration of the mark shown in application Serial No. 76-393,496 and prays that registration be denied and that the opposition be sustained in favor of Opposer.