

ESTTA Tracking number: **ESTTA15858**

Filing date: **09/28/2004**

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	Formula One Licensing B.V.
Granted to Date of previous extension	11/24/2004
Address	Formula One Licensing B.V. Rokin 55 Amsterdam, 1015 KK NETHERLANDS

Domestic Representative	Paul W. Kruse Attorney Bass Berry & Sims PLC AmSouth Center 315 Deaderick Street Nashville, TN 37238-3001 UNITED STATES trademarks@bassberry.com Phone:615-742-7779
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Applicant Information

Application No	76464467	Publication date	07/27/2004
Opposition Filing Date	09/28/2004	Opposition Period Ends	11/24/2004
Applicant	KOENIGSEGG AUTOMOBILE INC.		

Goods/Services Affected by Opposition

Class 025. First Use: 20010600 First Use In Commerce: 20010600
All goods and services in the class are opposed, namely: AUTOMOBILE RACING ACCESSORIES, NAMELY, SHIRTS, T-SHIRTS, POLO SHIRTS, SWEATSHIRTS, SWEATERS, JACKETS, WIND RESISTANT JACKETS AND HATS

Attachments	Ser. No. 76-464467 - NOP.pdf (13 pages)
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Signature	/Paul W. Kruse/
Name	Paul W. Kruse
Date	09/28/2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Formula One Licensing B.V.,)
)
 Opposer,)
)
 v.)
)
 Koenigsegg Automobile Inc.,)
)
 Applicant.)
)
 Attorney Ref. No. 112338-862)

Opposition No. _____
Ser. No. 76/464,467

NOTICE OF OPPOSITION

Box TTAB FEE
Commissioner for Trademarks
2900 Crystal Drive
Trademark Trial and Appeal Board
Arlington, Virginia 22202-3514

Sir:

Formula One Licensing B.V. (hereinafter Opposer) is or will be damaged by the registration of the mark 1 WILLIAM F1 TEAM, which is set forth in application Ser. No. 76/464,467 and owned by Koenigsegg Automobile Inc. (hereinafter Applicant), and hereby opposes the same.

As grounds for the opposition, Opposer, by its attorneys, avers as follows:

1. The United States Patent and Trademark Office has issued Reg. Nos. 2,133,606; 2,596,424; 2,714,785 and 2,831,397.
2. On October 29, 2002, Applicant submitted application Ser. No. 76/464,467 to the United States Patent and Trademark Office.

3. Opposer owns Reg. Nos. 2,133,606; 2,596,424; 2,714,785 and 2,831,397.
4. On July 27, 2004, application Ser. No. 76/464,467 was published for opposition.
5. The marks set forth in Reg. Nos. 2,133,606; 2,596,424; 2,714,785 and 2,831,397 and the mark set forth in application Ser. No. 76/464,467 are confusingly similar.
6. The goods and/or services set forth in Reg. Nos. 2,133,606; 2,596,424; 2,714,785 and 2,831,397 and the goods set forth in application Ser. No. 76/464,467 are closely related.
7. The conditions surrounding the marketing of the goods and/or services set forth in Reg. Nos. 2,133,606; 2,596,424; 2,714,785 and 2,831,397 and the goods set forth in application Ser. No. 76/464,467 are such that they could be encountered by the same purchasers under circumstances that could give rise to the mistaken belief that the goods and/or services come from a common source.
8. The marks set forth in Reg. Nos. 2,133,606; 2,596,424; 2,714,785 and 2,831,397 were first used in commerce prior to any actual use or constructive use of the mark set forth in application Ser. No. 76/464,467.
9. The marks set forth in Reg. Nos. 2,133,606; 2,596,424; 2,714,785 and 2,831,397 are in use in commerce in connection with the goods and/or services set forth therein.
10. Opposer will be damaged by the issuance of this registration. Specifically, the mark set forth in application Ser. No. 76/464,467 consists of or comprises a mark which so resembles the marks set forth in Reg. Nos. 2,133,606; 2,596,424; 2,714,785 and 2,831,397 as to be likely to cause confusion, or to cause mistake, or to deceive, under Trademark Act Section 2(d), 15 U.S.C. 1052(d).

