

ESTTA Tracking number: **ESTTA193834**

Filing date: **02/20/2008**

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	Esther Hicks
Granted to Date of previous extension	02/20/2008
Address	28800 Old Fredericksburg Road Boerne, TX 78015 UNITED STATES
Party who filed Extension of time to oppose	EstherHicks
Relationship to party who filed Extension of time to oppose	Typographical error with no space between first and last name

Attorney information	Paul Adams The Adams Law Firm 901 Rio Grande Blvd. NW, Suite H262 Albuquerque, NM 87104 UNITED STATES adamspatentlaw@gmail.com Phone:505-222-3145
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Applicant Information

Application No	77165370	Publication date	10/23/2007
Opposition Filing Date	02/20/2008	Opposition Period Ends	02/20/2008
Applicants	Rini, Kathy W. 828 East McNair Drive Tempe, AZ 85283 UNITED STATES Rini, Kent A.V. 828 East McNair Drive Tempe, AZ 85283 UNITED STATES		

Goods/Services Affected by Opposition

Class 045.
All goods and services in the class are opposed, namely: Computer dating services

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 No.	78868868	Application Date	04/25/2006
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	LAW OF ATTRACTION		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1988/12/31 First Use In Commerce: 1988/12/31 Prerecorded Cds, cassettes, videos and DVDs in the field of inspiration and self esteem		

Attachments	78868868#TMSN.jpeg (1 page)(bytes) CCF02202008.pdf (4 pages)(2360980 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	/Paul Adams/
Name	Paul Adams
Date	02/20/2008

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

LAW OF ATTRACTION,

Opposer

vs.

Opposition No.:

THE LAW OF ATTRACTION.
YOUR SOULMATE CONNECTION,

Applicant.

NOTICE OF OPPOSITION

Mail Stop TTAB
Commission for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In the matter of application Serial No. 77/165,370, filed on April 25, 2007 for registration of the trademark "THE LAW OF ATTRACTION. YOUR SOULMATE CONNECTION" in International Class 045 (U.S. Classes 100, 101) by Kathy W. Rini, an individual residing at 828 East McNair Drive, Tempe, Arizona 85283 (hereinafter "Applicant") with an extension of time to file Notice of Opposition granted by the Trademark Trial and Appeal Board on December 18, 2008, Esther and Jerry Hicks, individuals residing at 28800 Old Fredericksburg Road, Boerne, Texas 78015 (hereinafter "Opposer") believe they will be damaged by the registration of the mark and therefore oppose on the following grounds:

1. Applicant seeks to register "THE LAW OF ATTRACTION. YOUR

SOULMATE CONNECTION” as a trademark in International Class 045, claiming use for computer dating services.

2. Opposer, since as early as 1988, used the mark “LAW OF ATTRACTION” for books, quarterly journals and catalogs (Class 016), for educational services namely, conducting seminars and lectures, both live and over the Internet including providing on-line publications in the nature of magazines and newsletters (Class 041), and for prerecorded CDs, cassettes, videos and DVDs (Class 009), all in the field of inspiration and self esteem.

Opposer has filed Application No. 78/868,868, in Class 009; that application is currently pending.

3. Opposer has provided its services listed in the above-identified classes under the LAW OF ATTRACTION mark throughout the United States. Opposer has developed an exceedingly valuable goodwill with respect to the mark, LAW OF ATTRACTION.

4. By virtue of its efforts, and the expenditure of considerable sums for marketing, advertising and promotional activities in various media (including without limitation, the website www.abraham-hicks.com) and by virtue of the excellence of its goods and services, Opposer has gained for its above-identified mark a most valuable reputation.

5. The trademark proposed for registration by Applicant, namely “THE LAW OF ATTRACTION. YOUR SOULMATE CONNECTION,” is substantially similar in appearance, sound and meaning to Opposer’s LAW OF ATTRACTION mark and when applied to the goods of Applicant so nearly

resembles the Opposer's mark as to be likely confused therewith and mistaken therefor. Applicant's mark is deceptively similar to Opposer's mark so as to cause confusion and will lead to deception as to whether Applicant's goods and services are authorized by, approved by, sponsored by or otherwise associated with Opposer.

6. If the Applicant is permitted to use and register her mark for the goods, as specified in the application herein opposed, confusion in trade resulting in damage and injury to the Opposer would be caused and would result by reason of the similarity between the Applicant's mark and the Opposer's mark. Any defect, objection or fault found with Applicant's products marketed under her mark, and any suggestion of explicit sexual matters would necessarily reflect upon and seriously injure the reputation which the Opposer has established for its goods and services merchandised under its mark.
7. For the reasons stated above, Opposer will be damaged by registration of Applicant's claimed trademark "THE LAW OF ATTRACTION. YOUR SOULMATE CONNECTION."
8. Opposer has not consented and does not consent in any way to Applicant's use or registration of Applicant's mark.

WHEREFORE, Opposer prays that the application Serial No. 77/165,370 be rejected and that the mark therein sought for the services therein specified in International Class 045 be denied and refused and that this Opposition be sustained in favor of Opposer.

The fee required in § 2.6(a)(17) is enclosed herewith.

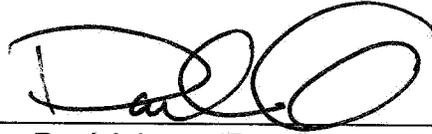
Respectfully submitted,

THE ADAMS LAW FIRM

Dated: _____

2/20/08

By _____



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