

ESTTA Tracking number: **ESTTA193584**

Filing date: **02/19/2008**

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	T-Mobile USA, Inc.
Granted to Date of previous extension	02/17/2008
Address	12920 S.E. 38th Street Bellevue, WA 98006 UNITED STATES
Attorney information	John C. Rawls Fulbright & Jaworski, LLP 555 South Flower Street 41st Fl. Los Angeles, CA 90071 UNITED STATES jrawls@fulbright.com, cfurey@fulbright.com, lmurphy@fulbright.com, laipdocket@fulbright.com, scrippen@fulbright.com

**Applicant Information**

Application No	77081277	Publication date	08/21/2007
Opposition Filing Date	02/19/2008	Opposition Period Ends	02/17/2008
Applicant	Mark/Space, Inc. 654 N. Santa Cruz Ave. #300 Los Gatos, CA 950304360 UNITED STATES		

**Goods/Services Affected by Opposition**

<p>Class 009. All goods and services in the class are opposed, namely: Computer and telecommunications software that enables others to connect with and share data and electronic files between computers, electronic devices and other users</p>
<p>Class 038. All goods and services in the class are opposed, namely: Communication services enabling computer users to share data and electronic files between electronic devices or between users</p>
<p>Class 039. All goods and services in the class are opposed, namely: Electronic storage of data, files and documents</p>
<p>Class 042. All goods and services in the class are opposed, namely: Providing temporary use of online non-downloadable software for sharing data and electronic files between electronic devices or between users; computer services, namely, hosting and maintaining an online website to assist others with sharing data and electronic files between electronic devices or between users; and computer services, namely, acting as an application service provider in the field of knowledge management to</p>

host computer application software for sharing data and electronic files between electronic devices or between users

## Grounds for Opposition

Priority and likelihood of confusion

Trademark Act section 2(d)

## Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	3321524	Application Date	04/21/2006
Registration Date	10/23/2007	Foreign Priority Date	NONE
Word Mark	STICK TOGETHER		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 038. First use: First Use: 2006/09/20 First Use In Commerce: 2006/09/20 Telecommunications services, namely, wireless voice and data transmission, two way wireless transmission of email and text between wireless telecommunication terminals and computers, and providing multiple-user access to a global computer network		

U.S. Registration No.	3321523	Application Date	04/21/2006
Registration Date	10/23/2007	Foreign Priority Date	NONE
Word Mark	STICK TOGETHER		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 036. First use: First Use: 2006/09/20 First Use In Commerce: 2006/09/20 Prepaid wireless communications calling card services		

U.S. Registration No.	3321522	Application Date	04/21/2006
Registration Date	10/23/2007	Foreign Priority Date	NONE
Word Mark	STICK TOGETHER		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2006/09/20 First Use In Commerce: 2006/09/20 Retail store services and online retail services featuring wireless telecommunications and information technology equipment, namely, wireless telephones, wireless modems, wireless handheld computers, and related accessories, namely, antennas, smart cards containing programming used to interact with a wireless telephone or handheld computer and respond to a signal contact that requests customer identification and account information, carrying cases for wireless telephones and computers, hands-free microphone and earphone adapters, headset adapters, wireless telephone and handheld computer mounts, batteries, battery chargers, faceplates and related accessories		

U.S. Registration No.	3363610	Application Date	04/21/2006
Registration Date	01/01/2008	Foreign Priority Date	NONE
Word Mark	STICK TOGETHER		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2006/09/20 First Use In Commerce: 2006/09/20 Wireless telecommunications and information technology equipment, namely, wireless telephones, wireless modems, wireless handheld computers, and related accessories, namely, smart cards containing programming used to interact with a wireless telephone or handheld computer and respond to a signal contact that requests customer identification and account information, carrying cases for wireless telephones and computers, hands-free microphone and earphone adapters, headset adapters, batteries, battery chargers		

U.S. Registration No.	3363709	Application Date	06/02/2006
Registration Date	01/01/2008	Foreign Priority Date	NONE
Word Mark	ESTAMOS JUNTOS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 036. First use: First Use: 2006/10/02 First Use In Commerce: 2006/10/02 Prepaid wireless communications calling card services		

U.S. Registration No.	3363710	Application Date	06/02/2006
Registration Date	01/01/2008	Foreign Priority Date	NONE
Word Mark	ESTAMOS JUNTOS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 038. First use: First Use: 2006/10/02 First Use In Commerce: 2006/10/02 Telecommunications services, namely, wireless voice and data transmission, two way wireless transmission of email and text between wireless telecommunication terminals and computers, and providing multiple-user access to a global computer network		

U.S. Application No.	77250442	Application Date	08/08/2007
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	STICK TOGETHER		
Design Mark			
Description of Mark	NONE		

