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TTAB



August 2, 2006

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

RE: New Opposition
 California Closet Company, Inc. v. The William Warren Group, Inc.
 dba The William Warren Group
 LIFE. STUFF. STORQUEST. - Serial No. 76/638,958
 Our Ref.: 5824/I-5476

Sir:

We enclose the following for filing in the Patent and Trademark Office:

- Notice of Opposition
- Notice of Appeal

Payment of the required filing fee in the amount of \$300.00 has been charged to our firm's credit card. Should this amount be insufficient, authorization is granted to deduct such amount/deficiency from Deposit Account No. 06-1358.

Respectfully submitted,

Marsha G. Gentner

MGG/tlb
 Enclosures



08-02-2006

U.S. Patent & TMOfc/TM Mail Rcpt Dt. #22

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

CALIFORNIA CLOSET COMPANY, INC.)
)
Opposer,)
)
v.) Opposition No.
)
THE WILLIAM WARREN GROUP, INC.)
dba THE WILLIAM WARREN GROUP)
)
Applicant.)

NOTICE OF OPPOSITION

In the matter of application to register a trademark under the Trademark Act of 1946, Serial No. 76/638,958, for the mark LIFE. STUFF. STORQUEST, filed May 19, 2005, in the name of The William Warren Group, Inc. dba The William Warren Group, published for opposition in the TRADEMARK OFFICIAL GAZETTE of April 4, 2006, Vol. 1305, No. 1, at page TM 579, the Opposer, California Closet Company, Inc., believes it will be damaged by registration of said alleged trademark and hereby opposes same. The grounds for opposition are as follows:

1. The Opposer, California Closet Company, Inc., is a corporation duly organized and existing under the laws of the state of California and having a place of business at 1000 Fourth Street, San Rafael, California 94901. Opposer provides storage space facilities and construction, design and installation services, and retail services with respect to storage space facilities and systems.

2. Since prior to the filing date alleged in the application opposed herein, Opposer California Closet Company, Inc. has, and is now, engaged in the production, advertisement,

marketing, distribution and sale of its goods and services in commerce under and in connection with the mark **LIFE STUFF STORAGE**. Opposer California Closet Company, Inc. continuously has used said Opposer's **LIFE STUFF STORAGE** mark in various forms and formats, including **life: stuff: storage**, in commerce in connection with its products and services advertised, offered, marketed, distributed, and sold by California Closet Company, Inc., and to identify and designate same, and to distinguish those goods, services, and Opposer California Closet Company, Inc.'s business, from those of others.

3. Opposer California Closet Company, Inc. is the owner of U.S. registration no. 2,793,626, for the mark **LIFE STUFF STORAGE** and will rely on said registration herein. Said registration is valid and subsisting, and operates as *prima facie* evidence of Opposer's ownership of the mark set forth therein and exclusive right to use the registered mark in commerce.

4. On May 19, 2005, Applicant filed an application to register the mark **LIFE. STUFF. STORQUEST**. Said application was accorded serial no. 76/638,958, and was published for opposition in the OFFICIAL GAZETTE of April 4, 2006, at page TM 579, identifying the services as "storage services to the public in connection with self-storage warehouse facilities."

5. The mark sought to be registered by Applicant is virtually identical to, a colorable imitation of, and confusingly similar to, Opposer's prior and aforesaid **LIFE STUFF STORAGE** mark and name.

6. On information and belief, the services identified in the application opposed herein are similar and/or related, to the goods and services in connection with which California Closet Company, Inc. uses Opposer's **LIFE STUFF STORAGE** mark and name, and are and/or will be

sold and/or offered through the same and/or similar channels of trade, and/or to the same general class of purchasers, in and to which California Closet Company, Inc.'s products and services are marketed and/or sold.

7. On information and belief, prior to the filing of the application opposed herein, Applicant had actual knowledge of Opposer's **LIFE STUFF STORAGE** mark, and adopted the opposed mark to imitate and/or trade off of the **LIFE STUFF STORAGE** mark of Opposer, and/or the goodwill and/or consumer recognition therein.

8. The registration and/or use of the mark set forth in the opposed application is likely to cause confusion, mistake, and/or to deceive as to origin, sponsorship, and/or association of Applicant's services sold under the mark sought to be registered by Applicant vis-a-vis Opposer and/or Opposer's **LIFE STUFF STORAGE** mark and name, and/or to mislead purchasers of Applicant's services and/or Opposer's goods and/or services, and/or the public in general, into believing that Applicant's services are sold by, emanate from, and/or in some way, directly or indirectly, are associated with California Closet Company, Inc., and/or Opposer's **LIFE STUFF STORAGE** mark and name and/or Opposer's goods, services or business, or vice versa, to the damage and detriment of California Closet Company, Inc.

9. If Applicant is granted registration on the application opposed herein, and Applicant obtains such rights as conferred under the Principal Register of the Trademark Act of 1946, Applicant will obtain unlawful gain and advantage to which it is not entitled under the Trademark Act of 1946, to the detriment and harm of Opposer.

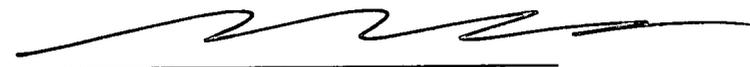
WHEREFORE, this Opposer, California Closet Company, Inc., believes and alleges that it will be damaged by registration of Serial No. 76/638,958, as aforesaid, and prays that:

- A. judgment in the present opposition be entered in favor of Opposer;
- B. the present opposition be sustained; and
- C. registration of application serial no. 76/638,958 be rejected and refused.

Respectfully submitted,

CALIFORNIA CLOSET COMPANY, INC.

By:



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Date: August 2, 2006