WHEREFORE, Opposer requests that application Ser. No. 76/464,467 be refused registration.

Please direct all communications to the attention of the undersigned at either (615) 742-6200 or trademarks@bassberry.com

Please charge any fees due in connection with this document to Deposit Account No. 502483-4995, 112338-862.

Formula One Licensing B.V. _____



By: _____

Name: Paul W. Kruse

Title: Attorney

Date: September 28, 2004

Submitted by:

Bass, Berry & Sims, PLC
AmSouth Center
315 Deaderick Street
Suite 2700
Nashville, Tennessee 37238-3001
(615) 742-6200

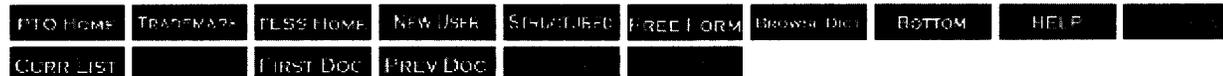


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Word Mark	F FORMULA 1
Goods and Services	IC 025. US 022 039. G & S: articles of clothing, sportswear, and leisure wear, namely, tee-shirts, sweatshirts, jackets, pants, headwear, caps, hats, footwear, pajamas, sweatbands and wristbands
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	261321 261328 270301
Serial Number	74527520
Filing Date	May 19, 1994
Current Filing Basis	44E
Original Filing Basis	1B;44D
Published for Opposition	August 26, 1997
Registration Number	2133606
Registration	February 3, 1998

Date

Owner (REGISTRANT) GISS LICENSING B.V. CORPORATION NETHERLANDS
 KoningIn Emmaplein 13 3016-AB, Rotterdam NETHERLANDS

(LAST LISTED OWNER) **FORMULA ONE LICENSING B.V. PRIVATE LIMITED COMPANY BY CHANGE OF NAME NETHERLANDS**
 KONINGSLAAN 34 1075 AD AMSTERDAM NETHERLANDS

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record PAUL W KRUSE

Priority Date March 12, 1994

Type of Mark TRADEMARK

Register PRINCIPAL

Affidavit Text SECT 15. SECT 8 (6-YR).

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Word Mark	FIA FORMULA 1 WORLD CHAMPIONSHIP
Goods and Services	IC 025. US 022 039. G & S: articles of clothing, sportswear and leisurewear, namely, T-shirts, sweat shirts, jackets, pants, headwear, caps, hats, footwear, pajamas, sweat bands and wrist bands
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	180501 261713
Serial Number	74437804
Filing Date	September 20, 1993
Current Filing Basis	44E
Original Filing Basis	44E
Published for Opposition	June 2, 1998
Change In Registration	CHANGE IN REGISTRATION HAS OCCURRED
Registration	2596424

Number**Registration
Date**

July 23, 2002

Owner(REGISTRANT) **FORMULA ONE LICENSING B.V. PRIVATE LIMITED**
COMPANY NETHERLANDS KONINGSLAAN 34 1075 AD AMSTERDAM
NETHERLANDS**Assignment
Recorded**

ASSIGNMENT RECORDED

**Attorney of
Record**

LAWRENCE E. APOLZON

Type of Mark

TRADEMARK

Register

PRINCIPAL

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Word Mark F1 FORMULA 1

Goods and Services IC 035. US 100 101 102. G & S: Retail store, mail order and on-line electronic ordering services relating to services relating to autoracing, automotive products and services, car engine noises and sports personalities namely, bringing together for the benefit of others of a variety of goods enabling customers to conveniently view and purchase those goods, computerized database management, document reproduction, business merchandising display, dissemination of advertising matters for others, production of advertising matter; providing home or office shopping and ordering services via computer and/or interactive communications technologies in the fields of sports related equipment, clothing, games and playthings, memorabilia, printed goods and books, computer software, luggage, exercise equipment, and pre-recorded audio and video tapes and discs featuring music, auto races, car engine noises and programming related to sports personalities