Goods/Services	Class 024. First use: First Use: 2006/09/20 First Use In Commerce: 2006/09/20 Textile tablecloths; Cloth flags; Bed blankets; Throw blankets		
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U.S. Application No.	77250393	Application Date	08/08/2007
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Registration Date	NONE	Foreign Priority Date	NONE
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Word Mark	STICK TOGETHER		
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Design Mark			
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Description of Mark	NONE		
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Goods/Services	Class 026. First use: First Use: 2006/09/20 First Use In Commerce: 2006/09/20 Novelty buttons; Buttons for clothing		
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U.S. Application No.	77250301	Application Date	08/08/2007
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Registration Date	NONE	Foreign Priority Date	NONE
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Word Mark	STICK TOGETHER		
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Design Mark			
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Description of Mark	NONE		
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Goods/Services	Class 021. First use: First Use: 2006/09/20 First Use In Commerce: 2006/09/20 Mugs; Cups; Bottles sold empty; Portable beverage coolers; Foam drink holders		
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U.S. Application No.	77250294	Application Date	08/08/2007
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Registration Date	NONE	Foreign Priority Date	NONE
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Word Mark	STICK TOGETHER		
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Design Mark			
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Description of Mark	NONE		
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Goods/Services	Class 020. First use: First Use: 2006/09/20 First Use In Commerce: 2006/09/20 Inflatable publicity objects; Advertising balloons; Plastic key tags; Hand held fans; Mirrors		
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U.S. Application No.	77249962	Application Date	08/08/2007
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Registration Date	NONE	Foreign Priority Date	NONE
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Word Mark	STICK TOGETHER		
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Design Mark			
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Description of Mark	NONE		
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Goods/Services	Class 018. First use: First Use: 2006/09/20 First Use In Commerce: 2006/09/20 Travel bags; Sports bags; Tote bags; Fanny packs; Luggage; Duffel bags; Sling bags; Backpacks; Umbrellas; String bags for shopping		
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U.S. Application	77249949	Application Date	08/08/2007
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No.			
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	STICK TOGETHER		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 016. First use: First Use: 2006/09/20 First Use In Commerce: 2006/09/20 Paper clips; Wire-bound notebooks; Note paper; Bumper stickers; Ball point pens; Paper gift bags; Lunch bags		

U.S. Application No.	77249930	Application Date	08/08/2007
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	STICK TOGETHER		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2006/09/20 First Use In Commerce: 2006/09/20 Computer storage devices, namely, flash drives; Laptop bags and carrying cases; Portable radios; Audio speakers; Refrigerator magnets; Mouse pads; Cellular phone accessories, namely, encoded electronic data chip cards for storing mobile phone user identification and subscriber information modules (SIMs)		

U.S. Application No.	77250610	Application Date	08/08/2007
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	STICK TOGETHER		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 006. First use: First Use: 2006/09/20 First Use In Commerce: 2006/09/20 Metal key rings		

U.S. Application No.	77250419	Application Date	08/08/2007
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	STICK TOGETHER		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 2006/09/20 First Use In Commerce: 2006/09/20 Aprons, shirts, dress shirts, polo shirts, T-Shirts, blouses, sweat shirts, vests, jackets		

U.S. Application	77250373	Application Date	08/08/2007
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No.			
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	STICK TOGETHER		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 011. First use: First Use: 2006/09/20 First Use In Commerce: 2006/09/20 Flashlights		

U.S. Application No.	77250354	Application Date	08/08/2007
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	STICK TOGETHER		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 030. First use: First Use: 2006/09/20 First Use In Commerce: 2006/09/20 Candy, chewing gum, candy mints, popcorn		

U.S. Application No.	77250320	Application Date	08/08/2007
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	STICK TOGETHER		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 028. First use: First Use: 2006/09/20 First Use In Commerce: 2006/09/20 Balloons; flying discs; golf balls; inflatable toys, namely inflatable noise sticks		

U.S. Application No.	77249917	Application Date	08/08/2007
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	STICK TOGETHER		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 005. First use: First Use: 2006/09/20 First Use In Commerce: 2006/09/20 First aid kits; antibacterial sanitizer spray		

U.S. Application No.	78899716	Application Date	06/02/2006
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	ESTAMOS JUNTOS		
Design Mark			

Description of Mark	NONE
Goods/Services	Class 035. First use: Retail store services and online retail services featuring wireless telecommunications and information technology equipment, namely, wireless telephones, wireless modems, wireless handheld computers, and related accessories, namely, antennas, smart cards containing programming used to interact with a wireless telephone or handheld computer and respond to a signal contact that requests customer identification and account information, carrying cases for wireless telephones and computers, hands-free microphone and earphone adapters, headset adapters, wireless telephone and handheld computer mounts, batteries, battery chargers, faceplates and replacement parts therefor

U.S. Application No.	78899714	Application Date	06/02/2006
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	ESTAMOS JUNTOS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: Wireless telecommunications and information technology equipment, namely, wireless telephones, wireless modems, wireless handheld computers, and related accessories, namely, antennas, smart cards containing programming used to interact with a wireless telephone or handheld computer and respond to a signal contact that requests customer identification and account information, carrying cases for wireless telephones and computers, hands-free microphone and earphone adapters, headset adapters, wireless telephone and handheld computer mounts, batteries, battery chargers, faceplates and replacement parts therefor		

Attachments	78867284#TMSN.jpeg ( 1 page )( bytes ) 78867279#TMSN.jpeg ( 1 page )( bytes ) 78867274#TMSN.jpeg ( 1 page )( bytes ) 78867253#TMSN.jpeg ( 1 page )( bytes ) 78899721#TMSN.jpeg ( 1 page )( bytes ) 78899724#TMSN.jpeg ( 1 page )( bytes ) 77250442#TMSN.jpeg ( 1 page )( bytes ) 77250393#TMSN.jpeg ( 1 page )( bytes ) 77250301#TMSN.jpeg ( 1 page )( bytes ) 77250294#TMSN.jpeg ( 1 page )( bytes ) 77249962#TMSN.gif ( 1 page )( bytes ) 77249949#TMSN.jpeg ( 1 page )( bytes ) 77249930#TMSN.jpeg ( 1 page )( bytes ) 77250610#TMSN.jpeg ( 1 page )( bytes ) 77250419#TMSN.jpeg ( 1 page )( bytes ) 77250373#TMSN.jpeg ( 1 page )( bytes ) 77250354#TMSN.jpeg ( 1 page )( bytes ) 77250320#TMSN.jpeg ( 1 page )( bytes ) 77249917#TMSN.jpeg ( 1 page )( bytes ) 78899716#TMSN.jpeg ( 1 page )( bytes ) 78899714#TMSN.jpeg ( 1 page )( bytes ) Notice of Opposition.pdf ( 7 pages )(339917 bytes )
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Exhibits A-U.pdf ( 63 pages )(2231140 bytes )
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**Certificate of Service**

