

ESTTA Tracking number: **ESTTA50004**

Filing date: **10/24/2005**

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	Cabela's Inc.		
Entity	Corporation	Citizenship	Delaware
Address	One Cabela Drive Sidney, NE 69160 UNITED STATES		

Attorney information	Barry L. Kelmachter BACHMAN & LaPOINTE, P.C. 900 Chapel Street Suite 1201 New Haven, CT 06510 UNITED STATES docket@bachlap.com Phone:203-777-6628
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Applicant Information

Application No	78522085	Publication date	10/18/2005
Opposition Filing Date	10/24/2005	Opposition Period Ends	11/17/2005
Applicant	International Outsourcing Services, LLC 501 South Madison Bloomington, IN 47403 UNITED STATES		

Goods/Services Affected by Opposition

Class 020.

All goods and services in the class are opposed, namely: Furniture

Attachments

05-442S Notice of Opposition Document.tif (8 pages)

Signature

/blk/

Name

Barry L. Kelmachter

Date

10/24/2005

As grounds of opposition, it is alleged that:

1. Opposer is now and has been for a number of years engaged in the sale of hunting, fishing, and outdoor equipment including furniture and other home furnishing items.

2. Opposer adopted and used the trademark GRAND RIVER LODGE in said business prior to November 23, 2004 and Opposer is still using said trademark in connection with furniture and home furnishing items, including, but not limited to, tables, lighting, and clocks.

3. Opposer adopted and used, and continues to use its trademark GRAND RIVER LODGE to identify its diverse products including those especially directed to homeowners as exemplified in the annexed Exhibit 1 as well as in connection with other goods.

4. Opposer has so used the said trademark in connection with its goods that the trade and purchasing public have come to associate the trademark GRAND RIVER LODGE with Opposer, and as indicating that the goods so marked originate with Opposer.

5. Opposer is the proprietor of U.S. Trademark Application SN 78/669,263 to the trademark GRAND RIVER LODGE for electric lanterns, chandeliers, antler chandeliers, wall sconces, clocks, and furniture, namely end tables, coffee tables, sofa tables, desks, tables, and hall desks.

6. Applicant, International Outsourcing Services, LLC, filed Application Serial No. 78/522,085 on November 23, 2004, for the mark

GRAND RIVER and said application was published in the Official Gazette of October 18, 2005, on page TM 852.

7. The goods recited in Applicant's said application and the goods upon which Opposer uses its trademark are closely associated in use and sale and are goods of the same general class.

