

ESTTA Tracking number: **ESTTA14387**

Filing date: **09/01/2004**

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

Notice of Opposition

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

Opposer Information

Name	310-Limo, Inc.
Granted to Date of previous extension	09/01/2004
Address	310-Limo, Inc. 16 Webster Ave. Toronto, M5R 1N7 CANADA

Correspondence information	Michael K. Bosworth Burns, Doane, Swecker & Mathis LLP P. O. Box 1404 Alexandria, VA 22313-1404 UNITED STATES mbosworth@burnsdoane.com Phone:650-622-2300
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Applicant Information

Application No	78234815	Publication date	05/04/2004
Opposition Filing Date	09/01/2004	Opposition Period Ends	09/01/2004
Applicant	UAL Loyalty Services, Inc.		

Goods/Services Affected by Opposition

Class 039. First Use: 20000105 First Use In Commerce: 20000105

All goods and services in the class are opposed, namely: Transportation services, namely allowing frequent flyer customers to redeem or earn miles through cruise vacations

Attachments	Notice of Opposition Statement for CRUISEMILES.txt (1 page) UAL CRUISE4MILES webpage.pdf (1 page)
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Signature	/Michael K. Bosworth/
Name	Michael K. Bosworth
Date	09/01/2004

Opposer believes that it will be damaged by the registration of the mark of Serial No. 78/234,815 for "CRUISE4MILES", and hereby opposes its registration.

As grounds for opposition, it is alleged that:

1. Opposer was the first to use the mark CRUISE4MILES, having used it in connection with starting a business for trading airline miles as a credit for other forms of travel at least as early as 1999.

a. In connection with such use, Opposer registered the domain name www.cruise4miles.com with Network Solutions on or before April 25, 1999, and continued to own such domain name as of April 25, 2000.

b. By some method, Applicant managed to acquire Opposer's domain name, allegedly on April 26, 2000, either as a result of an error by Network Solutions, or before expiration of the typical grace period allowed by the domain name registrar for domain registrants to renew their registration.

2. In the alternative, Opposer alleges that the mark "CRUISE4MILES"

is descriptive of a service offering a cruise for (redemption of) miles, or miles for (taking) a cruise. In Applicant's own words: "Cruise 4 Miles is an official United travel partner offering United Mileage Plus (R) customers the opportunity to redeem miles to purchase cruise vacations, or earn miles for taking a cruise". (See Exhibit A attached hereto)

CA 83904v1



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NEWS & INFORMATION

Cruise 4 Miles

Cruise 4 Miles is an official United travel partner offering United Mileage Plus (R) customers the opportunity to redeem miles to purchase cruise vacations, or earn miles for taking a cruise.

Earn Double Mileage Plus Miles

Book an outside cabin or suite on an Alaskan or European cruise with Holland America, Princess, or Celebrity sailing between May 15th and September 30, 2002 and earn DOUBLE bonus miles. Offer valid on bookings made by May 31, 2002.

