

ESTTA Tracking number: **ESTTA334043**

Filing date: **02/24/2010**

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 | Paramount Pictures Corporation |
| Granted to Date of previous extension | 02/24/2010 |
| Address | 5555 Melrose Avenue Hollywood, CA 90038 UNITED STATES |

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| Attorney information | Dennis L. Wilson Keats McFarland & Wilson 9720 Wilshire Blvd. Penthouse Suite Beverly Hills, CA 90212 UNITED STATES dwilson@kmwlaw.com, ktyson@kmwlaw.com, trose@kmwlaw.com Phone:310-248-3830 |
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Applicant Information

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|------------------------|--|------------------------|------------|
| Application No | 77763559 | Publication date | 10/27/2009 |
| Opposition Filing Date | 02/24/2010 | Opposition Period Ends | 02/24/2010 |
| Applicant | Nallaco, Inc. 3904 LAWN AVE WESTERN SPRINGS, IL 60558 UNITED STATES | | |

Goods/Services Affected by Opposition

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| Class 011. First Use: 2008/05/01 First Use In Commerce: 2008/09/01 All goods and services in the class are opposed, namely: Chocolate fountain; Cotton candy making machines; Electric popcorn poppers |
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Grounds for Opposition

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

Marks Cited by Opposer as Basis for Opposition

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|-----------------------|------------|-----------------------|------------|
| U.S. Registration No. | 1695847 | Application Date | 03/19/1991 |
| Registration Date | 06/23/1992 | Foreign Priority Date | NONE |
| Word Mark | PARAMOUNT | | |

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| Design Mark |  |
| Description of Mark | The mark consists of the word "PARAMOUNT" in stylized letters about five shadow mountain with an arc of stars surrounding it all. |
| Goods/Services | Class 009. First use: First Use: 1989/09/22 First Use In Commerce: 1989/09/22 entertainment motion picture films, entertainment films adapted for television, sound recordings; namely, disc phonograph records, audio cassettes and compact discs containing music, and pre-recorded video cassettes and video tapes featuring music and entertainment Class 041. First use: First Use: 1989/09/22 First Use In Commerce: 1989/09/22 entertainment services; namely, production, distribution and exhibition of motion pictures and production and distribution of television programs |

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|-----------------------|--|-----------------------|------------|
| U.S. Registration No. | 1754010 | Application Date | 07/10/1992 |
| Registration Date | 02/23/1993 | Foreign Priority Date | NONE |
| Word Mark | PARAMOUNT | | |
| Design Mark |  | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 025. First use: First Use: 1976/01/00 First Use In Commerce: 1976/01/00 clothing; namely, sweatshirts, sweatpants, T-shirts, hats, jackets, shorts | | |

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|-----------------------|------------|-----------------------|------------|
| U.S. Registration No. | 1771635 | Application Date | 10/09/1992 |
| Registration Date | 05/18/1993 | Foreign Priority Date | NONE |
| Word Mark | PARAMOUNT | | |

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|---------------------|---|
| Design Mark |  |
| Description of Mark | NONE |
| Goods/Services | Class 028. First use: First Use: 1988/01/00 First Use In Commerce: 1988/01/00 toys and games; namely, program cartridges for computer video games and video output game machines, video output game machines and instructional materials sold therewith, toy vehicles and model vehicles and accessories sold as a unit, dolls, board games, poseable figurines, plush toys |

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| U.S. Registration No. | 1926010 | Application Date | 10/25/1994 |
| Registration Date | 10/10/1995 | Foreign Priority Date | NONE |
| Word Mark | PARAMOUNT | | |
| Design Mark |  | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 041. First use: First Use: 1993/03/11 First Use In Commerce: 1993/03/11 entertainment services in the nature of an amusement park | | |

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|-----------------------|------------|-----------------------|------------|
| U.S. Registration No. | 2736878 | Application Date | 09/24/2002 |
| Registration Date | 07/15/2003 | Foreign Priority Date | NONE |
| Word Mark | PARAMOUNT | | |

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|---------------------|---|
| Design Mark |  |
| Description of Mark | The mark consists of the word "PARAMOUNT" with a design of a mountain encircled by stars. |
| Goods/Services | Class 009. First use: First Use: 1998/10/06 First Use In Commerce: 1998/10/06 digital video discs and digital versatile discs featuring pre-recorded motion pictures, television series and made-for-television motion pictures |

