

ESTTA Tracking number: **ESTTA154290**

Filing date: **08/01/2007**

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	CIT Group Inc.
Granted to Date of previous extension	08/01/2007
Address	1 CIT Drive Livingston, NJ 07039 UNITED STATES

Attorney information	Stephen W. Feingold Day Pitney LLP 7 Times Square New York, NY 10036 UNITED STATES nytrademark@daypitney.com Phone:212-297-5800
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Applicant Information

Application No	78592698	Publication date	04/03/2007
Opposition Filing Date	08/01/2007	Opposition Period Ends	08/01/2007
Applicant	Logiology, Inc. 1935 Brightwaters Boulevard NE St. Petersburg, FL 33704 UNITED STATES		

Goods/Services Affected by Opposition

<p>Class 016. All goods and services in the class are opposed, namely: Educational aids, namely, printed outlines, training manuals, text books, and cartoon prints that assist in the understanding of complex information in the fields of science, history, law and English, whereby imagery is chosen by associating the words, sounds or syllables associated with concepts that one desires to learn with familiar or anthropomorphized objects that have sounds similar to the words of the concept to be learned and/or are logically associated with the concept to be learned</p>
<p>Class 041. All goods and services in the class are opposed, namely: Educational services, namely, providing classes in the field of learning to use educational aids that assist in the understanding of complex information, whereby imagery is chosen by associating the words, or the sounds or syllables of the words or concepts that one desires to learn, with familiar or anthropomorphized objects that (1) have sounds similar to the word(s) of the concept to be learned and/or (2) are logically associated with the concept to be learned; providing training in the use of the aforesaid educational aids; consulting services regarding how to use the aforesaid educational aids in the classroom</p>
<p>Class 042. All goods and services in the class are opposed, namely: Product development for others in the field</p>

of educational aids that assist in the understanding of complex information, whereby imagery is chosen by associating the words, sounds or syllables associated with concepts that one desires to learn with familiar or anthropomorphized objects that have sounds similar to the words of the concept to be learned and/or are logically associated with the concept to be learned

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
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Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	2781012	Application Date	03/03/2000
Registration Date	11/11/2003	Foreign Priority Date	NONE
Word Mark	CIT		
Design Mark			
Description of Mark	The mark consists of the stylized representation of the letters "CIT".		
Goods/Services	<p>Class 035. First use: First Use: 2000/01/10 First Use In Commerce: 2000/01/24 INDUSTRIAL ASSET MANAGEMENT SERVICES, NAMELY, AUCTIONING, LIQUIDATING AND REMARKETING INDUSTRIAL ASSETS OF OTHERS, LEASING OFFICE EQUIPMENT</p> <p>Class 036. First use: First Use: 2000/01/10 First Use In Commerce: 2000/01/24 COMMERCIAL AND CONSUMER FINANCIAL SERVICES, INCLUDING, SECURED AND UNSECURED FINANCING, ASSET BASED LENDING, LEASING OF REAL ESTATE, MERCHANT BANKING, STRUCTURED FINANCING, PROJECT FINANCING, VENTURE CAPITAL FUNDING SERVICES TO EMERGING AND START-UP COMPANIES, FRANCHISE FINANCING, RAIL, AVIATION FINANCING, EQUIPMENT FINANCING, FACTORING AGENCIES, LINES OF CREDIT LENDING, SYNDICATION AND EQUITY INVESTMENTS</p>		

U.S. Registration No.	2766028	Application Date	03/03/2000
Registration Date	09/23/2003	Foreign Priority Date	NONE
Word Mark	CIT		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 035. First use: First Use: 1956/01/01 First Use In Commerce: 1956/04/01 LEASING OF OFFICE EQUIPMENT</p> <p>Class 036. First use: First Use: 1956/01/01 First Use In Commerce: 1956/04/01 COMMERCIAL AND CONSUMER FINANCIAL SERVICES, NAMELY, ASSET BASED LENDING, ASSET MANAGEMENT, LEASING OF REAL ESTATE, MERCHANT BANKING, STRUCTURED FINANCING, PROJECT FINANCING, VENTURE CAPITAL FUNDING TO EMERGING AND START-UP COMPANIES, FRANCHISE FINANCING, AND RAIL AND AVIATION FINANCING</p> <p>Class 037. First use: First Use: 1956/01/01 First Use In Commerce: 1956/04/01 LEASING OF CONSTRUCTION EQUIPMENT</p>		

