

ESTTA Tracking number: **ESTTA230614**

Filing date: **08/14/2008**

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	Karl Kani International, Inc.		
Entity	Corporation	Citizenship	California
Address	18689 Arenth Ave. City of Industry, CA 91748 UNITED STATES		

Attorney information	Mark Fang MARK FANG ATTORNEY AT LAW, APC 215 E. Daily Dr. Ste. 9 Camarillo, CA 93010 UNITED STATES mfang@markfangapc.com, jfukasawa@markfangapc.com Phone:(805) 383-2788		
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### Applicant Information

Application No	77389967	Publication date	07/22/2008
Opposition Filing Date	08/14/2008	Opposition Period Ends	08/21/2008
Applicant	Earle Williams/ E.F. Williams & Company PO BOX 3506 Stowe, VT 05672 UNITED STATES		

### Goods/Services Affected by Opposition

Class 025. All goods and services in the class are opposed, namely: Dress shirts; Golf shirts; Knit shirts; Long-sleeved shirts; Open-necked shirts; Pique shirts; Polo shirts; Shirts; Short-sleeved or long-sleeved t-shirts; Short-sleeved shirts; Sport shirts; Sweat shirts; T-shirts; Tee shirts; Wind shirts; Yoga shirts; Capri pants; Cargo pants; Denims; Jogging pants; Lounge pants; Pants; Ski pants; Snow pants; Snowboard pants; Stretch pants; Sweat pants; Hats; Coats made of cotton
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### Grounds for Opposition

Deceptiveness	Trademark Act section 2(a)
Priority and likelihood of confusion	Trademark Act section 2(d)

### Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	2646615	Application Date	06/12/2000
Registration Date	11/05/2002	Foreign Priority Date	NONE

Word Mark	KARL KANI
Design Mark	
Description of Mark	NONE
Goods/Services	Class 018. First use: First Use: 1997/10/15 First Use In Commerce: 1997/10/15 LUGGAGE Class 025. First use: First Use: 1997/10/15 First Use In Commerce: 1997/10/15 CLOTHING, NAMELY, T-SHIRTS, PANTS, JEANS, OVERALLS, SHORTS, CAPS, HATS, POLO SHIRTS, JACKETS, COATS, SWEATSHIRTS, SWEATERS, VESTS, TANK TOPS, UNDERWEAR, BOXER SHORTS, SWEATSUITS AND SUITS

U.S. Registration No.	1900729	Application Date	02/24/1994
Registration Date	06/20/1995	Foreign Priority Date	NONE
Word Mark	KANI		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1993/10/06 First Use In Commerce: 1993/10/06 footwear		

U.S. Registration No.	2624177	Application Date	05/21/2001
Registration Date	09/24/2002	Foreign Priority Date	NONE
Word Mark	KARL KANI JEANS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1990/05/00 First Use In Commerce: 1990/05/00 men's women's and children's clothing, namely, denim jackets, denim jeans, knit shirts, knit pants, woven jackets, woven shirts, woven pants, sweat shirts, sweat pants, sweaters, leather jackets, and leather pants		

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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	/s/
Name	Mark Fang
Date	08/14/2008



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

_____	)
KARL KANI INTERNATIONAL, INC.,	)
	)
Opposer,	)
	)
v.	)
	)
EARLE WILLIAMS/ E.F. WILLIAMS & CO.,	)
DBA EUROS CORP. VERMONT	)
Applicant.	)
_____	)

Opposition No.:  
Appln. Serial No. 77/389,967  
Mark: KANU

Trademark Trial and Appeal Board  
U.S. Patent and Trademark Office  
P.O. Box 1451  
Alexandria, VA 22313-1451

**NOTICE OF OPPOSITION**

To the Honorable Commissioner of Patents and Trademarks:

In the matter of the application of EARLE WILLIAMS/ E.F. WILLIAMS & CO., DBA EUROS CORP. VERMONT (hereinafter called Applicant) for registration of the trademark KANU, application Serial No. 77/389,967, published in the Official Gazette of July 22, 2008. Karl Kani International, a California corporation with offices at City of Industry, California (hereinafter called Opposer), believes that it will be damaged by registration of the mark shown in Serial No. 77/389,967 and hereby opposes the same.

The grounds for opposition are as follows:

1. Opposer owns federal trademark registration no. 1,900,729, which was granted on June 20, 1995, for the trademark KANI for IC 025 footwear, federal trademark registration no. 2,646,615 , which was granted on November 5, 2002, for the trademark KARL KANI for IC 025 clothing, namely, T-shirts, pants, jeans, overalls, shorts, caps, hats, polo shirts, jackets, coats, sweatshirts, sweaters, vests, tank tops, underwear, boxer shorts, sweatsuits and suits, and federal trademark registration no. 2,624,177, which was granted on September 24, 2002, for the trademark KARL KANI JEANS for IC 025 men's, women's and children's clothing, namely, denim jackets, denim jeans, knit shirts, knit pants, woven jackets, woven shirts, woven pants, sweat shirts, sweat pants, sweaters, leather jackets, and leather pants.

