

ESTTA Tracking number: **ESTTA222247**

Filing date: **07/03/2008**

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	Bridges To Community, Inc.
Granted to Date of previous extension	07/23/2008
Address	95 Croton Avenue Ossining, NY 10562 UNITED STATES

Attorney information	Heather Dietrick Heller Ehrman, LLP Times Square Tower7 Times Square New York, NY 10036 UNITED STATES SF-Trademark@hellerehrman.com, heather.dietrick@hellerehrman.com Phone:212-847-8653
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**Applicant Information**

Application No	77106927	Publication date	03/25/2008
Opposition Filing Date	07/03/2008	Opposition Period Ends	07/23/2008
Applicant	Bridges For A Just Community, Inc. 106 East Eight Street Cincinnati, OH 45202 UNITED STATES		

**Goods/Services Affected by Opposition**

Class 035. First Use: 2006/11/14 First Use In Commerce: 2006/11/14 All goods and services in the class are opposed, namely: Charitable services, namely, organizing groups to undertake projects to benefit the needy and the community to encourage leadership,diversity, inclusion, cooperation, character, compassion and good citizenship
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**Applicant Information**

Application No	77049518	Publication date	03/11/2008
Opposition Filing Date	07/03/2008	Opposition Period Ends	
Applicant	BRIDGES FOR A JUST COMMUNITY, INC. 106 EAST EIGHT STREET CINCINNATI, OH 45202 UNITED STATES		

**Goods/Services Affected by Opposition**

Class 035. First Use: 2006/11/14 First Use In Commerce: 2006/11/14  
 All goods and services in the class are opposed, namely: Charitable services, namely, organizing groups to undertake projects to benefit the needy and the community to encourage leadership, diversity, inclusion, cooperation, character, compassion and good citizenship

## 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. Application No.	77509099	Application Date	06/26/2008
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	BRIDGES TO COMMUNITY		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1993/10/05 First Use In Commerce: 1993/10/05 administration of educational, cultural, humanitarian, economic development, healthcare and peace-building programs; organizing and conducting volunteer programs and community service projects; promoting public awareness of the need for educational, cultural, humanitarian, economic, healthcare and peace-building development in worldwide communities		

U.S. Application No.	77509090	Application Date	06/26/2008
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	BRIDGES TO COMMUNITY		
Design Mark			
Description of Mark	The mark consists of the text "Bridges to Community" and a curved line above the text.		
Goods/Services	Class 035. First use: First Use: 1993/10/05 First Use In Commerce: 1993/10/05 administration of educational, cultural, humanitarian, economic development, healthcare and peace-building programs; organizing and conducting volunteer programs and community service projects; promoting public awareness of the need for educational, cultural, humanitarian, economic, healthcare and peace-building development in worldwide communities		

U.S. Application No.	77509113	Application Date	06/26/2008
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	BRIDGES TO COMMUNITY		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 041. First use: First Use: 1993/10/05 First Use In Commerce: 1993/10/05 educational services, namely, providing instruction in the field of international community service, languages, economic development, cultural issues and distributing educational or training materials in connection therewith; organizing,		

	developing, arranging and conducting volunteer programs in the field of community building and cultural exchange
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U.S. Application No.	77509123	Application Date	06/26/2008
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	BRIDGES TO COMMUNITY		
Design Mark			
Description of Mark	The mark consists of the words "Bridges to Community" and a curved line above the text.		
Goods/Services	Class 041. First use: First Use: 1993/10/05 First Use In Commerce: 1993/10/05 educational services, namely, providing instruction in the field of international community service, languages, economic development, cultural issues and distributing educational or training materials in connection therewith; organizing, developing, arranging and conducting volunteer programs in the field of community building and cultural exchange		

Attachments	77509099#TMSN.jpeg ( 1 page )( bytes ) 77509090#TMSN.jpeg ( 1 page )( bytes ) 77509113#TMSN.jpeg ( 1 page )( bytes ) 77509123#TMSN.jpeg ( 1 page )( bytes ) Bridges to Community Notice of Opposition.pdf ( 7 pages )(1360982 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	/Heather Dietrick/
Name	Heather Dietrick
Date	07/03/2008

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

In the Matter of Application Serial No. 77/049518  
Trademark: **BRIDGES FOR A JUST COMMUNITY & Design**

In the Matter of Application Serial No. 77/106927  
Trademark: **BRIDGES FOR A JUST COMMUNITY**

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<p>Bridges to Community, Inc.,                    Opposer,            v.  Bridges for a Just Community, Inc.,                    Applicant.</p>	
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**BRIDGES TO COMMUNITY, INC.'S CONSOLIDATED NOTICE OF  
OPPOSITION**

Bridges to Community, Inc. ("Opposer"), having a principal place of business at 95 Croton Avenue, Ossining, New York 10562, believes it will be damaged by registration of the mark BRIDGES FOR A JUST COMMUNITY & Design shown in Serial No. 77/049,518 in International Class 35, and Serial No. 77/106,927 in International Class 35 and hereby opposes the same.

As grounds for opposition, Opposer alleges:

1. This consolidated opposition is filed pursuant to 37 C.F.R. § 2.104(b) and consolidation is appropriate because: (1) the challenged applications were both filed by the same applicant and are for similar BRIDGES FOR A JUST COMMUNITY marks; (2) Opposer's challenges to both applications are based on common questions of law and

fact; and (3) consolidation avoids duplication of effort, loss of time, and the extra expense involved in conducting the proceedings separately. *See* Trial and Appeal Board Manual of Procedure (“TBMP”) § 305 (2d. Ed., 1st Rev.).