U.S. Registration No.	1448848	Application Date	05/09/1986
Registration Date	07/21/1987	Foreign Priority Date	NONE
Word Mark	THE CIT GROUP		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 036. First use: First Use: 1986/04/23 First Use In Commerce: 1986/04/23 FINANCIAL SERVICES, NAMELY EQUIPMENT FINANCING, FACTORING, BUSINESS CREDIT, SALES FINANCING, AND CAPITAL FINANCING		

U.S. Registration No.	1452503	Application Date	05/09/1986
Registration Date	08/11/1987	Foreign Priority Date	NONE
Word Mark	THE CIT GROUP		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 036. First use: First Use: 1986/04/23 First Use In Commerce: 1986/04/23 FINANCIAL SERVICES, NAMELY EQUIPMENT FINANCING, FACTORING, BUSINESS CREDIT, SALES FINANCING, AND CAPITAL FINANCING		

U.S. Registration No.	2636270	Application Date	03/07/2000
Registration Date	10/15/2002	Foreign Priority Date	NONE
Word Mark	CIT.COM		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 036. First use: First Use: 2001/01/00 First Use In Commerce: 2001/01/00 Financial planning and financial management; providing an online computer database in the field of commercial and consumer financial services		

U.S. Registration No.	2971722	Application Date	01/31/2003
Registration Date	07/19/2005	Foreign Priority Date	NONE
Word Mark	C IT EDUCATE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 036. First use: First Use: 2003/01/00 First Use In Commerce: 2003/01/00 Commercial and consumer financial services, namely, secured and unsecured financing, asset based lending, leasing of real estate, merchant banking, structured financing, project financing, venture capital funding services to emerging and start-up companies, franchise financing, rail financing, aviation financing, equipment financing, factoring agencies, lines of credit lending and syndication and equity funds investments		

U.S. Registration No.	2910182	Application Date	12/18/2003
Registration Date	12/14/2004	Foreign Priority Date	NONE
Word Mark	SEE IT WITH CIT		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 036. First use: First Use: 2002/12/09 First Use In Commerce: 2002/12/09 Commercial and consumer financial services, namely, secured and unsecured financing, asset based lending, leasing of real estate, merchant banking, structured financing, project financing, venture capital funding services to emerging and start-up companies, franchise financing, rail, aviation financing, equipment financing, factoring agencies, lines of credit leading, syndication and equity investments		

U.S. Registration No.	3261421	Application Date	01/31/2003
Registration Date	07/10/2007	Foreign Priority Date	NONE
Word Mark	C IT		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 036. First use: First Use: 2002/12/08 First Use In Commerce: 2002/12/08 Commercial and consumer financial services, namely, secured and unsecured financing, asset based lending, leasing of real estate, merchant banking, structured financing, project financing, venture capital funding services to emerging and start-up companies, franchise financing, rail financing, aviation financing, equipment financing, factoring agencies, lines of credit lending and syndication and equity funds investments		

U.S. Registration No.	2933697	Application Date	01/31/2003
Registration Date	03/15/2005	Foreign Priority Date	NONE
Word Mark	C IT GROW.		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 036. First use: First Use: 2003/11/00 First Use In Commerce: 2003/11/00 Commercial and consumer financial services, namely, secured and unsecured financing, asset based lending, leasing of real estate, merchant banking, structured financing, project financing, venture capital funding services to emerging and start-up companies, franchise financing, rail financing, aviation financing, equipment financing, factoring agencies, lines of credit lending and syndication and equity funds investments		

U.S. Registration No.	2938619	Application Date	02/04/2003
Registration Date	04/05/2005	Foreign Priority	NONE

		Date	
Word Mark	C IT SOAR		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 036. First use: First Use: 2003/02/01 First Use In Commerce: 2003/02/01 Commercial and consumer financial services, namely, secured and unsecured financing, asset based lending, leasing of real estate, merchant banking, structured financing, project financing, venture capital funding services to emerging and start-up companies, franchise financing, rail financing, aviation financing, equipment financing, factoring agencies, lines of credit lending and syndication and equity funds investments		