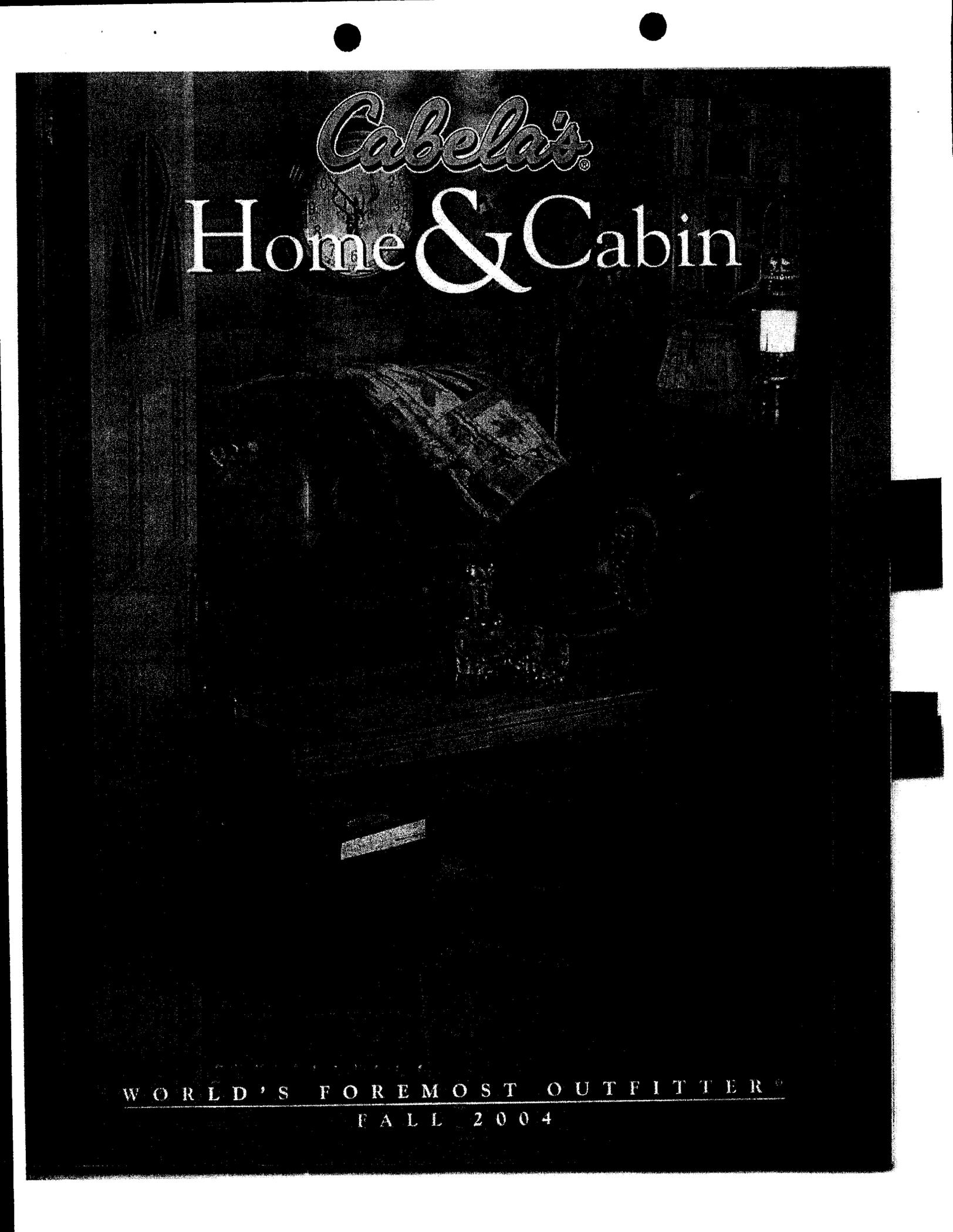
8. Upon information and belief, the goods marketed by Opposer in association with its trademark GRAND RIVER LODGE are sold through the same channels of commerce and to the same purchasers as the goods of applicant bearing the alleged trademark GRAND RIVER are or will be.

9. The GRAND RIVER trademark of Applicant, as applied to, or as will be applied to, the goods of Applicant set forth in the application, so resembles the trademark GRAND RIVER LODGE of Opposer, previously used by Opposer, as applied to the goods of Opposer, as to cause confusion or cause mistake, or to deceive.

10. Based upon the foregoing, the registration of the mark depicted in Application Serial No. 78/522,085, filed November 23, 2004, on the Principal Register of the United States Patent and Trademark Office, will cause injury and damage to Opposer.

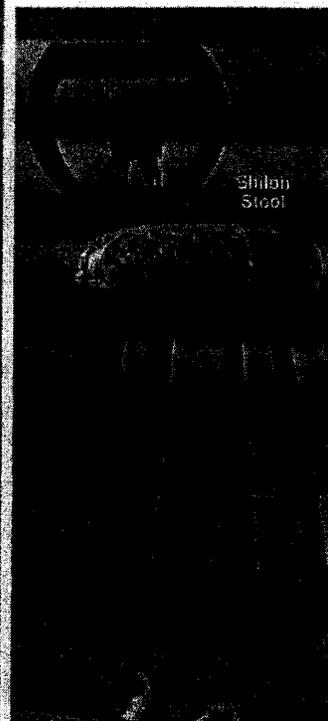
WHEREFORE, Opposer requests that registration of Applicant's mark GRAND RIVER, Application Serial No. 78/522,085, be denied and this opposition be sustained.

