

ESTTA Tracking number: **ESTTA6796**

Filing date: **03/22/2004**

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>	Planned Parenthood Federation of America
<b>Granted to Date of previous extension</b>	03/24/2004
<b>Address</b>	Planned Parenthood Federation of America 434 West 33rd Street New York, NY 10001 UNITED STATES

<b>Attorney information</b>	Alan H. Levine Levine & Mandelbaum 444 Madison Avenue, 35th Floor New York, NY 10022 UNITED STATES mail@levman.com Phone:(212) 588-9800
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**Applicant Information**

<b>Application No</b>	78235121	<b>Publication date</b>	11/25/2003
<b>Opposition Filing Date</b>	03/22/2004	<b>Opposition Period Ends</b>	03/24/2004
<b>Applicant</b>	Planned Elderhood, Inc.		
<b>Address</b>	899 Skokie Blvd. Northbrook, IL 60062 UNITED STATES		

## Goods/Services Affected by Opposition

Class 044. First Use: 20020711 First Use In Commerce: 20020711  
All goods and services in the class are opposed, namely: Consulting services, namely senior health care planning consultation

<b>Signature</b>	/Alan H. Levine/
<b>Name</b>	Alan H. Levine
<b>Date</b>	03/22/2004

<b>Attachments</b>	NotofOppPPFΛ0360US.pdf ( 2 pages )
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The grounds for the opposition are as follows:

1. Opposer is a non-profit organization which, since 1935, has been providing a variety of services, including promoting the accessibility of fertility control means by, among other activities, conducting awareness programs, publishing literature, and disseminating information through lectures, meetings, and exhibits.

2. As part of its activities, Opposer has since at least as early as 1994, been providing health care services under its service mark PLANNED PARENTHOOD.

3. Opposer has registered its service mark PLANNED PARENTHOOD in the Patent and Trademark Office under the following registration numbers:

<u>REGISTRATION NO.</u>	<u>SERVICE MARK</u>
608,113	PLANNED PARENTHOOD
1,020,124	PLANNED PARENTHOOD
1,847,113	PLANNED PARENTHOOD
1,950,927	PLANNED PARENTHOOD. AMERICA'S MOST TRUSTED NAME IN WOMEN'S HEALTH

4. Applicant seeks to register the term PLANNED ELDERHOOD for "consulting services, namely senior health care planning consultation".

5. Upon information and belief, Applicant's services are so closely related to Opposer's services that use of closely similar service marks in connection with the respective services of the parties is likely to cause confusion or mistake, or to deceive purchasers as to the origin of the services.

6. Upon information and belief, the registration by Applicant of PLANNED ELDERHOOD for services closely related to Opposer's services will impair Opposer's free use of its service mark, and will dilute the distinctive quality of Opposer's famous mark, and will result in injury to the good will Opposer has acquired with respect to its service mark, all to Opposer's damage.

WHEREFORE, Opposer prays that the registration for which application has been made be disallowed, and that this opposition be sustained.