

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

Mi Casa Real Estate Co.

v.

Gelt Industries, Inc.

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§  
§  
§

Opp. No.: \_\_\_\_\_

App. No.: 78/317,032

Mark: MI CASA PUBLICACION

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451

TRANSMITTAL

Madam or Sir:

Enclosed are the following relating to the above-identified opposition:

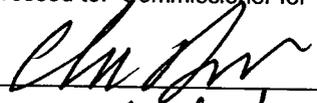
1. a Notice of Opposition, in duplicate (2 pages each);
2. a check in the amount of \$300.00 for the required fee;
3. a return postcard; and
4. an original and copy of this Transmittal (2 pages each).

The Commissioner is hereby authorized to charge any fees associated with this communication to Deposit Account No. 23-3263. Please refund any overpayments by treasury check.

CERTIFICATE OF MAILING

Date of Deposit: 2-3-2006

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451.

  
Name: J. Charles Dougherty  
(Print)



02-07-2006

Respectfully submitted,

Date: 2-3-2008



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J. Charles Dougherty  
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Mi Casa Real Estate Co.	§	Opp. No.:	_____
v.	§	App. No.:	78/317,032
Gelt Industries, Inc.	§	Mark:	MI CASA PUBLICACION
	§		
	§		
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NOTICE OF OPPOSITION

Mi Casa Real Estate Co., of 1200 Shipley, Springdale, Arkansas 72764 ("Mi Casa"), believes that it will be damaged by the registration of the mark MI CASA PUBLICACION, which is the subject of federal trademark application no. 78/317,032, filed on October 22, 2003 by Gelt Industries, Inc. ("Gelt"), and published for opposition by the United States Patent and Trademark Office on January 31, 2006. Mi Casa therefore opposes the registration of the Gelt mark. As grounds for its opposition, Mi Casa states as follows:

1. Mi Casa is currently providing real estate agency services under the mark MI CASA. Mi Casa regularly advertises its real estate services through Spanish-language media and specifically targets the Hispanic market segment with its services.

2. Gelt wishes to register the mark MI CASA PUBLICACION for "a series of monthly magazines in the field of real estate published entirely in the Spanish language and targeted specifically of [sic] the Hispanic market segment."

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3. Mi Casa has been continuously providing its services under the MI CASA mark in the United States since well before Gelt's stated first use anywhere date of February 15, 2002, and has not abandoned such mark.

4. Mi Casa's MI CASA mark is associated with extensive goodwill and consumer recognition built up through substantial effort in advertising and promotion through its period of use.

5. In view of the similarity of the respective marks and the related nature of the goods and services of the respective parties, Mi Casa alleges that Gelt's mark so resembles Mi Casa's mark as to be likely to cause confusion, or to cause mistake, or to deceive.

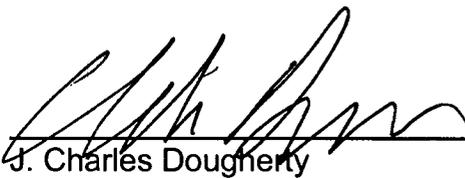
Request for Relief

Mi Casa Real Estate Co. therefore requests that registration of the opposed mark be denied, that no registration be issued thereon to Gelt Industries, Inc., and that this opposition be sustained in favor of Mi Casa Real Estate Co. Mi Casa Real Estate Co. further requests to be granted all other relief as is deemed just and proper by the Board.

This Notice of Opposition is filed in duplicate along with the required filing fee of \$300.00.

Respectfully submitted,

Date: 2-3-2006



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