

ESTTA Tracking number: **ESTTA154531**

Filing date: **08/02/2007**

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	Youth With a Mission San Diego/ Baja		
Entity	Non-Profit Corporation	Citizenship	California
Address	100 West 35th Street Suite C National City, CA 91950 UNITED STATES		

Attorney information	H. Robert Showers Simms Showers, LLP 305 Harrison St. Se Third Floor Leesburg, VA 20175 UNITED STATES hrshowers@simmsshowerslaw.com, reeurich@simmsshowerslaw.com Phone:703-771-4671
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Applicant Information

Application No	78652859	Publication date	07/03/2007
Opposition Filing Date	08/02/2007	Opposition Period Ends	08/02/2007
Applicant	Krause Family Limited Partnership Unit A 601 Sidwell Court St. Charles, IL 60174 UNITED STATES		

Goods/Services Affected by Opposition

Class 036. All goods and services in the class are opposed, namely: Charitable fund raising, namely, raising funds for building homes for people with disabilities

Grounds for Opposition

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

U.S. Application/Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	HOMES OF HOPE		
Goods/Services	Fundraising for the Homes of Hope program building homes for the poor.		

Attachments	Opposition Pleading.pdf (1 page)(9950 bytes)
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Signature	/H. Robert Showers/
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Name	H. Robert Showers
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Date	08/02/2007
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1. Youth with a Mission San Diego/ Baja is a California non-profit corporation exempt from taxation under section 501(c)(3) of the Internal Revenue Code.
2. Youth with a Mission San Diego/ Baja, operating under another name, began using the “Homes of Hope” mark as early as May of 1990.
3. Youth with a Mission San Diego/ Baja officially incorporated in 1992.
4. Youth with a Mission San Diego/ Baja has been continuously using the “Homes of Hope” mark in conjunction with fundraising and other goods and services related to its home building program at least as early as 1992.
5. According to its web-site applicant, the Krause Family Limited Partnership, has been using the “Homes of Hope” mark since 1998.
6. The “Homes of Hope” mark that has been assigned serial number 78652859 consists of or comprises a mark which so resembles the mark previously used in the United States by Youth with a Mission San Diego/ Baja and not abandoned, as to be likely, when used on or in connection with the goods and or services of the applicant, to cause confusion, or to cause mistake, or to deceive.