

ESTTA Tracking number: **ESTTA277816**

Filing date: **04/13/2009**

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	J. Mark Burnett
Granted to Date of previous extension	04/12/2009
Address	640 N. Sepulveda Boulevard Santa Monica, CA 90049 UNITED STATES
Party who filed Extension of time to oppose	JMarkBurnett
Relationship to party who filed Extension of time to oppose	Added space between the initial and names; no substantive or entity change.

Attorney information	Jane Shay Wald, Esq. Irell & Manella LLP 1800 Avenue of the Stars Suite 900 Los Angeles, CA 90067 UNITED STATES jwald@irell.com, mcohen@irell.com
----------------------	--

**Applicant Information**

Application No	77503140	Publication date	10/14/2008
Opposition Filing Date	04/13/2009	Opposition Period Ends	04/12/2009
Applicant	Alcan Global Pharmaceutical Packaging Inc. 4350 Haddenfield Road, Suite 300 Pennsauken, NJ 08109 UNITED STATES		

**Goods/Services Affected by Opposition**

Class 028. All goods and services in the class are opposed, namely: Board games; board games relating to the environment and sustainability policies; board games that educate players about sustainability policies
---

**Grounds for Opposition**

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

**Mark Cited by Opposer as Basis for Opposition**

U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	ECO-CHALLENGE		
Goods/Services	Reality based television series and related merchandise		

Attachments	Opposition.pdf ( 3 pages )(112860 bytes )
-------------	---

### **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	/Jane Shay Wald/
Name	Jane Shay Wald, Esq.
Date	04/13/2009



Mark: ECO CHALLENGE  
Serial No.: 77503140  
Page 2

4. Applicant's claimed goods are: "Board games; board games relating to the environment and sustainability policies; board games that educate players about sustainability policies," such goods, on the limited facts now known, being sufficiently related to Opposer's activities and good will so as to be likely to cause confusion, or to cause mistake, or to deceive people to believe that Applicant's services originate with, are sponsored or licensed by, or in some way associated with Opposer, contrary to fact.

WHEREFORE Opposer believes that it would be damaged by the registration of Applicant's mark and prays that Application Ser. No. 77/503,140 be rejected, that no registration be issued thereon to Applicant, and this Opposition be sustained in favor of Opposer.

Respectfully submitted,

IRELL & MANELLA LLP

Dated: April 13, 2009

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

  
Jane Shay Wald  
Counsel for Opposer

1800 Avenue of the Stars, Suite 900  
Los Angeles, California 90067  
Ph.: (310) 277-1010  
Fax: (310) 203-7199

**PROOF OF SERVICE**

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 1800 Avenue of the Stars, Suite 900, Los Angeles, California 90067-4276.

On April 13, 2009 I served the foregoing document described as: **Notice of Opposition** on each interested party, as follows:

Attorney of Record:

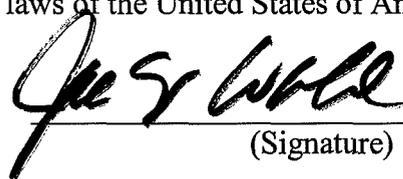
Richard Stockton  
Banner & Witcoff, Ltd.  
10 S. Wacker Dr. Ste. 3000;  
Chicago, IL 60606

- (BY MAIL) I placed a true copy of the foregoing document in a sealed envelope addressed to each interested party, as set forth above. I placed each such envelope, with postage thereon fully prepaid, for collection and mailing at Irell & Manella LLP, Los Angeles, California. I am readily familiar with Irell & Manella LLP's practice for collection and processing of correspondence for mailing with the United States Postal Service. Under that practice, the correspondence would be deposited in the United States Postal Service on that same day in the ordinary course of business.

Executed on April 13, 2009, at Los Angeles, California.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Jane Shay Wald  
\_\_\_\_\_  
(Type or print name)

  
\_\_\_\_\_  
(Signature)