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/John C. Rawls/
Name	John C. Rawls
Date	02/19/2008

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

T-Mobile USA, Inc.,	)	
	)	Opposition No. _____
Opposer,	)	
	)	Mark: SYNCTOGETHER (word)
v.	)	
	)	Serial No.    77/081,277
Mark/Space, Inc.,	)	
	)	Published:    August 21, 2007
Applicant.	)	

**NOTICE OF OPPOSITION**

BOX: TTAB  
Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, Virginia 22313-1451

Opposer T-Mobile USA, Inc., with its principal place of business at 12920 SE 38th Street, Bellevue, Washington 98006, believes that it will be damaged by registration of the mark shown in Application Serial No. 77/081,277, and hereby opposes same under the provisions of 15 U.S.C. §1063.

Application Serial No. 77/081,277 for the SYNCTOGETHER word mark was filed on January 11, 2007, in International Class 38 for “Communication services enabling computer users to share data and electronic files between electronic devices between users,” in International Class 9 for “Computer and telecommunications software that enables others to connect with and share data and electronic files between computers, electronic devices and other users,” in International Class 39 for “Electronic storage of data, files and documents,” and in International Class 42 for “Providing temporary use of online non-downloadable software for

sharing data and electronic files between electronic devices or between users; computer services, namely, hosting and maintaining an online website to assist others with sharing data and electronic files between electronic devices or between users; and computer services, namely, acting as an application service provider in the field of knowledge management to host computer application software for sharing data and electronic files between electronic devices or between users.” The mark was published for opposition in the *Trademark Official Gazette* on August 21, 2007. Opposer timely obtained extensions of time to oppose.

As grounds for opposition, Opposer asserts that:

1. Opposer T-Mobile USA, Inc., a Delaware corporation, has a principal place of business at 12920 SE 38th Street, Bellevue, Washington 98006.
2. Upon information and belief, Applicant Mark/Space, Inc. (hereinafter “Applicant”) is a corporation organized under the laws of the State of California, with a business address of 654 N. Santa Cruz Avenue #300, Los Gatos, California 95030.
3. Opposer is one of the four largest and one of the most highly regarded wireless telecommunications carriers in the United States, providing wireless telephone, email and data transmission services, and multiple user access to the Internet. Opposer began using the STICK TOGETHER<sup>®</sup> mark and the Spanish language equivalent ESTAMOS JUNTOS<sup>®</sup> as early as September and October 2006, respectively, to promote, among other things, wireless voice and data transmission services and products. In 2006, Opposer and several of its affiliates launched a major nationwide advertising campaign that prominently featured the STICK TOGETHER<sup>®</sup> mark. Opposer has invested substantially in promoting the STICK TOGETHER<sup>®</sup> family of marks.

4. Opposer owns the following U.S. Registrations incorporating the term STICK TOGETHER<sup>®</sup> and ESTAMOS JUNTOS<sup>®</sup>:

<b>Exh. No.</b>	<b>Trademark</b>	<b>Registration No.</b>
<b>A</b>	STICK TOGETHER	3,321,524
<b>B</b>	STICK TOGETHER	3,321,523
<b>C</b>	STICK TOGETHER	3,321,522
<b>D</b>	STICK TOGETHER	3,363,610
<b>E</b>	ESTAMOS JUNTOS	3,363,709
<b>F</b>	ESTAMOS JUNTOS	3,363,710

These registrations are valid and subsisting. Copies of printouts from the U.S. Trademark Electronic Search System (TESS) bearing pertinent information regarding each registration are attached as **Exhibits A** through **F**.

5. Opposer owns the following currently pending applications for federal registration of marks incorporating the term STICK TOGETHER<sup>®</sup> or ESTAMOS JUNTOS<sup>®</sup>:

<b>Exh. No.</b>	<b>Trademark</b>	<b>Serial No.</b>
<b>G</b>	STICK TOGETHER	77/250,442
<b>H</b>	STICK TOGETHER	77/250,393
<b>I</b>	STICK TOGETHER	77/250,301
<b>J</b>	STICK TOGETHER	77/250,294
<b>K</b>	STICK TOGETHER	77/249,962
<b>L</b>	STICK TOGETHER	77/249,949
<b>M</b>	STICK TOGETHER	77/249,930
<b>N</b>	STICK TOGETHER	77/250,610
<b>O</b>	STICK TOGETHER	77/250,419
<b>P</b>	STICK TOGETHER	77/250,373
<b>Q</b>	STICK TOGETHER	77/250,354
<b>R</b>	STICK TOGETHER	77/250,320
<b>S</b>	STICK TOGETHER	77/249,917
<b>T</b>	ESTAMOS JUNTOS	78/899,716
<b>U</b>	ESTAMOS JUNTOS	78/899,714

Copies of printouts from the U.S. Trademark Electronic Search System (TESS) bearing pertinent information regarding each application are attached as **Exhibits G** through **U**.

