

ESTTA Tracking number: **ESTTA326052**

Filing date: **01/11/2010**

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	Mrs. Corice C. Arman
Granted to Date of previous extension	01/09/2010
Address	430 Washington Street New York, NY 10013 UNITED STATES
Party who filed Extension of time to oppose	MrsCoriceCArman
Relationship to party who filed Extension of time to oppose	It is the same name, just re-inputted with proper punctuation.

Attorney information	Michael F. Morano F. Chau & Associates, LLC 130 Woodbury Road Woodbury, NY 11797 UNITED STATES mail@chauiplaw.com
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Applicant Information

Application No	77359592	Publication date	11/10/2009
Opposition Filing Date	01/11/2010	Opposition Period Ends	01/09/2010
Applicant	Sarkisyan, Arman 4700 Natick Ave. Suite 318 Sherman Oaks, CA 91403 UNITED STATES		

Goods/Services Affected by Opposition

Class 014. First Use: 2005/10/24 First Use In Commerce: 2005/11/00 All goods and services in the class are opposed, namely: Jewelry
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Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)

Mark Cited by Opposer as Basis for Opposition

U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	ARMAN		
Goods/Services	Jewelry		

Attachments	Notice of Opposition-App. Serial No. 77359592.pdf (9 pages)(235284 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	/michael f. morano/
Name	Michael F. Morano
Date	01/11/2010

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

CORICE C. ARMAN,

Opposer,

v.

ARMAN SARKISYAN,

Applicant.

Opposition No. _____
App. Serial No. 77/359,592

Mark: ARMAN

NOTICE OF OPPOSITION

United States Patent and Trademark Office
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, Virginia 22313-1451

Mrs. Corice C. Arman, an individual and citizen of the United States, having an address at 430 Washington Street, New York, NY 10013 (hereinafter “Opposer”), believes that she will be damaged by the registration of the mark ARMAN in International Class 014 for “Jewelry” as shown in U.S. Trademark Application Serial No. 77/359,592 and having been granted an extension of time to oppose up to and including January 9, 2010, hereby opposes the same.

As grounds for the opposition, it is alleged that:

1. Upon information and belief, Arman Sarkisyan is an individual and citizen of the United States, having an address at 4700 Natick Avenue, Suite 318, Sherman Oaks, CA 91403 (hereinafter “Applicant”), and is the owner of U.S. Trademark Application Serial No. 77/359,592 (hereinafter “592 application”).

2. Opposer and her late husband, Armand Pierre Arman, are and have been for many years been engaged in the sale of a wide variety of jewelry products. The products sold by Opposer

include, for example, bracelets, brooches, necklaces, charms, pendants, earrings, rings and other products (“the products”).

3. Opposer adopted and has continually used in interstate commerce the trademark ARMAN on and in connection with the products, with a date of first use at least as early as over forty (40) years ago, which is long prior to November, 2005, the date claimed by Applicant for its first use in commerce of the mark ARMAN.

4. Opposer has enjoyed extensive sales of the products sold under the trademark ARMAN; and such extensive sales, coupled with Opposer’s advertising and promotional activities, have caused the trademark ARMAN to have acquired a reputation with purchasers as identifying the products emanating from Opposer.

5. Opposer has spent significant sums in advertising and promoting the products sold under the trademark ARMAN.

6. As a result of the extensive offering for sale of the products under the trademark, Opposer’s trademark ARMAN has become well-known and famous throughout the United States, has become strongly associated with the sale of Opposer’s goods, and by virtue of the automatic identification of said trademark with Opposer in the minds of the consuming public, has come to symbolize substantial and valuable goodwill – an asset of an inestimable value to Opposer.

7. Notwithstanding Opposer’s rights in and to the ARMAN trademark, upon information and belief, on or about December 26, 2007, Applicant filed the ’592 application for registration of the trademark ARMAN in connection with jewelry. The ’592 application was published for opposition on November 10, 2009.

8. Pursuant to 37 C.F.R. § 2.102, Opposer filed a Request to Extend Time for Filing this Notice of Opposition to January 9, 2010. A copy of the Request to Extend Time is attached hereto

as Exhibit 1.

9. The mark listed in the '592 application is identical to Opposer's trademark ARMAN.

10. Applicant's goods are identical to the products of Opposer, and upon information and belief, are sold within the same channels of trade, and to the same purchasers as the products of Opposer.

11. Pursuant to Section 2(d) of the Lanham Act, 15 U.S.C. § 1052(d), Applicant's mark ARMAN is likely to cause confusion, mistake or deception as to the source or origin of Opposer's products, in view of the long prior use, and extensive promotion by Opposer of its trademarks for the products.