Mark

Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 261321 261328 270301

Serial Number 75446228

Filing Date March 6, 1998
Current Filing Basis 44E
Original Filing Basis 1B
Published for Opposition February 18, 2003
Change In Registration CHANGE IN REGISTRATION HAS OCCURRED
Registration Number 2714785
Registration Date May 13, 2003
Owner (REGISTRANT) FORMULA ONE LICENSING B.V. PRIVATE LIMITED
 COMPANY UNDER DUTCH LAW NETHERLANDS KONINGSLAAN 34 1075 AB
 AMSTERDAM NETHERLANDS
Assignment Recorded ASSIGNMENT RECORDED
Attorney of Record VERONICA COLBY DEVITT
Type of Mark SERVICE MARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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Typed Drawing

Word Mark FORMULA 1

Goods and Services IC 009. US 021 023 026 036 038. G & S: PRERECORDED VIDEOCASSETTES FEATURING AUTO RACES, RACE CAR ENGINE NOISES AND MOTOR SPORT PERSONALITIES AND INTERVIEWS; COMPUTER GAME SOFTWARE IN THE FIELD OF MOTOR SPORT. FIRST USE: 19930000. FIRST USE IN COMMERCE: 19930000

IC 016. US 002 005 022 023 029 037 038 050. G & S: PRINTED MAGAZINES ABOUT AUTO RACING, AUTOMOTIVE PRODUCTS AND SERVICES, CAR ENGINE NOISES AND MOTOR SPORT PERSONALITIES; PRINTED PROGRAM BOOKS ABOUT MOTOR SPORTS AND PRINTED SOUVENIR PROGRAMS ABOUT MOTOR SPORTS; PRINTED TICKETS AND PRINTED ENTRY PASSES. FIRST USE: 20000900. FIRST USE IN COMMERCE: 20000900

IC 041. US 100 101 107. G & S: ARRANGING, ORGANIZING AND STAGING OF SPORTS EVENTS AND CAR RACES. FIRST USE: 19840600. FIRST USE IN COMMERCE: 19840600

Mark Drawing Code (1) TYPED DRAWING

Serial Number 76454795

Filing Date September 26, 2002

Current Filing Basis 1A

Original Filing Basis IA
Published for Opposition January 20, 2004
Registration Number 2831397
Registration Date April 13, 2004
Owner (REGISTRANT) **Formula One Licensing B.V. CORPORATION** NETHERLANDS
 Koningslaan 34 1075 AD, Amsterdam NETHERLANDS
Attorney of Record Paul W. Kruse
Prior Registrations 2518934;2568756;2608350;2633750;AND OTHERS
Type of Mark TRADEMARK. SERVICE MARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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Record 1 out of 1

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Word Mark 1 WILLIAMS F1 TEAM

Goods and Services IC 025. US 022 039. G & S: AUTOMOBILE RACING ACCESSORIES, NAMELY, SHIRTS, T-SHIRTS, POLO SHIRTS, SWEATSHIRTS, SWEATERS, JACKETS, WIND RESISTANT JACKETS AND HATS. FIRST USE: 20010600. FIRST USE IN COMMERCE: 20010600

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 261521

Serial Number 76464467

Filing Date October 29, 2002

Current Filing Basis 1A

Original Filing Basis 1A

Published for Opposition July 27, 2004

Owner (APPLICANT) KOENIGSEGG AUTOMOBILE INC. CORPORATION NEVADA
155 TERRAZA COURT COSTA MESA CALIFORNIA 92627

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Register PRINCIPAL
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