

ESTTA Tracking number: **ESTTA83640**

Filing date: **06/02/2006**

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	SAFILO - SOCIETA AZIONARIA FABRICA ITALIANA LAVORAZIONE OCCHIALI S.P.A.
Granted to Date of previous extension	06/04/2006
Address	Piazza Tiziano, 8 Pieve Di Cadore, 32044 ITALY
Party who filed Extension of time to oppose	SALFILO - SOCIETA AZIONARIA FABRICA ITALIANA LAVORAZIONE OCCHIALI S.P.A.
Relationship to party who filed Extension of time to oppose	There was a typographical error in the SAFILO portion of the Opposer's name when the first extension of time to oppose was filed. The correct spelling is SAFILO, without the extra "L" in between the "A" and the "F."

Correspondence information	John A. Clifford Attorney 3200 IDS Center 80 So. Eighth St., P.O. Box 2910 Minneapolis, MN 55402 UNITED STATES dmattessich@merchant-gould.com, electronictm@merchantgould.com, lengel@merchantgould.com Phone:(612) 332-5300
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Applicant Information

Application No	76628448	Publication date	12/06/2005
Opposition Filing Date	06/02/2006	Opposition Period Ends	06/04/2006
Applicant	Riedell Shoes, Inc. 122 Cannon River P.O. Box 21 Red Wing, MN 55066 UNITED STATES		

Goods/Services Affected by Opposition

Class 028. First Use: 1993/12/31 First Use In Commerce: 1994/07/31 All goods and services in the class are opposed, namely: Roller skate boots

Attachments	carrera.pdf (4 pages)(203034 bytes)
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Signature	/daniellemattessich/
Name	Danielle I. Mattessich

Date	06/02/2006
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

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SAFILO - Societa Azionaria Fabbrica)	
Italiana Lavorazione Occhiali S.P.A.,)	Opposition No. _____
)	Application No. 76/628448
	Opposer,)	Mark: CARRERA
	v.)	
)	
Riedell Shoes, Inc.,)	
	Applicant.)	
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NOTICE OF OPPOSITION

SAFILO - Societa Azionaria Fabbrica Italiana Lavorazione Occhiali S.P.A., a corporation duly organized and existing under the laws of Italy, with a mailing address of Piazza Tiziano, 8 32044 Pieve Di Cadore ITALY, believes that it will be damaged by the registration of the mark shown in Application Serial No. 76/628448, filed on January 20, 2005 by Riedell Shoes, Inc., a Minnesota corporation, having a mailing address of 122 Cannon River P.O. Box 21, Red Wing Minnesota 55066 and hereby opposes registration of the mark. The grounds for opposition are as follows:

1. By the application herein opposed, Applicant is seeking to obtain under the provisions of the Trademark Act of 1946 as amended, registration on the Principal Register of the trademark CARRERA for "roller skate boots" (International Class 28). The application is based on use the mark pursuant to section 1(a) of the Trademark Act and asserts December 31, 1993 as the date of first use and July 31, 1994 as the date of first use in commerce.
2. Opposer is the owner of the following U.S. trademark registrations issued on the Principal Register:

- **CARRERA**: U.S. Reg. No. 0855063, sunglasses and ski goggles.
First Use - September 30, 1960.



- : U.S. Reg. No. 1230950, sunglasses and sports goggles.
First Use - January 1974.

- **CARRERA**: U.S. Reg. No. 1258309, safety facemasks.
First Use - February 1977.



- : U.S. Reg. No. 1533858, soap, aftershave and toilet water.
First Use - May 1, 1993.



- : U.S. Reg. No. 2493798, ski goggles.
First Use - January 1974.



- : U.S. Reg. No. 2629619, ski goggles.
First Use: January 1974.

- **CARRERA**: U.S. Reg. No. 2650934, ski goggles.
First Use: September 14, 1961.

- **CARRERA SPECTRUM**: U.S. Reg. No. 2650934, spectacles and sunglasses; frames, cases, hinges, temples and lenses for spectacles and sunglasses; parts and accessories thereof; eye-shades; protective helmets and protective goggles.
First Use: March 1, 1999.

- **CARRERA**: U.S. Reg. No. 2825465, perfumes; spectacles and sunglasses; eyeglass frames, cases, clip-ons, hinges, temples sold as a unit with spectacles and sunglasses, chains and lenses for spectacles and sunglasses, parts and accessories therefor; contact lenses and containers therefor; safety goggles, protective helmets, parts and accessories therefor.
First Use: November 27, 1996.

Said registrations are valid and are in full force and effect. Opposer sought registration of the CARRERA mark based on use in commerce and first used its mark in the United States at least as early as September 30, 1960. The mark has been in continuous use since that time.

3. Applicant's mark is confusingly similar to Opposer's marks. The marks have a confusingly similar appearance, sound and meaning, the goods of the parties are highly related, and both would be marketed, sold, and used by the same or closely related consumers. Both are used by consumers engaged in sporting activities and both marks will be encountered by retail consumers.
4. Due to the similarity between Applicant's claimed mark and Opposer's previously used and registered marks, and the closely related nature of the goods of the respective parties, customers and potential customers are likely to believe that Applicant's goods originate from Opposer, resulting in a likelihood of confusion in the marketplace, and damage to Opposer.
5. The use and registration by Applicant of the mark CARRERA for Applicant's goods is likely to cause confusion or to cause mistake or deception in the wholesale and retail trade, and among consumers and potential consumers, with Opposer's previously used and registered CARRERA marks, again resulting in damage to Opposer.
6. Because of the closely related nature of the goods, and the confusing similarity of the marks, use and registration of the term CARRERA by Applicant is likely to cause confusion, mistake, or deception that Applicant's goods are those of Opposer, or are otherwise endorsed, sponsored, or approved by Opposer causing further damage to Opposer.
7. Registration of the mark shown in Application Serial No. 76/628448 will result in damage to Opposer under the provisions of §2 (a) and §2 (d) of the U.S. Trademark Act, 15 U.S.C. § 1052, pursuant to the allegations stated above.

WHEREFORE, Opposer asks that its opposition to this application be sustained and that the registration of the term CARRERA set forth therein be refused.

Please direct all correspondence to the attention of:

John A. Clifford
Merchant & Gould P.C.
P.O. Box 2910
Minneapolis, MN 55402-0910
612-336-4616
Fax: 612-332-9081

Opposer hereby appoints; Charles E. Golla, Reg. No. 26,896; Brian H. Batzli, Reg. No. 32,960; John L. Beard, Reg. No. 27,612; John A. Clifford, Reg. No. 30,247; Gregory C. Golla; John D. Gould, Reg. No. 18,223; Scott W. Johnston, Reg. No. 39,721; D. Randall King; Andrew S. Ehard; Christopher Schulte; and Danielle I. Mattessich as its attorneys with the full power to represent the Opposer in connection with this proceeding.

Enclosed is the necessary filing fee of \$300.00. Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725 of Opposer's counsel noted above.

Respectfully submitted,

SAFILO - Societa Azionaria Fabbrica Italiana
Lavorazione Occhiali S.P.A.,

By its attorneys,

Date: 2 June 2006



John A. Clifford
Danielle I. Mattessich
[Admitted in Connecticut & the
District of Columbia]
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