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|-----------------------|--|-----------------------|------------|
| U.S. Registration No. | 103248 | Application Date | 12/03/1914 |
| Registration Date | 03/23/1915 | Foreign Priority Date | NONE |
| Word Mark | PARAMOUNT PICTURES | | |
| Design Mark |  | | |
| Description of Mark | NONE | | |
| Goods/Services | Class U026 (International Class 009). First use: First Use: 1914/09/17 First Use In Commerce: 1914/09/17 MOTION PICTURES | | |

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|-----------------------|---------------------------|-----------------------|------------|
| U.S. Registration No. | 2683224 | Application Date | 03/21/2002 |
| Registration Date | 02/04/2003 | Foreign Priority Date | NONE |
| Word Mark | PARAMOUNT PICTURES | | |
| Design Mark | PARAMOUNT PICTURES | | |
| Description of Mark | NONE | | |

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| Goods/Services | Class 041. First use: First Use: 1914/09/17 First Use In Commerce: 1914/09/17 ENTERTAINMENT SERVICES, NAMELY PRODUCTION, DISTRIBUTION AND EXHIBITION OF MOTION PICTURES | | |
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|-----------------------|--|-----------------------|------------|
| U.S. Registration No. | 2437554 | Application Date | 04/27/1999 |
| Registration Date | 03/20/2001 | Foreign Priority Date | NONE |
| Word Mark | PARAMOUNT CLASSICS | | |
| Design Mark |  | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 041. First use: First Use: 1999/04/30 First Use In Commerce: 1999/04/30 PRODUCTION AND DISTRIBUTION OF MOTION PICTURES | | |

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|-----------------------|---|-----------------------|------------|
| U.S. Registration No. | 2474029 | Application Date | 10/09/1998 |
| Registration Date | 07/31/2001 | Foreign Priority Date | NONE |
| Word Mark | PARAMOUNT CLASSICS | | |
| Design Mark | <p style="text-align: center;">PARAMOUNT CLASSICS</p> | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 025. First use: First Use: 1999/04/30 First Use In Commerce: 1999/04/30 PRODUCTION AND DISTRIBUTION OF MOTION PICTURES, TELEVISION SERIES AND MADE FOR TELEVISION MOTION PICTURES | | |

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|-----------------------|---|-----------------------|------------|
| U.S. Registration No. | 2500692 | Application Date | 10/09/1998 |
| Registration Date | 10/23/2001 | Foreign Priority Date | NONE |
| Word Mark | PARAMOUNT CLASSICS | | |
| Design Mark | | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 009. First use: First Use: 1999/11/09 First Use In Commerce: 1999/11/09 | | |

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| | video cassettes, videodiscs, and digital videodiscs (DVD) featuring prerecorded motion pictures |
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| U.S. Registration No. | 2445054 | Application Date | 04/27/1999 |
| Registration Date | 04/17/2001 | Foreign Priority Date | NONE |
| Word Mark | PARAMOUNT CLASSICS PARAMOUNT | | |
| Design Mark |  | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 009. First use: First Use: 1999/11/09 First Use In Commerce: 1999/11/09 "VIDEO CASSETTES, VIDEODISCS, AND DIGITAL VIDEODISCS (DVD) FEATURING PRERECORDED MOTION PICTURES" | | |

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|-----------------------|---|-----------------------|------------|
| U.S. Registration No. | 3651683 | Application Date | 03/07/2007 |
| Registration Date | 07/07/2009 | Foreign Priority Date | NONE |
| Word Mark | PARAMOUNT FAMOUS PRODUCTIONS | | |
| Design Mark |  | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 009. First use: First Use: 2009/01/13 First Use In Commerce: 2009/01/13 PRERECORDED AUDIO VIDEO TAPES, AUDIO VIDEO CASSETTES, AUDIO VIDEO DISCS, AND DIGITAL VERSATILE DISCS FEATURING MUSIC, COMEDY, DRAMA, ACTION, ADVENTURE, AND/OR ANIMATION; SOFTWARE LINKING DIGITIZED VIDEO AND AUDIO MEDIA TO A GLOBAL COMPUTER INFORMATION NETWORK | | |