2. Opposer has obtained all necessary extensions of time in which to oppose the challenged trademarks following publication.

3. Bridges for a Just Community, Inc. (“Applicant”) filed an application on November 22, 2006 to register BRIDGES FOR A JUST COMMUNITY & Design for “charitable services, namely, organizing groups to undertake projects to benefit the needy and the community to encourage leadership, diversity, inclusion, cooperation, character, compassion and good citizenship” in International Class 35. Applicant filed a second application on February 14, 2007 to register the word mark BRIDGES FOR A JUST COMMUNITY for “charitable services, namely, organizing groups to undertake projects to benefit the needy and the community to encourage leadership, diversity, inclusion, cooperation, character, compassion and good citizenship” in International Class 35. The applications were published in the *Official Gazette* on March 11, 2008 and March 25, 2008 respectively.

4. Applicant is, upon information and belief, an Ohio corporation having a place of business at 106 East Eight Street, Cincinnati, Ohio 45202.5. Opposer has, since at least as early as October 5, 1993, used the mark BRIDGES TO COMMUNITY in connection with charitable services and organizing groups to undertake community projects. Such use has been valid and continuous since at least October 5, 1993 and such

mark has not been abandoned. In addition, Opposer is the owner of Application Serial No. 77/509,099 for BRIDGES TO COMMUNITY and Application Serial No. 77/509,090 for BRIDGES TO COMMUNITY & Design, both in International Class 35 for use in connection with the “administration of educational, cultural, humanitarian, economic development, healthcare and peace-building programs; organizing and conducting volunteer programs and community service projects; promoting public awareness of the need for educational, cultural, humanitarian, economic, healthcare and peace-building development in worldwide communities.” Opposer is also the owner of Application Serial No. 77/509,113 for BRIDGES TO COMMUNITY and Application Serial No. 77/509,123 for BRIDGES TO COMMUNITY & Design, both in International Class 41 for use in connection with “educational services, namely, providing instruction in the field of international community service, languages, economic development, cultural issues and distributing educational or training materials in connection therewith; organizing, developing, arranging and conducting volunteer programs in the field of community building and cultural exchange.”

6. Upon information and belief, Applicant did not use the mark BRIDGES FOR A JUST COMMUNITY or BRIDGES FOR A JUST COMMUNITY & Design for its services prior to October 5, 1993, as evidenced by its dates of first use claimed in its applications, which dates are subsequent to Opposer’s first use of its BRIDGES TO COMMUNITY and BRIDGES TO COMMUNITY & Design mark.

7. Opposer has provided its services under the marks BRIDGES TO COMMUNITY and BRIDGES TO COMMUNITY & Design in the United States and throughout the world and has developed exceedingly valuable goodwill with respect to the marks.

8. By virtue of its efforts and the expenditure of considerable sums for promotional and advertising activities and by virtue of the excellence of its services, Opposer has gained for the marks BRIDGES TO COMMUNITY and BRIDGES TO COMMUNITY & Design a most valuable reputation and has created, in the minds of the public, an exclusive association between the BRIDGES TO COMMUNITY and BRIDGES TO COMMUNITY & Design marks and its services.

9. The trademarks proposed for registration by Applicant, namely, BRIDGES FOR A JUST COMMUNITY and BRIDGES FOR A JUST COMMUNITY & Design, are likely to be confused with both Opposer's BRIDGES TO COMMUNITY and BRIDGES TO COMMUNITY & Design marks, because Applicant's marks are virtually identical in appearance, sound and overall commercial impression to Opposer's marks.

10. Applicant seeks to register BRIDGES FOR A JUST COMMUNITY and BRIDGES FOR A JUST COMMUNITY & Design as marks used in connection with services that are highly similar to the services of the Opposer and such use so nearly resembles Opposer's use as to be likely to cause confusion, to cause mistake or to deceive within the meaning of 15 U.S.C. § 1052(d).

11. If Applicant is permitted to use and register the BRIDGES FOR A JUST COMMUNITY and BRIDGES FOR A JUST COMMUNITY & Design marks for its services as specified in the opposed applications, confusion in trade resulting in damage and injury to Opposer would be caused and would result because Applicant's marks are virtually identical to Opposer's marks and are intended to be used for similar services. Persons familiar with Opposer's marks would be likely to confuse Applicant's services as services offered by Opposer. Furthermore, any defect, objection, or fault found with Applicant's services marketed under its marks would be likely to reflect upon and seriously injure the reputation that Opposer has established for its services offered under its BRIDGES TO COMMUNITY and BRIDGES TO COMMUNITY & Design marks.

12. If Applicant is granted the registrations herein opposed, such registrations would be a source of damage and injury to Opposer.

WHEREFORE, Opposer pray that the opposition be sustained and that the applications be refused for registration.

Respectfully submitted,

HELLER EHRMAN LLP

Dated: July 3, 2008

By:



Heather Dietrick

&

John Hanish

Attorneys for Opposer  
333 Bush Street  
San Francisco, CA 94104  
415-772-6881

Please refer to Our File No.: 95643-0002

**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing Bridges To Community, Inc.'s Notice of Consolidated Opposition was served by First Class Mail, on July 3, 2008, on counsel for Applicant at the following address:

MARGARET LAWSON  
TAFT, STETTINIUS & HOLLISTER LLP  
425 WALNUT ST STE 1800  
CINCINNATI, OH 45202-3957

Dated: July 3, 2008

By:



Heather Dietrick

&

John Hanish

Attorneys for Opposer  
HELLER EHRMAN LLP  
333 Bush Street  
San Francisco, California 94104