6. The filing dates of Opposer's registrations for the STICK TOGETHER<sup>®</sup> and ESTAMOS JUNTOS<sup>®</sup> marks and Opposer's dates of first use of the marks pre-date the filing date of Applicant's intent-to-use application for the SYNCTOGETHER word mark.

Accordingly, priority is not an issue.

**Applicant and its SYNCTOGETHER mark**

7. Applicant filed an intent-to-use application on January 11, 2007, to register the SYNCTOGETHER word mark in International Class 38 for "Communication services enabling computer users to share data and electronic files between electronic devices between users"; in International Class 9 for "Computer and telecommunications software that enables others to connect with and share data and electronic files between computers, electronic devices and other users"; in International Class 39 for "Electronic storage of data, files and documents"; and in International Class 42 for "Providing temporary use of online non-downloadable software for sharing data and electronic files between electronic devices or between users; computer services, namely, hosting and maintaining an online website to assist others with sharing data and electronic files between electronic devices or between users; and computer services, namely, acting as an application service provider in the field of knowledge management to host computer application software for sharing data and electronic files between electronic devices or between users."

8. Applicant's application was assigned Serial No. 77/081,277.

9. Applicant's proposed mark is confusingly similar to Opposer's STICK TOGETHER<sup>®</sup> marks.

10. Upon information and belief, the services Applicant seeks to offer under the SYNCTOGETHER word mark are related to the products and services offered by Opposer under its STICK TOGETHER<sup>®</sup> and ESTAMOS JUNTOS<sup>®</sup> marks.

11. Applicant's proposed use of the SYNCTOGETHER word mark for communications services and computer and telecommunications software enabling the sharing of data and electronic files between computers, electronic devices and users, so nearly resembles Opposer's use of STICK TOGETHER<sup>®</sup> and ESTAMOS JUNTOS<sup>®</sup> in relation to telecommunications services including voice and data transmission between computers, wireless telecommunication terminals and users as to be likely to cause confusion, mistake or deception under Section 2(d) of the Trademark Act, 15 U.S.C. §1052(d).

12. If Applicant's mark is registered, Applicant will receive a *prima facie* nationwide right to use its confusingly similar mark in commerce and, as such, would be damaging to Opposer's rights.

WHEREFORE, Opposer believes that, as a result of its priority and the likelihood of confusion that could result from the registration of Applicant's mark, Opposer prays that this opposition be sustained and that Application Serial No. 77/081,277 be refused registration.

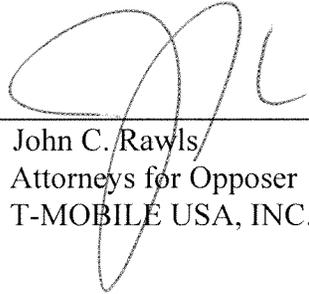
The Office is authorized to charge a filing fee in the amount of \$1,200 as required by 37 C.F.R. § 2.6(a)(17) to the Deposit Account of Fulbright & Jaworski, Account No. 50-0337. If the amount is insufficient, or should any additional fees be required for any reason relating to the enclosed materials, the Office is authorized to deduct the additional amount or fees from said Deposit Account. Please reference our Matter No. 10714125 on all future communications.

Please direct all communications concerning the referenced opposition proceeding to:

John C. Rawls, Esq.  
FULBRIGHT & JAWORSKI L.L.P.  
555 S. Flower Street, 41st Floor  
Los Angeles, CA 90071  
(213) 892-9285

Respectfully submitted,

Dated: February 19, 2008

By: 

\_\_\_\_\_  
John C. Rawls/  
Attorneys for Opposer  
T-MOBILE USA, INC.

FULBRIGHT & JAWORSKI L.L.P.  
555 S. Flower Street, 41<sup>st</sup> Floor  
Los Angeles, CA 90071  
(213) 892-9285

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing **NOTICE OF OPPOSITION** was served via United States First Class Mail, postage prepaid, on the following:

Robert B. Burlingame, Esq.  
Pillsbury Winthrop Shaw Pittman LLP  
P.O. Box 7880  
San Francisco, CA 94120-7880

Dated: February 19, 2008

  
\_\_\_\_\_  
Susan Crippen

# **Exhibit A**



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**STICK TOGETHER**

<b>Word Mark</b>	STICK TOGETHER
<b>Goods and Services</b>	IC 038. US 100 101 104. G & S: Telecommunications services, namely, wireless voice and data transmission, two way wireless transmission of email and text between wireless telecommunication terminals and computers, and providing multiple-user access to a global computer network. FIRST USE: 20060920. FIRST USE IN COMMERCE: 20060920
<b>Standard Characters Claimed</b>	
<b>Mark Drawing Code</b>	(4) STANDARD CHARACTER MARK
<b>Serial Number</b>	78867284
<b>Filing Date</b>	April 21, 2006
<b>Current Filing Basis</b>	1A
<b>Original Filing Basis</b>	1B
<b>Published for Opposition</b>	October 31, 2006
<b>Registration Number</b>	<b>3321524</b>
<b>Registration Date</b>	October 23, 2007
<b>Owner</b>	(REGISTRANT) T-Mobile USA, Inc. CORPORATION DELAWARE 12920 S.E. 38th Street Bellevue WASHINGTON 98006
<b>Attorney of Record</b>	Jessica Stone Levy
<b>Type of Mark</b>	SERVICE MARK
<b>Register</b>	PRINCIPAL
<b>Live/Dead</b>	LIVE