EXHIBIT 1

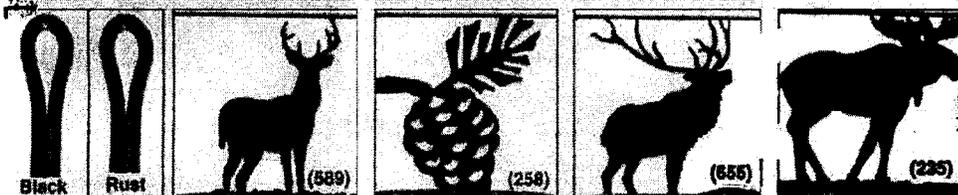


Cabela's
Home & Cabin

WORLD'S FOREMOST OUTFITTER®
FALL 2004



Wrought Iron Furniture



Black

Rust

(589)

(258)

(555)

(235)

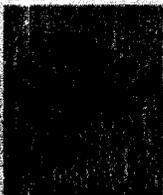
With a clean, simple look and intricate laser-cut designs this cabin-style furniture will fit into any outdoor-themed decor. Made of heavy-duty powder-coated wrought iron, it will provide years of service and lasting good looks. Laser cut designs: (235-Moose), (588-Elk), (258-Pine Cone), (589-Deer). Colors: (003-Black), (431-Rust). Fabric patterns: (180-Pine Cone), (543-Mossy Oak® Break-Up™), (550-Suff Faux Suede), (144-Realtree Hardwoods® HD™ Gray), (188-Forest Green). Made in the USA.



Realtree Hardwoods® HD Gray



Mossy Oak® Break-Up



Forest Green

Oak Top Pub Table - This classically styled table is outfitted with a 35" diameter solid oak table top. 17"H x 15"W x 8"D.
GSR- 61-6737* \$299.99
24" Pub Stools - Fitted with a foam-padded 16" x 19" seat atop a tandler ball-bearing swivel. Specify fabric pattern.
GSR- 61-6738* - 24" Pub (each) \$149.99
24" and 30" Shiloh Stools - Generously padded round seat, tandler ball-bearing swivel and sturdy four-leg construction. Specify fabric pattern.
GSR- 61-6305* - 24" Shiloh (each) \$199.99
GSR- 61-6307* - 30" Shiloh (each) \$199.99



Cabela's Grand River Lodge Oak Accessory Collection

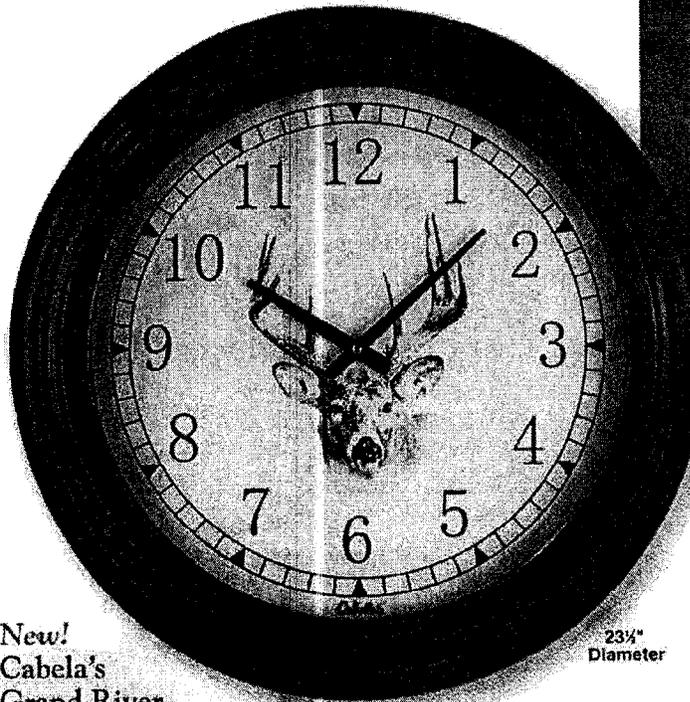
These beautiful tables are crafted of solid white oak that receives a durable, hand-rubbed, multiple-coat lacquer finish. The Hall Deek offers ample storage and features a drop-front that creates a 13" x 28" writing surface.

