

ESTTA Tracking number: **ESTTA220323**

Filing date: **06/25/2008**

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	Six Continents Hotels, Inc.
Granted to Date of previous extension	06/25/2008
Address	Three Ravinia Drive, Suite 100 Atlanta, GA 30346-2149 UNITED STATES

Attorney information	Albert Robin Cowan, Liebowitz & Latman, P.C. 1133 Avenue of the Americas New York, NY 10036 UNITED STATES trademark@cll.com Phone:212-790-9246
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### Applicant Information

Application No	77181734	Publication date	02/26/2008
Opposition Filing Date	06/25/2008	Opposition Period Ends	06/25/2008
Applicant	CROWN MELBOURNE LIMITED 8 WHITEMAN STREET SOUTHBANK, MELBOURNE, VICTORIA, 3006 AUSTRALIA		

### Goods/Services Affected by Opposition

Class 041. First Use: 1994/01/31 First Use In Commerce: 2005/07/31 All goods and services in the class are opposed, namely: Casino services, conducting casino and gaming contests and tournaments, and providing online information in the fields of casinos and gaming
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### 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.	1297211	Application Date	10/07/1983
Registration Date	09/18/1984	Foreign Priority Date	NONE
Word Mark	CROWNE PLAZA		
Design Mark			

Description of Mark	NONE
Goods/Services	Class 042. First use: First Use: 1983/06/21 First Use In Commerce: 1983/06/21 Hotel Services-Namely, Providing Lodging and Restaurant Services in Hotels

U.S. Registration No.	2895328	Application Date	03/26/2003
Registration Date	10/19/2004	Foreign Priority Date	NONE
Word Mark	CROWNE PLAZA HOTELS & RESORTS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 043. First use: First Use: 2002/09/01 First Use In Commerce: 2002/09/01 Hotel and restaurant services		

Attachments	78230041#TMSN.jpeg ( 1 page )( bytes ) crown opp.pdf ( 4 pages )(13306 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	/Albert Robin/
Name	Albert Robin
Date	06/25/2008



2007, the date of its filing of an application for resignation thereof, or on February 26, 2008, the date of the publication for opposition thereof in the United States Official Gazette.

3. Since prior to January 31, 1994, Applicant's filing date, Opposer (which term includes its related companies) has been engaged, *inter alia*, in operating and licensing others to own and/or operate hotels which use the service mark CROWNE PLAZA in connection with the hotel and related services which they render.

4. Opposer is the owner of the following registrations, among others, of its CROWNE PLAZA service mark, which registrations are now outstanding, validly subsisting and uncanceled.

<u>Registration No.</u>	<u>Date of Issue</u>
1297211	September 18, 1984
2895328	October 19, 2004

5. In Application Serial No. 77/181734, Applicant seeks to register the designation CROWN as a service mark for "casino services, conducting casino and gaming contests and tournaments, and providing online information in the field of casinos and gaming."

6. Opposer is informed and believes and therefore avers that Applicant has not lawfully used the mark sought to be registered in the United States or in commerce with the United States in connection with the services.

7. CROWN, as sought to be registered by Applicant, so resembles CROWNE PLAZA, as used and registered by Opposer, as to be likely to cause confusion, or to cause mistake or to deceive.

WHEREFORE, Opposer prays that its opposition be sustained and that registration of the designation CROWN LAS VEGAS and Design as a service mark to Applicant be refused and denied.

Dated: New York, New York  
June 25, 2008

COWAN, LIEBOWITZ & LATMAN, P.C.

By: /s/ Albert Robin  
Albert Robin  
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(212) 790-9200  
Attorneys for Opposer

Certificate of Service

A copy of the foregoing Notice of Opposition was served by first class mail, postage prepaid, upon Lucas J. Tucker, Attorney for Applicant, at Lionel, Sawyer & Collins, Ltd., 300 South Fourth Street, #1700, Las Vegas, Nevada 89101, this 25<sup>th</sup> day of June, 2008.

/s/ Albert Robin \_\_\_\_\_  
Albert Robin