**Indicator**

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# **Exhibit B**



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**STICK TOGETHER**

<b>Word Mark</b>	STICK TOGETHER
<b>Goods and Services</b>	IC 036. US 100 101 102. G & S: Prepaid wireless communications calling card services. FIRST USE: 20060920. FIRST USE IN COMMERCE: 20060920
<b>Standard Characters Claimed</b>	
<b>Mark Drawing Code</b>	(4) STANDARD CHARACTER MARK
<b>Serial Number</b>	78867279
<b>Filing Date</b>	April 21, 2006
<b>Current Filing Basis</b>	1A
<b>Original Filing Basis</b>	1B
<b>Published for Opposition</b>	October 31, 2006
<b>Registration Number</b>	<b>3321523</b>
<b>Registration Date</b>	October 23, 2007
<b>Owner</b>	(REGISTRANT) T-Mobile USA, Inc. CORPORATION DELAWARE 12920 S.E. 38th Street Bellevue WASHINGTON 98006
<b>Attorney of Record</b>	Jessica Stone Levy
<b>Type of Mark</b>	SERVICE MARK
<b>Register</b>	PRINCIPAL
<b>Live/Dead Indicator</b>	LIVE

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# **Exhibit C**



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# STICK TOGETHER

**Word Mark** STICK TOGETHER  
**Goods and Services** IC 035. US 100 101 102. G & S: Retail store services and online retail services featuring wireless telecommunications and information technology equipment, namely, wireless telephones, wireless modems, wireless handheld computers, and related accessories, namely, antennas, smart cards containing programming used to interact with a wireless telephone or handheld computer and respond to a signal contact that requests customer identification and account information, carrying cases for wireless telephones and computers, hands-free microphone and earphone adapters, headset adapters, wireless telephone and handheld computer mounts, batteries, battery chargers, faceplates and related accessories. FIRST USE: 20060920. FIRST USE IN COMMERCE: 20060920

**Standard Characters Claimed**

**Mark Drawing Code** (4) STANDARD CHARACTER MARK

**Serial Number** 78867274

**Filing Date** April 21, 2006

**Current Filing Basis** 1A

**Original Filing Basis** 1B

**Published for Opposition** October 31, 2006

**Registration Number** 3321522

**Registration Date** October 23, 2007

**Owner** (REGISTRANT) T-Mobile USA, Inc. CORPORATION DELAWARE 12920 S.E. 38th Street Bellevue WASHINGTON 98006

**Attorney of Record** Jessica Stone Levy

**Type of Mark** SERVICE MARK

Register        PRINCIPAL  
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# **Exhibit D**



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# STICK TOGETHER

**Word Mark** STICK TOGETHER

**Goods and Services** IC 009. US 021 023 026 036 038. G & S: Wireless telecommunications and information technology equipment, namely, wireless telephones, wireless modems, wireless handheld computers, and related accessories, namely, smart cards containing programming used to interact with a wireless telephone or handheld computer and respond to a signal contact that requests customer identification and account information, carrying cases for wireless telephones and computers, hands-free microphone and earphone adapters, headset adapters, batteries, battery chargers. FIRST USE: 20060920. FIRST USE IN COMMERCE: 20060920

**Standard Characters Claimed**

**Mark Drawing Code** (4) STANDARD CHARACTER MARK

**Serial Number** 78867253

**Filing Date** April 21, 2006

**Current Filing Basis** 1A

**Original Filing Basis** 1B

**Published for Opposition** January 30, 2007

**Registration Number** 3363610

**Registration Date** January 1, 2008

**Owner** (REGISTRANT) T-Mobile USA, Inc. CORPORATION DELAWARE 12920 S.E. 38th Street Bellevue WASHINGTON 98006

**Attorney of Record** Kathryn M. Wheble

**Type of Mark** TRADEMARK

Register            PRINCIPAL  
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Indicator           LIVE

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# **Exhibit E**



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**ESTAMOS JUNTOS**

<b>Word Mark</b>	ESTAMOS JUNTOS
<b>Translations</b>	The English translation of "ESTAMOS JUNTOS" is "STICK TOGETHER".
<b>Goods and Services</b>	IC 036. US 100 101 102. G & S: Prepaid wireless communications calling card services. FIRST USE: 20061002. FIRST USE IN COMMERCE: 20061002
<b>Standard Characters Claimed</b>	
<b>Mark Drawing Code</b>	(4) STANDARD CHARACTER MARK
<b>Serial Number</b>	78899721
<b>Filing Date</b>	June 2, 2006
<b>Current Filing Basis</b>	1A
<b>Original Filing Basis</b>	1B
<b>Published for Opposition</b>	January 23, 2007
<b>Registration Number</b>	3363709
<b>Registration Date</b>	January 1, 2008
<b>Owner</b>	(REGISTRANT) T-Mobile USA, Inc. CORPORATION DELAWARE 12920 S.E. 38th Street Bellevue WASHINGTON 98006
<b>Attorney of Record</b>	Kathryn M. Wheble
<b>Type of Mark</b>	SERVICE MARK
<b>Register</b>	PRINCIPAL
<b>Live/Dead Indicator</b>	LIVE

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# **Exhibit F**



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**ESTAMOS JUNTOS**

**Word Mark** ESTAMOS JUNTOS

**Translations** The English translation of "ESTAMOS JUNTOS" is "STICK TOGETHER".

**Goods and Services** IC 038. US 100 101 104. G & S: Telecommunications services, namely, wireless voice and data transmission, two way wireless transmission of email and text between wireless telecommunication terminals and computers, and providing multiple-user access to a global computer network. FIRST USE: 20061002. FIRST USE IN COMMERCE: 20061002