2. Opposer's products bearing said KANI, KARL KANI, and KARL KANI JEANS trademarks have been extensively and continuously offered to the public through various channels of trade. Opposer has also extensively advertised its products under said trademark throughout the United States. By reason of such advertising and wide distribution of Opposer's products bearing said trademark, the public has come to recognize KANI, KARL KANI, and KARL KANI JEANS as signifying Opposer and its products, and Opposer has built up extensive good will in connection with the sale of products under its said trademark.

3. Notwithstanding Opposer's long prior rights in and to said trademarks, Applicant on information and belief on February 6, 2008 filed an application for registration of the trademark KANU for IC 025 dress shirts, golf shirts, knit shirts, long-sleeved shirts, open-necked shirts, pique shirts, polo shirts, short-sleeved or long-sleeved t-shirts, short-

sleeved shirts, sports shirts, sweat shirts, T-shirts, Tee shirts, wind shirts, yoga shirts, Capri pants, cargo pants, denims, jogging pants, lounge pants, pants, ski pants snow pants, snowboard pants, stretch pants, sweat pants, hats, and coats made of cotton. Said application was given Serial No. 77,389,967, and the mark was published for opposition in the Official Gazette of October, 1984, page TM 34.

4. The trademark KANU is confusingly similar to Opposer's KANI, KARL KANI, and KARL KANI JEANS trademarks, and its registration and continued use by Applicant on its goods is likely to cause confusion, deception, and mistake. Applicant's use of said KANU mark interferes with Opposer's use of its KANI, KARL KANI, and KARL KANI JEANS trademarks, and continued use or registration of its mark by Applicant will seriously damage Opposer.

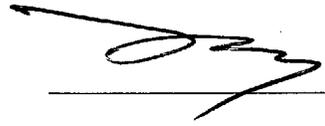
WHEREFORE, Opposer believes that it will be damaged by said registration and prays that it be denied.

The filing fee of this Opposition in the amount \$300: is submitted via credit card.

Respectfully submitted,

KARL KANI INTERNATIONAL, INC.

Date: August 14, 2008

By:  \_\_\_\_\_

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1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA, COUNTY OF VENTURA

3 I, the undersigned, declare that I am a resident of the County of Ventura, State of  
4 California; I am over the age of 18 years and not a party to the within action; my business  
5 address is 215 E. Daily Drive, Suite 9, Camarillo, California 93010.

6 On August 14, 2008, I served the following document, **SDT CELESTICA, INC.**, of which  
7 the original document, or a true and correct copy, is attached, by placing a copy thereof in a  
8 separate envelope for each addressee named hereafter, addressed to each such address  
9 respectively as follows:

10 Earle Williams  
11 E.F. Williams & Company  
12 DBA EUROS CORPORATION VERMONT  
13 PO Box 3506  
14 Stowe, VT 05672

15  **(BY MAIL)** I deposited such envelope in the mail at Camarillo, California. The  
16 envelope was mailed with postage thereon fully prepaid. Executed on **August 14,**  
17 **2008.**

18  **(BY FACSIMILE)** In addition to regular mail, I sent this documents via facsimile  
19 to the above listed numbers.

20  **(BY PERSONAL SERVICE)** Such envelope was delivered by **HAND DELIVERY**  
21 to the office of the addressee. Executed on \_\_\_\_\_.

22  **(VIA CERTIFIED MAIL, RETURN RECEIPT)** Such envelope was delivered via  
23 certified mail, return receipt to all addressees listed on attached mailing list.  
24 Executed \_\_\_\_\_.

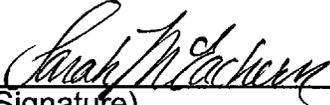
25  **(STATE)** I declare under penalty of perjury under the laws of the State of  
26 California that the above is true and correct.

27  **(FEDERAL)** I declare that I am employed in the office of a member of the bar of  
28 this Court at whose direction the service was made.

I declare that I am readily familiar with the firm's practice of collection and  
processing correspondence for mailing. It is deposited with the U.S. Postal Service on  
that same day in the ordinary course of business. I am aware that on motion of party  
served, service is presumed invalid if postal cancellation date or postage meter date is  
more than one day after date of deposit for mailing in affidavit.

August 14, 2008, at Camarillo, California.

Sarah McEachern  
(Print Name)

  
(Signature)