

ESTTA Tracking number: **ESTTA96747**

Filing date: **08/29/2006**

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	AMERIGROUP Corporation		
Entity	Corporation	Citizenship	Delaware
Address	4425 CORPORATION LANE SUITE 100 Virginia Beach, VA 23462 UNITED STATES		

Attorney information	William R. Poynter Williams Mullen 222 Central Park Avenue, Suite 1700 Virginia Beach, VA 23462-3035 UNITED STATES wpoynter@williamsmullen.com, kchasteen@williamsmullen.com Phone:(757) 473-5334
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### Applicant Information

Application No	78455018	Publication date	08/08/2006
Opposition Filing Date	08/29/2006	Opposition Period Ends	09/07/2006
Applicant	Allianz Global Risks US Insurance Company 2350 Empire Avenue Burbank, CA 915043350 UNITED STATES		

### Goods/Services Affected by Opposition

<p>Class 036. All goods and services in the class are opposed, namely: Insurance agencies and a full line of insurance services in the fields of life insurance, marine insurance, health insurance, accident insurance, home insurance, financial loss insurance, medical insurance, vehicle insurance, travel insurance, fire insurance, guarantee insurance, pension insurance, liability insurance, theft insurance, sports injury insurance, credit card insurance, suretyship insurance, erection all risk insurance, construction all risk insurance, aviation insurance, transportation insurance, machinery breakdown insurance, legal protection insurance, and assistant insurance, namely, alternative risk transfer, captive insurance consulting, captive insurance management, annuity underwriting, insurance brokerage, insurance administration, insurance actuarial services, appraisal for insurance claims of personal property, real estate, and assets, insurance claims processing and adjustment, insurance consultation, insurance subrogation and salvage, insurance underwriting, reinsurance underwriting, insurance estimation, insurance amount assessment a full line of financial services, namely, actuarial services, administration of employee benefit and pension plans, financial management, namely, asset management, automated securities brokerage, banking, mortgage banking, and savings and loan services, bond brokerage services, business brokerage services, financial analysis, capital and fund investment, advisory and consultation, providing financial information, financial forecasting, financial management, financial planning, financial research, cash management, commercial financing, consultation relating to commodity investments, consultation relating to credit, currency</p>
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exchange, financial clearinghouses, electronic funds transfer, estate planning, estate trust management, providing financial information in the nature of rates of exchange, providing financial information via a global computer information network, portfolio management and research, securities investment, financing services, namely, arranging loans and credit for new technology businesses, trustee, surety; and guarantor services relating to investments, guaranteeing loans, international financing, investment of funds for others, lease-purchase financing, leasing and rental of real estate, loan financing, monetary exchange, mortgage lending and brokerage, mutual fund services, namely, mutual fund advisory, brokerage, distribution, and investment, securities agency services, namely, securities brokerage services and agencies in the fields of bonds and other securities, investment administration, brokerage, consultation and management, brokerage, consultation, offering, distribution, and management of limited partnerships, private equity, namely, raising of investment capital for small and medium-sized businesses, risk management services; a full line of real estate services, namely; real estate trustee services, real estate agencies, real estate appraisal, real estate valuation, real estate brokerage, real estate management

Attachments	4656_001.pdf ( 2 pages )(65375 bytes )
Signature	/Kimberly A. Chasteen/
Name	Kimberly A. Chasteen
Date	08/29/2006

1. The Opposer, AMERIGROUP Corporation, is a corporation duly organized and existing under the laws of Delaware, having its principal place of business at 4425 Corporation Lane Suite 100, Virginia Beach, Virginia 23462.

2. On information and belief, the Applicant, Allianz Global Risks US Insurance Company, is a corporation duly organized and existing under the laws of California, having its principal place of business at 2350 Empire Avenue, Burbank, CA 91504-3350.

3. Continuously since long prior to any date upon which Applicant may rely, Opposer has used the AGP mark in association with the provision of its services.

4. Opposer is the owner of U.S. Service Mark Registration No. 2872737 for the mark AGP for administration of pre-paid health care plans; health care in the nature of health maintenance organizations; and health care services in the nature of providing a website on global computer networks featuring information in the fields of health, medicine and patient information. Said registration issued August 10, 2004, sets forth a date of first use of January 2, 2003 and is currently valid and subsisting.

5. On information and belief, Opposer's rights in the term "AGP" are senior to Applicant's rights in "AGR".

6. The mark AGR shown by Application Serial number 78/455,018 includes a majority of Opposer's mark, namely the first two letters ("AG"). Furthermore, the third letter of Applicant's mark ("R") is visually very similar to the third letter of Opposer's mark ("P"). Applicant's mark, when used in association with the goods claimed by Application Serial number 78/455,018, is likely to cause confusion or to cause mistake or to deceive within the meaning of Section 2(d) of the Lanham Act, 15 U.S.C. §1052(d).

7. Opposer provides a website on global computer networks featuring information in the fields of health, medicine and patient information.

8. On information and belief, Applicant provides information concerning its services on global computer networks.

9. Opposer will be damaged by the registration sought by Applicant. Applicant is not entitled to registration of the mark AGR by virtue of Opposer's prior and continuous use of the mark AGP in association with a wide variety of services and the provision of information and services in the same channels of trade in which the services claimed by Application Serial number 78/455,018 would be provided.

10. Based upon the foregoing, registration of the mark AGP shown by Application Serial number 78/455,018, filed July 22, 2004, is likely to cause injury and damage to Opposer.