**Standard Characters Claimed**

**Mark Drawing Code** (4) STANDARD CHARACTER MARK

**Serial Number** 78899724

**Filing Date** June 2, 2006

**Current Filing Basis** 1A

**Original Filing Basis** 1B

**Published for Opposition** January 23, 2007

**Registration Number** 3363710

**Registration Date** January 1, 2008

**Owner** (REGISTRANT) T-Mobile USA, Inc. CORPORATION DELAWARE 12920 S.E. 38th Street Bellevue WASHINGTON 98006

**Attorney of Record** Kathryn M. Wheble

**Type of Mark Register** SERVICE MARK  
PRINCIPAL

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# **Exhibit G**



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# STICK TOGETHER

<b>Word Mark</b>	STICK TOGETHER
<b>Goods and Services</b>	IC 024. US 042 050. G & S: Textile tablecloths; Cloth flags; Bed blankets; Throw blankets. FIRST USE: 20060920. FIRST USE IN COMMERCE: 20060920
<b>Standard Characters Claimed</b>	
<b>Mark Drawing Code</b>	(4) STANDARD CHARACTER MARK
<b>Serial Number</b>	77250442
<b>Filing Date</b>	August 8, 2007
<b>Current Filing Basis</b>	1A
<b>Original Filing Basis</b>	1A
<b>Published for Opposition</b>	January 22, 2008
<b>Owner</b>	(APPLICANT) T-Mobile USA, Inc. CORPORATION DELAWARE 12920 S.E. 38th Street Bellevue WASHINGTON 98006
<b>Attorney of Record</b>	Kathryn M. Wheble
<b>Type of Mark</b>	TRADEMARK
<b>Register</b>	PRINCIPAL
<b>Live/Dead Indicator</b>	LIVE

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# **Exhibit H**



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# STICK TOGETHER

<b>Word Mark</b>	STICK TOGETHER
<b>Goods and Services</b>	IC 026. US 037 039 040 042 050. G & S: Novelty buttons; Buttons for clothing. FIRST USE: 20060920. FIRST USE IN COMMERCE: 20060920
<b>Standard Characters Claimed</b>	
<b>Mark Drawing Code</b>	(4) STANDARD CHARACTER MARK
<b>Serial Number</b>	77250393
<b>Filing Date</b>	August 8, 2007
<b>Current Filing Basis</b>	1A
<b>Original Filing Basis</b>	1A
<b>Published for Opposition</b>	January 22, 2008
<b>Owner</b>	(APPLICANT) T-Mobile USA, Inc. CORPORATION DELAWARE 12920 S.E. 38th Street Bellevue WASHINGTON 98006
<b>Attorney of Record</b>	Kathryn M. Wheble
<b>Type of Mark</b>	TRADEMARK
<b>Register</b>	PRINCIPAL
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# **Exhibit I**



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# STICK TOGETHER

**Word Mark** STICK TOGETHER

**Goods and Services** IC 021. US 002 013 023 029 030 033 040 050. G & S: Mugs; Cups; Bottles sold empty; Portable beverage coolers; Foam drink holders. FIRST USE: 20060920. FIRST USE IN COMMERCE: 20060920

**Standard Characters Claimed**

**Mark Drawing Code** (4) STANDARD CHARACTER MARK

**Serial Number** 77250301

**Filing Date** August 8, 2007

**Current Filing Basis** 1A

**Original Filing Basis** 1A

**Published for Opposition** January 15, 2008

**Owner** (APPLICANT) T-Mobile USA, Inc. CORPORATION DELAWARE 12920 S.E. 38th Street Bellevue WASHINGTON 98006

**Attorney of Record** Kathryn M. Wheble

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Live/Dead Indicator** LIVE

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# **Exhibit J**



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**STICK TOGETHER**

**Word Mark** STICK TOGETHER  
**Goods and Services** IC 020. US 002 013 022 025 032 050. G & S: Inflatable publicity objects; Advertising balloons; Plastic key tags; Hand held fans; Mirrors. FIRST USE: 20060920. FIRST USE IN COMMERCE: 20060920  
**Standard Characters Claimed**  
**Mark Drawing Code** (4) STANDARD CHARACTER MARK  
**Serial Number** 77250294  
**Filing Date** August 8, 2007  
**Current Filing Basis** 1A  
**Original Filing Basis** 1A  
**Published for Opposition** January 15, 2008  
**Owner** (APPLICANT) T-Mobile USA, Inc. CORPORATION DELAWARE 12920 S.E. 38th Street Bellevue WASHINGTON 98006  
**Attorney of Record** Kathryn M. Wheble  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Live/Dead Indicator** LIVE

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# **Exhibit K**



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**STICK TOGETHER**

<b>Word Mark</b>	STICK TOGETHER
<b>Goods and Services</b>	IC 018. US 001 002 003 022 041. G & S: Travel bags; Sports bags; Tote bags; Fanny packs; Luggage; Duffel bags; Sling bags; Backpacks; Umbrellas; String bags for shopping. FIRST USE: 20060920. FIRST USE IN COMMERCE: 20060920
<b>Standard Characters Claimed</b>	
<b>Mark Drawing Code</b>	(4) STANDARD CHARACTER MARK
<b>Serial Number</b>	77249962
<b>Filing Date</b>	August 8, 2007
<b>Current Filing Basis</b>	1A
<b>Original Filing Basis</b>	1A
<b>Published for Opposition</b>	January 15, 2008
<b>Owner</b>	(APPLICANT) T-Mobile USA, Inc. CORPORATION DELAWARE 12920 S.E. 38th Street Bellevue WASHINGTON 98006
<b>Attorney of Record</b>	Kathryn M. Wheble
<b>Type of Mark</b>	TRADEMARK
<b>Register</b>	PRINCIPAL
<b>Live/Dead Indicator</b>	LIVE