U.S. Registration No.	2938620	Application Date	02/04/2003
Registration Date	04/05/2005	Foreign Priority Date	NONE
Word Mark	C IT ROLL		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 036. First use: First Use: 2003/02/01 First Use In Commerce: 2003/02/01 Commercial and consumer financial services, namely, secured and unsecured financing, asset based lending, leasing of real estate, merchant banking, structured financing, project financing, venture capital funding services to emerging and start-up companies, franchise financing, rail financing, aviation financing, equipment financing, factoring agencies, lines of credit lending and syndication and equity funds investments		

U.S. Registration No.	2933696	Application Date	01/31/2003
Registration Date	03/15/2005	Foreign Priority Date	NONE
Word Mark	C IT HEAL.		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 036. First use: First Use: 2002/12/11 First Use In Commerce: 2002/12/11 Commercial and consumer financial services, namely, secured and unsecured financing, asset based lending, leasing of real estate, merchant banking, structured financing, project financing, venture capital funding services to emerging and start-up companies, franchise financing, rail financing, aviation financing, equipment financing, factoring agencies, lines of credit lending and syndication and equity funds investments		

U.S. Registration No.	2911458	Application Date	01/31/2003
Registration Date	12/14/2004	Foreign Priority Date	NONE
Word Mark	C IT SUCCEED		
Design Mark			
Description of	NONE		

Mark	
Goods/Services	Class 036. First use: First Use: 2004/01/00 First Use In Commerce: 2004/01/00 Commercial and consumer financial services, namely, secured and unsecured financing, asset based lending, leasing of real estate, merchant banking, structured financing, project financing, venture capital funding services to emerging and start-up companies, franchise financing, rail financing aviation financing, equipment financing, factoring agencies, lines of credit lending and real estate syndication and equity funds investments

U.S. Registration No.	2933695	Application Date	01/31/2003
Registration Date	03/15/2005	Foreign Priority Date	NONE
Word Mark	C IT INSPIRE.		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 036. First use: First Use: 2003/03/26 First Use In Commerce: 2003/03/26 Commercial and consumer financial services, namely, secured and unsecured financing, asset based lending, leasing of real estate, merchant banking, structured financing, project financing, venture capital funding services to emerging and start-up companies, franchise financing, rail financing, aviation financing, equipment financing, factoring agencies, lines of credit lending and syndication and equity funds investments		

Attachments	75934301#TMSN.gif (1 page)(bytes) 75934458#TMSN.gif (1 page)(bytes) 73597826#TMSN.gif (1 page)(bytes) 75938758#TMSN.gif (1 page)(bytes) 76487304#TMSN.gif (1 page)(bytes) 76565848#TMSN.gif (1 page)(bytes) 76487303#TMSN.gif (1 page)(bytes) 76487306#TMSN.gif (1 page)(bytes) 76487227#TMSN.gif (1 page)(bytes) 76487228#TMSN.gif (1 page)(bytes) 76487305#TMSN.gif (1 page)(bytes) 76487300#TMSN.gif (1 page)(bytes) 76487301#TMSN.gif (1 page)(bytes) Opposition.pdf (5 pages)(405933 bytes)
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Signature	/Stephen W. Feingold/
Name	Stephen W. Feingold
Date	08/01/2007

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

CIT GROUP, INC.,

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: Opposition No.

Opposer,

v.

:

LOGIOLOGY, INC.,

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Applicant.

:

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Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

NOTICE OF OPPOSITION

In the matter of Application Serial No. 78/592,698, filed on March 22, 2005 by Logiology, Inc., a Florida corporation having a place of business at 1935 Brightwaters Boulevard NE, St. Petersburg, Florida, in International Classes 16, 41 and 42 seeking registration on the Principal Register of the trademark C-IT in connection with: "Educational aids, namely, printed outlines, training manuals, text books, and cartoon prints that assist in the understanding of complex information in the fields of science, history, law and English, whereby imagery is chosen by associating the words, sounds or syllables associated with concepts that one desires to learn with familiar or anthropomorphized objects that have sounds similar to the words of the concept to be learned and/or are logically associated with the concept to be learned; Educational services, namely, providing classes in the field of learning to use educational aids that assist in the understanding of complex information, whereby imagery is chosen by associating the words, or the sounds or syllables of the words or concepts that one desires to learn, with familiar or anthropomorphized objects that (1) have sounds similar to the word(s) of the concept to be

learned and/or (2) are logically associated with the concept to be learned; providing training in the use of the aforesaid educational aids; consulting services regarding how to use the aforesaid educational aids in the classroom; Product development for others in the field of educational aids that assist in the understanding of complex information, whereby imagery is chosen by associating the words, sounds or syllables associated with concepts that one desires to learn with familiar or anthropomorphized objects that have sounds similar to the words of the concept to be learned and/or are logically associated with the concept to be learned," which application was published for opposition on April 3, 2007, with extensions of time to file a Notice of Opposition granted until August 1, 2007;