Coffee table has a drawer that measures 12"W x 17"L x 2"D. And all pieces are easily assembled in your home with only a screwdriver. Table Combo includes Coffee Table, two End Tables and Sofa Table. Imported.

Coffee Table -
 40"L x 23"W x 18"H.T.
GSR- 61-6199** \$149.99
End Table -
 20"L x 14"W x 22"H.
GSR- 61-6198 \$79.99
Hall Deek -
 25"W x 14"D (closed) x 40"H.T.
GSR- 61-6197 \$199.99
Sofa Table -
 32"L x 12"W x 30"H.T.
GSR- 61-6200* \$149.99
Table Combo -
GSR- 61-6201** \$399.99

Blue order numbers may require additional postage: Add \$6 (*), \$12 (**), or \$18 (***) to Standard Express rate. Call for quote if expedited shipping is desired.

Clocks that do more than just tell time



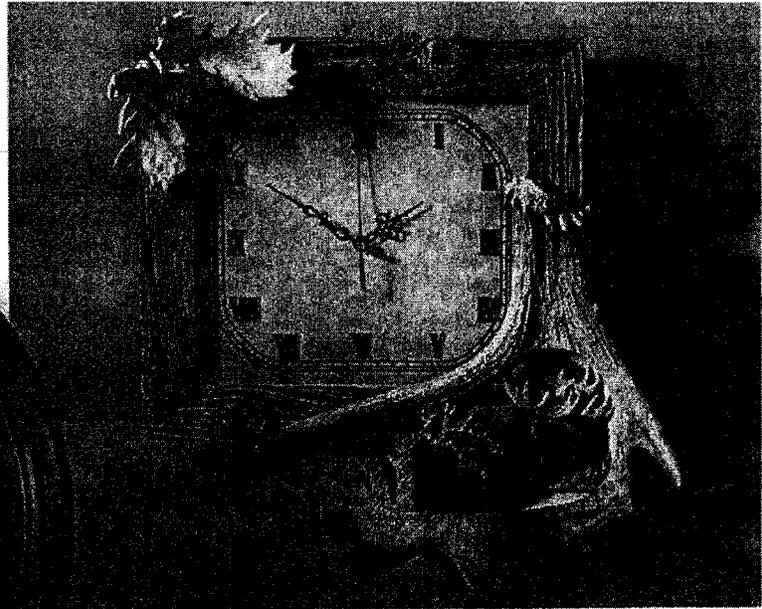
New!
Cabela's
Grand River
Lodge Schoolhouse Clock

Cabela's exclusive

Handcrafted of solid oak with a hand-rubbed natural finish, this large handsome clock is the perfect accent piece for the den, office or cabin of anyone who daydreams of cold winter days in the woods. The cream-colored face features an image of a white-tailed deer created by renowned wildlife artist Ron Van Gilder. Regulated clockwork's movement requires one AA battery (not included). Outside diameter: 23 1/2".

GSR- 61-9441\$99.99

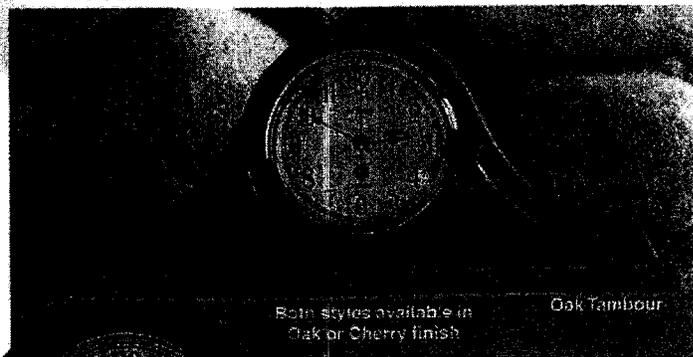
23 1/2"
 Diameter



Jim Biesinger's "Slow Motion" Clock

Using a shed antler as his original canvas, artist Jim Biesinger created the incredibly detailed three-dimensional carving of the moose that adorns this clock. The carving in the lower right corner, moose antlers in the upper left corner and the frame, which looks like weathered barn wood, all are made of a blend of fine resin and pure, white-crushed alabaster. Clock runs on one AA alkaline battery (not included). Height: 17 1/2".