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# STICK TOGETHER

<b>Word Mark</b>	STICK TOGETHER
<b>Goods and Services</b>	IC 016. US 002 005 022 023 029 037 038 050. G & S: Paper clips; Wire-bound notebooks; Note paper; Bumper stickers; Ball point pens; Paper gift bags; Lunch bags. FIRST USE: 20060920. FIRST USE IN COMMERCE: 20060920
<b>Standard Characters Claimed</b>	
<b>Mark Drawing Code</b>	(4) STANDARD CHARACTER MARK
<b>Serial Number</b>	77249949
<b>Filing Date</b>	August 8, 2007
<b>Current Filing Basis</b>	1A
<b>Original Filing Basis</b>	1A
<b>Published for Opposition</b>	January 15, 2008
<b>Owner</b>	(APPLICANT) T-Mobile USA, Inc. CORPORATION DELAWARE 12920 S.E. 38th Street Bellevue WASHINGTON 98006
<b>Attorney of Record</b>	Kathryn M. Wheble
<b>Type of Mark</b>	TRADEMARK
<b>Register</b>	PRINCIPAL
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**STICK TOGETHER**

**Word Mark** STICK TOGETHER

**Goods and Services** IC 009. US 021 023 026 036 038. G & S: Computer storage devices, namely, flash drives; Laptop bags and carrying cases; Portable radios; Audio speakers; Refrigerator magnets; Mouse pads; Cellular phone accessories, namely, encoded electronic data chip cards for storing mobile phone user identification and subscriber information modules (SIMs). FIRST USE: 20060920. FIRST USE IN COMMERCE: 20060920

**Standard Characters Claimed**

**Mark Drawing Code** (4) STANDARD CHARACTER MARK

**Serial Number** 77249930

**Filing Date** August 8, 2007

**Current Filing Basis** 1A

**Original Filing Basis** 1A

**Published for Opposition** January 15, 2008

**Owner** (APPLICANT) T-Mobile USA, Inc. CORPORATION DELAWARE 12920 S.E. 38th Street Bellevue WASHINGTON 98006

**Attorney of Record** Kathryn M. Wheble

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Live/Dead Indicator** LIVE

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**STICK TOGETHER**

<b>Word Mark</b>	STICK TOGETHER
<b>Goods and Services</b>	IC 006. US 002 012 013 014 023 025 050. G & S: Metal key rings. FIRST USE: 20060920. FIRST USE IN COMMERCE: 20060920
<b>Standard Characters Claimed</b>	
<b>Mark Drawing Code</b>	(4) STANDARD CHARACTER MARK
<b>Serial Number</b>	77250610
<b>Filing Date</b>	August 8, 2007
<b>Current Filing Basis</b>	1A
<b>Original Filing Basis</b>	1A
<b>Published for Opposition</b>	January 1, 2008
<b>Owner</b>	(APPLICANT) T-Mobile USA, Inc. CORPORATION DELAWARE 12920 S.E. 38th Street Bellevue WASHINGTON 98006
<b>Attorney of Record</b>	Kathryn M. Wheble
<b>Type of Mark</b>	TRADEMARK
<b>Register</b>	PRINCIPAL
<b>Live/Dead Indicator</b>	LIVE

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**STICK TOGETHER**

**Word Mark** STICK TOGETHER

**Goods and Services** IC 025. US 022 039. G & S: Aprons, shirts, dress shirts, polo shirts, T-Shirts, blouses, sweat shirts, vests, jackets. FIRST USE: 20060920. FIRST USE IN COMMERCE: 20060920

**Standard Characters Claimed**

**Mark Drawing Code** (4) STANDARD CHARACTER MARK

**Serial Number** 77250419

**Filing Date** August 8, 2007

**Current Filing Basis** 1A

**Original Filing Basis** 1A

**Published for Opposition** January 1, 2008

**Owner** (APPLICANT) T-Mobile USA, Inc. CORPORATION DELAWARE 12920 S.E. 38th Street Bellevue WASHINGTON 98006

**Attorney of Record** Kathryn M. Wheble

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

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# **Exhibit P**



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# STICK TOGETHER

<b>Word Mark</b>	STICK TOGETHER
<b>Goods and Services</b>	IC 011. US 013 021 023 031 034. G & S: Flashlights. FIRST USE: 20060920. FIRST USE IN COMMERCE: 20060920
<b>Standard Characters Claimed</b>	
<b>Mark Drawing Code</b>	(4) STANDARD CHARACTER MARK
<b>Serial Number</b>	77250373
<b>Filing Date</b>	August 8, 2007
<b>Current Filing Basis</b>	1A
<b>Original Filing Basis</b>	1A
<b>Published for Opposition</b>	January 1, 2008
<b>Owner</b>	(APPLICANT) T-Mobile USA, Inc. CORPORATION DELAWARE 12920 S.E. 38th Street Bellevue WASHINGTON 98006
<b>Attorney of Record</b>	Kathryn M. Wheble
<b>Type of Mark</b>	TRADEMARK
<b>Register</b>	PRINCIPAL
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# **Exhibit Q**