Opposer, CIT Group, Inc., a Delaware Corporation, having a business address at 1 CIT Drive, Livingston, New Jersey, believes that it is or will be damaged by the registration of Application No. 78/592,698 and hereby opposes registration of said application on the following grounds:

1. Opposer is the owner of numerous CIT and C IT formative trademarks, including, but not limited to the following registrations: CIT and Design (U.S. Registration No. 2,781,012), CIT (U.S. Registration No. 2,766,028), THE CIT GROUP (U.S. Registration No. 1,448,848), THE CIT GROUP and Design (U.S. Registration No. 1,452,503), CIT.COM (U.S. Registration No. 2,636,270), C IT EDUCATE (U.S. Registration No. 2,971,722), SEE IT WITH CIT (U.S. Registration No. 2,910,182), C IT (U.S. Registration No. 3,261,421), C IT GROW (U.S. Registration No. 2,933,697), C IT SOAR (U.S. Registration No. 2,938,619), C IT ROLL (U.S. Registration No. 2,938,620), C IT HEAL (U.S. Registration No. 2,933,696), C IT SUCCEED

(U.S. Registration No. 2,911,458), C IT INSPIRE (U.S. Registration No. 2,933,695), and of the good will associated with such marks (individually and collectively, the "CIT Marks").

2. Opposer adopted and has continuously used its CIT Marks in connection with a wide variety of commercial and consumer financial services since long prior to the filing date of Applicant's intent-to-use application for the mark C-IT.

3. Opposer has extensively advertised, promoted and marketed its commercial and consumer financial services, such that consumers have come to know and recognize the CIT Marks as identifying services which originate with or are authorized by Opposer. In particular, students seeking information about education loans and/or utilizing education loan services have come to recognize the CIT Marks as identifying services which originate with or are authorized by Opposer, through their interaction with Opposer's wholly owned subsidiaries, Student Loan Xpress, Inc., and FinancialAid.com, LLC.

4. Applicant's use of the mark C-IT constitutes use of a mark confusingly similar to Opposer's CIT Marks. Applicant's mark wholly incorporates Opposer's CIT Marks and is likely to be perceived by purchasers as a variation of, or another of Opposer's CIT Marks.

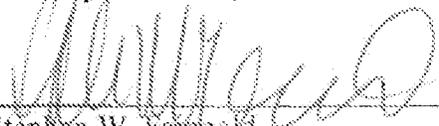
5. Applicant's services are related to the financial services marketed and sold by Opposer, such that consumers are likely to perceive that such services emanate from the same source.

6. Applicant's C-IT mark is likely to be confused with Opposer's CIT Marks, such that the average purchaser is likely to be confused and deceived into believing that Applicant's services also originate or are in some way associated with, or are connected, sponsored or authorized by, Opposer.

WHEREFORE, Opposer requests that the opposition be sustained and Application No. 78/592,698 be refused registration.

Respectfully submitted,

Dated: August 1, 2007

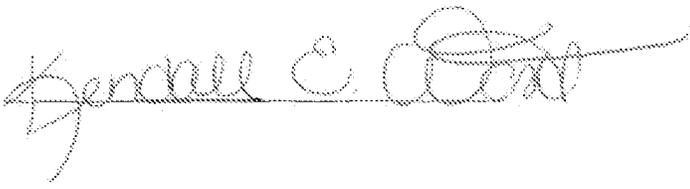
By: 

Stephen W. Fengold
Rebecca L. Griffith
DAY PITNEY LLP
7 Times Square
New York, New York 10036
(212) 297-5800
Attorneys for Opposer
CIT Group, Inc.

CERTIFICATE OF TRANSMISSION

I hereby certify that, on the date shown below, the foregoing NOTICE OF
OPPOSITION was electronically filed through the ESTTA system.

Date: 8/1/07

By:  Kendall C. Wood