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| U.S. Registration No. | 3715709 | Application Date | 03/07/2007 |
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| Registration Date | 11/24/2009 | Foreign Priority Date | NONE |
| Word Mark | PARAMOUNT FAMOUS PRODUCTIONS | | |
| Design Mark |  | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 041. First use: First Use: 2009/01/13 First Use In Commerce: 2009/01/13 ENTERTAINMENT SERVICES IN THE NATURE OF PRODUCTION AND DISTRIBUTION OF DIRECT-TO-VIDEO LIVE-ACTION, COMEDY, DRAMA AND ANIMATED MOTION PICTURE THEATRICAL FILMS | | |

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|-----------------------|--|-----------------------|------------|
| U.S. Registration No. | 3287443 | Application Date | 10/31/2006 |
| Registration Date | 09/04/2007 | Foreign Priority Date | NONE |
| Word Mark | PARAMOUNT VANTAGE | | |
| Design Mark |  | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 041. First use: First Use: 2006/05/23 First Use In Commerce: 2006/05/23 Production and distribution of motion pictures | | |

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|-----------------------|-----------------|-----------------------|------------|
| U.S. Registration No. | 1842516 | Application Date | 08/12/1992 |
| Registration Date | 06/28/1994 | Foreign Priority Date | NONE |
| Word Mark | PARAMOUNT PARKS | | |

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|---------------------|---|
| Design Mark | <i>Paramount Parks</i> |
| Description of Mark | NONE |
| Goods/Services | Class 041. First use: First Use: 1993/03/11 First Use In Commerce: 1993/03/11 entertainment services in the nature of amusement parks |

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|-----------------------|--|-----------------------|------------|
| U.S. Registration No. | 2710602 | Application Date | 04/18/2001 |
| Registration Date | 04/29/2003 | Foreign Priority Date | NONE |
| Word Mark | PARAMOUNT A VIACOM COMPANY DVD | | |
| Design Mark |  | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 009. First use: First Use: 1998/06/00 First Use In Commerce: 1998/06/00 Digital video disks/digital versatile disks featuring prerecorded motion pictures, television series and made for television motion pictures | | |

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|-----------------------|---|-----------------------|------------|
| U.S. Registration No. | 2773150 | Application Date | 04/09/2002 |
| Registration Date | 10/14/2003 | Foreign Priority Date | NONE |
| Word Mark | PARAMOUNT 90TH ANNIVERSARY A VIACOM COMPANY | | |
| Design Mark |  | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 041. First use: First Use: 2002/03/01 First Use In Commerce: 2002/03/01 | | |

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| | ENTERTAINMENT SERVICES, NAMELY, PRODUCTION, DISTRIBUTION AND EXHIBITION OF MOTION PICTURES AND PRODUCTION AND DISTRIBUTION OF TELEVISION PROGRAMS | | |
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| U.S. Registration No. | 3446465 | Application Date | 10/04/2004 |
| Registration Date | 06/10/2008 | Foreign Priority Date | NONE |
| Word Mark | THE PARAMOUNT VAULT | | |
| Design Mark |  | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 041. First use: First Use: 2004/07/31 First Use In Commerce: 2004/07/31 providing online access to digital materials relating to television and motion picture properties via the global computer network | | |

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|-----------------------|---|-----------------------|------------|
| U.S. Registration No. | 3330294 | Application Date | 10/31/2006 |
| Registration Date | 11/06/2007 | Foreign Priority Date | NONE |
| Word Mark | PARAMOUNT VANTAGE | | |
| Design Mark |  | | |
| Description of Mark | NONE | | |
| Goods/Services | Class 009. First use: First Use: 2007/02/20 First Use In Commerce: 2007/02/20 Pre-recorded video tapes, laser disks and DVD's featuring motion pictures | | |

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|-----------------------------------|--|------------------|------|
| U.S. Application/Registration No. | NONE | Application Date | NONE |
| Registration Date | NONE | | |
| Word Mark | Paramount Home Entertainment, Inc. | | |
| Goods/Services | sales, marketing and distribution of home entertainment products and for providing home entertainment fulfillment services | | |