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**STICK TOGETHER**

<b>Word Mark</b>	STICK TOGETHER
<b>Goods and Services</b>	IC 030. US 046. G & S: Candy, chewing gum, candy mints, popcorn. FIRST USE: 20060920. FIRST USE IN COMMERCE: 20060920
<b>Standard Characters Claimed</b>	
<b>Mark Drawing Code</b>	(4) STANDARD CHARACTER MARK
<b>Serial Number</b>	77250354
<b>Filing Date</b>	August 8, 2007
<b>Current Filing Basis</b>	1A
<b>Original Filing Basis</b>	1A
<b>Published for Opposition</b>	January 1, 2008
<b>Owner</b>	(APPLICANT) T-Mobile USA, Inc. CORPORATION DELAWARE 12920 S.E. 38th Street Bellevue WASHINGTON 98006
<b>Attorney of Record</b>	Kathryn M. Wheble
<b>Type of Mark</b>	TRADEMARK
<b>Register</b>	PRINCIPAL
<b>Live/Dead Indicator</b>	LIVE

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# **Exhibit R**



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# STICK TOGETHER

**Word Mark** STICK TOGETHER

**Goods and Services** IC 028. US 022 023 038 050. G & S: Balloons; flying discs; golf balls; inflatable toys, namely inflatable noise sticks. FIRST USE: 20060920. FIRST USE IN COMMERCE: 20060920

**Standard Characters Claimed**

**Mark Drawing Code** (4) STANDARD CHARACTER MARK

**Serial Number** 77250320

**Filing Date** August 8, 2007

**Current Filing Basis** 1A

**Original Filing Basis** 1A

**Published for Opposition** January 1, 2008

**Owner** (APPLICANT) T-Mobile USA, Inc. CORPORATION DELAWARE 12920 S.E. 38th Street Bellevue WASHINGTON 98006

**Attorney of Record** Kathryn M. Wheble

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Live/Dead Indicator** LIVE

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# **Exhibit S**



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**STICK TOGETHER**

<b>Word Mark</b>	STICK TOGETHER
<b>Goods and Services</b>	IC 005. US 006 018 044 046 051 052. G & S: First aid kits; antibacterial sanitizer spray. FIRST USE: 20060920. FIRST USE IN COMMERCE: 20060920
<b>Standard Characters Claimed</b>	
<b>Mark Drawing Code</b>	(4) STANDARD CHARACTER MARK
<b>Serial Number</b>	77249917
<b>Filing Date</b>	August 8, 2007
<b>Current Filing Basis</b>	1A
<b>Original Filing Basis</b>	1A
<b>Published for Opposition</b>	January 1, 2008
<b>Owner</b>	(APPLICANT) T-Mobile USA, Inc. CORPORATION DELAWARE 12920 S.E. 38th Street Bellevue WASHINGTON 98006
<b>Attorney of Record</b>	Kathryn M. Wheble
<b>Type of Mark</b>	TRADEMARK
<b>Register</b>	PRINCIPAL
<b>Live/Dead Indicator</b>	LIVE

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# **Exhibit T**



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# ESTAMOS JUNTOS

**Word Mark** ESTAMOS JUNTOS

**Translations** The English translation of ESTAMOS JUNTOS is STICK TOGETHER.

**Goods and Services** IC 035. US 100 101 102. G & S: Retail store services and online retail services featuring wireless telecommunications and information technology equipment, namely, wireless telephones, wireless modems, wireless handheld computers, and related accessories, namely, antennas, smart cards containing programming used to interact with a wireless telephone or handheld computer and respond to a signal contact that requests customer identification and account information, carrying cases for wireless telephones and computers, hands-free microphone and earphone adapters, headset adapters, wireless telephone and handheld computer mounts, batteries, battery chargers, faceplates and replacement parts therefor

**Standard Characters Claimed**

**Mark Drawing Code** (4) STANDARD CHARACTER MARK

**Serial Number** 78899716

**Filing Date** June 2, 2006

**Current Filing Basis** 1B

**Original Filing Basis** 1B

**Published for Opposition** January 23, 2007

**Owner** (APPLICANT) T-Mobile USA, Inc. CORPORATION DELAWARE 12920 S.E. 38th Street Bellevue WASHINGTON 98006

**Attorney of Record** Kathryn M. Wheble

**Type of Mark** SERVICE MARK

**Register** PRINCIPAL

**Live/Dead** LIVE

**Indicator**

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# **Exhibit U**



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ESTAMOS JUNTOS

**Word Mark** ESTAMOS JUNTOS

**Translations** The English translation of ESTAMOS JUNTOS is STICK TOGETHER.

**Goods and Services** IC 009. US 021 023 026 036 038. G & S: Wireless telecommunications and information technology equipment, namely, wireless telephones, wireless modems, wireless handheld computers, and related accessories, namely, antennas, smart cards containing programming used to interact with a wireless telephone or handheld computer and respond to a signal contact that requests customer identification and account information, carrying cases for wireless telephones and computers, hands-free microphone and earphone adapters, headset adapters, wireless telephone and handheld computer mounts, batteries, battery chargers, faceplates and replacement parts therefor

**Standard Characters Claimed**

**Mark Drawing Code** (4) STANDARD CHARACTER MARK

**Serial Number** 78899714

**Filing Date** June 2, 2006

**Current Filing Basis** 1B

**Original Filing Basis** 1B

**Published for Opposition** January 23, 2007

**Owner** (APPLICANT) T-Mobile USA, Inc. CORPORATION DELAWARE 12920 S.E. 38th Street Bellevue WASHINGTON 98006

**Attorney of Record** Kathryn M. Wheble

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Live/Dead Indicator** LIVE

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