12. Pursuant to Section 43(c) of the Lanham Act, 15 U.S.C. § 1125(c), Applicant's use of the mark ARMAN interferes with Opposer's use of the trademark ARMAN and dilutes the distinctive quality of Opposer's trademark ARMAN.

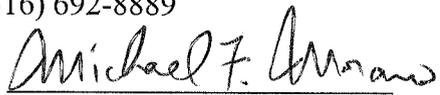
13. Opposer will be damaged by the confusion and loss of distinctiveness which will result if Applicant is permitted to register Applicant's mark ARMAN.

14. Based upon the allegations above, Opposer has a real interest in the outcome of this opposition and a reasonable basis in fact to believe that it will be damaged by registration of Applicant's mark.

WHEREFORE, Opposer respectfully requests that this opposition be sustained and that the registration of Application Serial No. 77/359,592 be rejected, and that the registration of the trademark therein sought, for the goods therein specified, be denied and refused.

Respectfully submitted,

F. CHAU & ASSOCIATES, LLC
130 Woodbury Road
Woodbury, New York 11797
Telephone: (516) 692-8888
Fax: (516) 692-8889

By: 
Michael F. Morano

Dated: January 11, 2010

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on January 13th, 2010, a copy of the enclosed NOTICE OF OPPOSITION was served in its entirety via First Class U.S. Mail on the listed owner of U.S. Trademark Application Serial No. 77/359,592 at the address indicated below:

ARMAN SARKISYAN
4700 NATICK AVE, UNIT 318
SHERMAN OAKS, CA 91403-2777

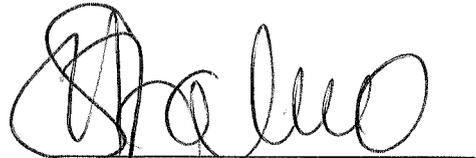

Susan Hachikian-Falvo

EXHIBIT 1

ESTTA Tracking number: **ESTTA320455**

Filing date: **12/07/2009**

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

Applicant: **Sarkisyan, Arman**
Application Serial Number: **77359592**
Application Filing Date: **12/26/2007**
Mark: **ARMAN**
Date of Publication: **11/10/2009**

First 30 Day Request for Extension of Time to Oppose

Pursuant to 37 C.F.R. Section 2.102, Mrs Corice C Arman, 430 Washington Street, New York, NY 10013, UNITED STATES, an individual and a citizen of UNITED STATES respectfully requests that he/she be granted a 30-day extension of time to file a notice of opposition against the above-identified mark .

The time within which to file a notice of opposition is set to expire on 12/10/2009. Mrs Corice C Arman respectfully requests that the time period within which to file an opposition be extended until 01/09/2010.

Respectfully submitted,
/michael f. morano/
12/07/2009

Michael F. Morano
F. Chau & Associates, LLC
130 Woodbury Road
Woodbury, NY 11797
UNITED STATES
mail@chauiplaw.com
516-692-8888

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Michael F. Morano
F. Chau & Associates, LLC
130 Woodbury Road
Woodbury, NY 11797

Mailed: December 7, 2009

Serial No.: 77359592
ESTTA TRACKING NO: ESTTA320455

The request to extend time to oppose is granted until
1/9/2010 on behalf of potential opposer **MrsCoriceCarman**

Please do not hesitate to contact the Trademark Trial and
Appeal Board at (571)272-8500 if you have any questions
relating to this extension.

New Developments at the Trademark Trial and Appeal Board

TTAB forms for electronic filing of extensions of time to
oppose, notices of opposition, petition for cancellation, notice
of ex parte appeal, and inter partes filings are now available
at <http://estta.uspto.gov>. Images of TTAB proceeding files can
be viewed using TTABVue at <http://ttabvue.uspto.gov>.

TRADEMARK TRIAL AND APPEAL BOARD RULE CHANGES

The USPTO has issued new rules pertaining to TTAB
proceedings. Parties are urged to familiarize themselves
with the new rules.

Among other changes, for any notice of opposition filed on
or after November 1, 2007, the new rules require an opposer
to provide proof of service of the notice of opposition
upon the applicant at the time the notice of opposition is
filed. Trademark Rule 2.101. (Parallel amendments to
Trademark Rule 2.111 require a petitioner to include proof
of service of the petition for cancellation.) Service may
be made by any of the means set out in Trademark Rule

2.119(b). A certificate of service is adequate proof of service; service by a process server is not necessary. A notice of opposition (or petition for cancellation) filed without a certificate of service will not be instituted.

The notice of final rulemaking and a chart summarizing the changes contained in the notice are available for viewing on the TTAB web page:

www.uspto.gov/web/offices/com/sol/notices/72fr42242.pdf

www.uspto.gov/web/offices/com/sol/notices/72fr42242_FinalRuleChart.pdf