GSR- 61-8404*\$129.99



Both styles available in
 Oak or Cherry finish

Oak Tambour



Cherry Schoolhouse

LA CROSSE
 TECHNOLOGY

Radio-Controlled Clocks

Don't let the traditional styling fool you. These clocks are packed with radio-controlled technology for the ultimate in time-keeping accuracy. Simply install one AA battery, press the button for your time zone and the clock automatically sets to the exact time. Both models automatically adjust to the exact time six times a day. Will receive signal throughout the continental United States and most of Canada. One AA alkaline battery (not included).

Both styles available in (464-Cherry) or (365-Oak)

GSR- 61-8369 - Tambour Clock\$69.99
 (8 1/2"H x 10"W x 2 1/4"D)

Schoolhouse Clock (21"H x 13 1/4"W x 3 3/4"D)\$99.99

GSR- 61-8370-464 - Cherry\$99.99

GSR- 61-8370-365 - Oak\$119.99



Wildlife Wood Clocks

Vibrant artwork and heavy wood construction ensure these clocks will appeal to a wide range of outdoors enthusiasts. "African Collection," by Judy Gibson, has a zebra, giraffe, cheetah and elephant. "North American Collection," also by Gibson, features an elk, moose, bear and white-tailed buck. "When Rascals Become Legends," by Larry Chandler, has three Lab puppies and their adult counterparts. Each clock has quartz movement for accuracy. Powered by one AA battery (not included). Diameter: 11.6"

Specify: (235-North American Collection), (277-African Collection), (480-When Rascals Become Legends).

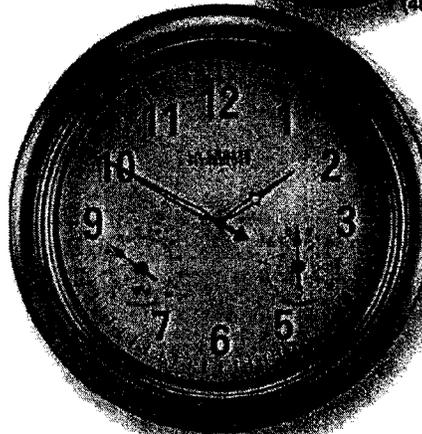
GSR- 61-8207\$19.99

LA CROSSE
 TECHNOLOGY

Atomic Outdoor Wall Clock

Look out the window or across the yard and always know the exact time, temperature and humidity. This clock/thermometer/hygrometer has an 18" face for easy viewing. And because it's linked via radio signal to the official U.S. Atomic Clock, it's always precise and automatically adjusts for daylight-saving time. Rubber gaskets lock out moisture. Glass crystal and metal frame.

GSR- 61-8655\$69.99



Blue order numbers may require additional postage: Add \$6 (+), \$12 (***) or \$18 (***) to Standard Express rate. Call for quote if expedited shipping is desired.

**Cabela's
EXCLUSIVE**

Classic illumination for your home and your lifestyle

Gun Metal

Brass

Silver

Cabela's
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Sidney
Nebraska 69160

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U.S. POSTAGE
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Cabela's Inc.

Meet Cabela's Grand River Lodge Electric Lantern Lamps

Add warm light and a quaint, old-fashioned style to your cabin or home with our Electric Lantern Lamps. Indoors or out, they bring the look of the past into the present. Available with both a clear and a frosted glass diffuser globe. On/off line switch, 23 1/2" tall, 11" diameter shade. Designed for up to 100 watt light bulb, 6 1/2" diameter base. UL listed.
Specify: (572-Gun Metal), (199-Brass) or (274-Silver)
GSR- 61-9219 \$99.99

Customer Number

Code