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| Attachments | 74149197#TMSN.gif (1 page)(bytes) |
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| | 74294118#TMSN.gif (1 page)(bytes) 74321419#TMSN.gif (1 page)(bytes) 74590625#TMSN.gif (1 page)(bytes) 78167465#TMSN.gif (1 page)(bytes) 71083049#TMSN.gif (1 page)(bytes) 76385634#TMSN.gif (1 page)(bytes) 75692108#TMSN.gif (1 page)(bytes) 75567744#TMSN.gif (1 page)(bytes) 75692105#TMSN.gif (1 page)(bytes) 77124549#TMSN.jpeg (1 page)(bytes) 77124589#TMSN.jpeg (1 page)(bytes) 77033160#TMSN.jpeg (1 page)(bytes) 74304757#TMSN.gif (1 page)(bytes) 76244912#TMSN.gif (1 page)(bytes) 76396261#TMSN.gif (1 page)(bytes) 78493962#TMSN.jpeg (1 page)(bytes) 77033201#TMSN.jpeg (1 page)(bytes) Notice of Opposition.PDF (8 pages)(332771 bytes) POS.pdf (1 page)(9645 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 | /Dennis L. Wilson/ |
| Name | Dennis L. Wilson |
| Date | 02/24/2010 |

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

In the Matter of Application Serial No. 77/763559

| | | |
|--------------------------------|---|----------------------|
| Paramount Pictures Corporation |) | |
| |) | Opposition No. _____ |
| Opposer, |) | |
| |) | |
| v. |) | NOTICE OF OPPOSITION |
| |) | |
| Nallaco, Inc. |) | |
| |) | |
| Applicant. |) | |
| _____ |) | |

Commissioner for Trademarks
TTAB – BOX FEE
P.O. Box 1451
Alexandria, Virginia 22313-1451

NOTICE OF OPPOSITION

Paramount Pictures Corporation (“Opposer”), a Delaware corporation, having its principal place of business at 5555 Melrose Avenue, Los Angeles, California, 90038, submits that it will be damaged by the registration of the mark PARAMOUNT ENTERTAINMENT (Serial No. 77/763559) (hereinafter the “Application”) filed by Nallaco, Inc. (“Applicant”), on June 18, 2009, for use in connection with “chocolate fountain; cotton candy making machines; electric popcorn poppers” in International Class 011, and hereby opposes the Application. All goods in the Application are being opposed.

As grounds for opposition to the Application, Opposer states as follows:

1. Opposer believes that it will be damaged by the registration of the Application.
2. The Application was published for opposition on October 27, 2009 in the Official Gazette and Opposer obtained extensions of time to oppose and is filing its opposition timely.

3. Opposer owns the U.S. Trademark Reg. No. 1,695,847 for PARAMOUNT design and word mark, registered June 23, 1992 in international class 009 for “entertainment motion picture films, entertainment films adapted for television, sound recordings; namely, disc phonograph records, audio cassettes and compact discs containing music, and pre-recorded video cassettes and video tapes featuring music and entertainment” and in international class 041 for “entertainment services; namely, production, distribution and exhibition of motion pictures and production and distribution of television programs” with a stated first use date of September 22, 1989.

4. Opposer owns the U.S. Trademark Reg. No. 1,754,010 for PARAMOUNT design and word mark, registered February 23, 1993 in international class 025 for “clothing; namely, sweatshirts, sweatpants, T-shirts, hats, jackets, shorts” with a stated first use date of January 1976.

5. Opposer owns the U.S. Trademark Reg. No. 1,771,635 for PARAMOUNT design and word mark, registered May 18, 1993 in international class 028 for “toys and games; namely, program cartridges for computer video games and video output game machines, video output game machines and instructional materials sold therewith, toy vehicles and model vehicles and accessories sold as a unit, dolls, board games, poseable figurines, plush toys” with a stated first use date of January 1988.

6. Opposer owns the U.S. Trademark Reg. No. 1,926,010 for PARAMOUNT design and word mark, registered October 10, 1995 in international class 041 for “entertainment services in the nature of an amusement park” with a stated first use date of March 11, 1993.

7. Opposer owns the U.S. Trademark Reg. No. 2,736,878 for PARAMOUNT design and word mark, registered July 15, 2003 in international class 009 for “digital video discs and

digital versatile discs featuring pre-recorded motion pictures, television series and made-for-television motion pictures” with a stated first use date of October 6, 1998.

8. Opposer owns the U.S. Trademark Reg. No. 103,248 for PARAMOUNT PICTURES design and word mark, registered March 23, 1915 in international class 009 for “motion pictures” with a stated first use date of September 17, 1914.

