

ESTTA Tracking number: **ESTTA232583**

Filing date: **08/25/2008**

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	DaySpring Cards, Inc.
Granted to Date of previous extension	08/24/2008
Address	21154 Highway 16 East Siloam Springs, AR 72761 UNITED STATES

Attorney information	David N. Johnson, Esq. Hallmark Cards, Incorporated 2501 McGee Trafficway Legal Division, Mail Drop #339 Kansas City, MO 64108 UNITED STATES Ischuv1@hallmark.com Phone:816-274-8397
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Applicant Information

Application No	77265940	Publication date	02/26/2008
Opposition Filing Date	08/25/2008	Opposition Period Ends	08/24/2008
Applicant	Young, Kathryn 9121 Atlanta Ave., #609 Huntington Beach, CA 92646 UNITED STATES		

Goods/Services Affected by Opposition

Class 016. First Use: 2007/08/01 First Use In Commerce: 2007/08/01
All goods and services in the class are opposed, namely: Index cards featuring inspirational quotes and bible verses filed in a decorative box by category

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. Registration No.	2335266	Application Date	02/03/1999
Registration Date	03/28/2000	Foreign Priority Date	NONE
Word Mark	LITTLE INSPIRATIONS		
Design Mark			
Description of	NONE		

Mark	
Goods/Services	Class 016. First use: First Use: 1998/12/15 First Use In Commerce: 1998/12/15 greeting cards, note cards, stationery

Attachments	75631921#TMSN.gif (1 page)(bytes) littleinspirationsnoticeopposition.PDF (2 pages)(16980 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	/David N. Johnson/
Name	David N. Johnson, Esq.
Date	08/25/2008

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

In re Application Serial No.77265940
For MY LITTLE BOX OF INSPIRATION
Kathryn Young, Applicant
Filed August 28, 2007
Published February 26, 2008

DaySpring Cards, Inc.)	
)	
)	
Opposer,)	
)	
v.)	Opposition No. _____
)	
Kathryn Young,)	
)	
Applicant)	

NOTICE OF OPPOSITION

DaySpring Cards, Inc., an Illinois corporation located and doing business at 21154 Hwy 16E, Siloam Springs, Arkansas 72761 (Opposer), believes that it will be damaged by registration of the mark MY LITTLE BOX OF INSPIRATION in connection with “index cards featuring inspirational quotes and bible verses filed in a decorative box by category,” Application Serial No. 77265940, filed by Kathryn Young (hereinafter called Applicant), published in the Official Gazette of February 26, 2008, and hereby opposes the same under the provisions of Section 13 of the Trademark Act of 1946 (15 U.S.C. § 1063).

As grounds of opposition, it is alleged that:

1. Opposer is in the business of manufacturing and distributing religious-themed social expression products, including greeting cards, note cards, books and gift products for the Christian religious market.
2. Opposer sells religious themed greeting cards under the trademark LITTLE INSPIRATIONS.

3. Opposer, or its predecessor in interest, adopted and used the trademark LITTLE INSPIRATIONS in said business as early as 1998 and Opposer is now using said trademark. Opposer is the owner of all right, title and interest to the trademark LITTLE INSPIRATIONS for use in connection with greeting cards. Opposer is the owner of the US trademark registration No. 2,335,266 for the mark LITTLE INSPIRATIONS, said registration and uses predating Applicant's filing of the subject application.

4. The mark MY LITTLE BOX OF INSPIRATION which Applicant seeks to register is so similar to Opposer' trademarks that the use and registration of MY LITTLE BOX OF INSPIRATION by Applicant is likely to cause confusion, mistake or deception as to the source or origin of the goods which are covered by the subject application, and therefore the granting of the registration would injure Opposer and Opposer's goodwill in its trademark LITTLE INSPIRATIONS.

5. Applicant's use and registration of MY LITTLE BOX OF INSPIRATION is likely to cause the public to assume erroneously that Applicant's goods are sponsored by Opposer or that they are in some way connected with Opposer, when in fact they are not, all to Opposer's irreparable damage.

For the reasons set forth in the foregoing paragraphs 1-5, Opposer believes and asserts that the goodwill of its trademark LITTLE INSPIRATIONS will be damaged and that Applicant should be denied registration of the mark which it seeks to register.

WHEREFORE, Opposer prays that this Opposition be sustained and that Application Serial No. 77265940 be refused registration.

DaySpring Cards, Inc.

By /s/
David N. Johnson
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