9. Opposer owns the U.S. Trademark Reg. No. 2,683,224 for PARAMOUNT PICTURES typed words mark, registered February 4, 2003 in international class 041 for “entertainment services, namely production, distribution and exhibition of motion pictures” with a stated first use date of September 17, 1914.

10. Opposer owns the U.S. Trademark Reg. No. 2,437,554 for PARAMOUNT CLASSICS design and word mark, registered March 20, 2001 in international class 041 for “production and distribution of motion pictures” with a stated first use date of April 30, 1999.

11. Opposer owns the U.S. Trademark Reg. No. 2,474,029 for PARAMOUNT CLASSICS typed words mark, registered July 31, 2001 in international class 025 for “production and distribution of motion pictures, television series and made for television motion pictures” with a stated first use date of April 30, 1999.

12. Opposer owns the U.S. Trademark Reg. No. 2,500,692 for PARAMOUNT CLASSICS typed words mark, registered October 23, 2001 in international class 009 for “video cassettes, videodiscs, and digital videodiscs (DVD) featuring prerecorded motion pictures” with a stated first use date of November 9, 1999.

13. Opposer owns the U.S. Trademark Reg. No. 2,445,054 for PARAMOUNT CLASSICS PARAMOUNT design and word mark, registered April 17, 2001 in international

class 009 for “video cassettes, videodiscs, and digital videodiscs (DVD) featuring prerecorded motion pictures” with a stated first use date of November 9, 1999.

14. Opposer owns the U.S. Trademark Reg. No. 3,651,683 for PARAMOUNT FAMOUS PRODUCTIONS word mark, registered July 7, 2009 in international class 009 for “prerecorded audio video tapes, audio videos cassettes, audio video discs, and digital versatile discs featuring music, comedy, drama, action, adventure, and/or animation; software linking digitized video and audio media to a global computer information network” with a stated first use date of January 13, 2009.

15. Opposer owns the U.S. Trademark Reg. No. 3,715,709 for PARAMOUNT FAMOUS PRODUCTIONS word mark, registered November 24, 2009 in international class 041 for “entertainment services in the nature of production and distribution of direct-to-video live-action, comedy, drama and animated motion picture theatrical films” with a stated first use date of January 13, 2009.

16. Opposer owns the U.S. Trademark Reg. No. 3,287,443 for PARAMOUNT VANTAGE design and word mark, registered September 4, 2007 in international class 041 for “production and distribution of motion pictures” with a stated first use date of May 23, 2006.

17. Opposer owns the U.S. Trademark Reg. No. 3,330,294 for PARAMOUNT VANTAGE design and word mark, registered November 6, 2007 in international class 009 for “pre-recorded video tapes, laser disks and DVD's featuring motion pictures” with a stated first use date of February 20, 2007.

18. Opposer owns the U.S. Trademark Reg. No. 1,842,516 for PARAMOUNT PARKS design and word mark, registered June 28, 1994 in international class 041 for

“entertainment services in the nature of amusement parks” with a stated first use date of March 11, 1993.

19. Opposer owns the U.S. Trademark Reg. No. 2,710,602 for PARAMOUNT A VIACOM COMPANY DVD design and word mark, registered April 29, 2003 in international class 009 for “digital video disks/digital versatile disks featuring prerecorded motion pictures, television series and made for television motion pictures” with a stated first use date of June 1998.

20. Opposer owns the U.S. Trademark Reg. No. 2,773,150 for PARAMOUNT 90TH ANNIVERSARY A VIACOM COMPANY design and word mark, registered October 14, 2003 in international class 041 for “entertainment services, namely, production, distribution and exhibition of motion pictures and production and distribution of television programs” with a stated first use date of March 1, 2002.

21. Opposer owns the U.S. Trademark Reg. No. 3,446,465 for THE PARAMOUNT VAULT word mark, registered June 10, 2008 in international class 041 for “providing online access to digital materials relating to television and motion picture properties via the global computer network” with a stated first use date of July 31, 2004.

22. Opposer, since at least as early as 1914, has been and is now using the mark PARAMOUNT PICTURES, and since at least as early as 1976, has been and is now using the mark PARAMOUNT in commerce and otherwise in connection with entertainment services, including the production, distribution and exhibition of motion pictures and production and distribution of television programs. The use of its Paramount family of marks in relation to the entertainment business has been valid and continuous and has not been abandoned. Extensive

good will and consumer recognition of Opposer as an entertainment company has been built up by Opposer through substantial amounts of time and effort in advertising and promotion.

23. As a result, the public has come to associate the marks PARAMOUNT, PARAMOUNT PICTURES, PARAMOUNT CLASSICS, PARAMOUNT FAMOUS PRODUCTIONS, PARAMOUNT VANTAGE, PARAMOUNT PARKS, PARAMOUNT A VIACOM COMPANY DVD, PARAMOUNT 90TH ANNIVERSARY A VIACOM COMPANY, and THE PARAMOUNT VAULT with Opposer and its entertainment services, including the production, distribution and exhibition of motion pictures and production and distribution of television programs.

24. Furthermore, Opposer operates a home entertainment division of Paramount Pictures Corporation known as Paramount Home Entertainment, Inc., which was launched in the late 1970s. Paramount Home Entertainment, Inc. is responsible for the worldwide sales, marketing and distribution of home entertainment products on behalf of various parties including Paramount Pictures, Paramount Vantage, Paramount Classics, Paramount Famous Productions, Nickelodeon, MTV, Comedy Central, CBS, PBS and Hasbro and for providing home entertainment fulfillment services for DreamWorks Animation Home Entertainment.

25. Applicant's mark is a combination of Opposer's mark and Opposer's services. That is, it combines PARAMOUNT with Entertainment. As a result, it is likely that the public will view Applicant's mark, PARAMOUNT ENTERTAINMENT, as a division of Opposer's business, or as in some way sponsored by, related to or approved of by Opposer. In view of the similarity of the marks of the respective parties, it is alleged that Applicant's mark so resembles Opposer's mark as to be likely to cause consumer confusion, and/or to cause mistake as to source, sponsorship, or affiliation, or to deceive.

26. Significantly, Applicant filed its Application over *thirty (30) years after* Opposer's first use of its widely recognized PARAMOUNT mark and *almost (100) years after* Opposer's first use of its PARAMOUNT PICTURES mark in connection with entertainment services, including the production, distribution and exhibition of motion pictures and production and distribution of television programs.

27. Further, the registration of Applicant's mark is likely to dilute the distinctiveness of Opposer's famous PARAMOUNT mark in the entertainment industry and trade on the good will associated with Opposer's PARAMOUNT mark relating to the entertainment business, with consequent injury to Opposer and to the public.

28. If Applicant were granted the registration herein opposed, it would thereby obtain at least a *prima facie* exclusive right to the use of its mark. Such registration would be a source of damage and injury to Opposer.

29. The registration of the Application herein, would give color of exclusive statutory rights to Applicant in violation and derogation of the long-standing, prior, superior and exclusive rights of Opposer, and would support and assist Applicant in confusing and misleading the purchasing public.

WHEREFORE, Opposer believes that it will be damaged by the registration of Applicant's Application Serial No. 77/763559 and prays that Applicant's Application to register be denied and refused.

Opposer's attorney, Dennis L. Wilson, of KEATS, McFARLAND & WILSON LLP, has been appointed with full power of attorney, substitution and revocation to prosecute this Opposition Proceeding and to transact all business in the United States Patent and Trademark Office before the Trademark Trial and Appeal Board connected herewith.

Please address all communications to Dennis L. Wilson at the following address: KEATS, McFARLAND & WILSON LLP, 9720 Wilshire Boulevard, Penthouse Suite, Beverly Hills, California 90212, telephone (310) 248-3830.

This Notice of Opposition and the statutory filing fee in the amount of \$300.00 for the single class in the Application being opposed are being submitted concurrently herewith. See 37 C.F.R. 2.6(a)(17).

Respectfully submitted,

Dated: February 24, 2010



Dennis L. Wilson
Keats McFarland & Wilson LLP
Attorneys for Opposer
Paramount Pictures Corporation
9720 Wilshire Blvd., Penthouse Suite
Beverly Hills, CA 90212
Telephone: (310) 248-3830

CERTIFICATE OF SERVICE

I, Kim Tyson, hereby certify that a true and correct copy of the foregoing **NOTICE OF OPPOSITION** was served upon:

Nathan Johnson
Robert Johnson
Nallaco, Inc.
3904 Lawn Ave.
Western Springs, Illinois 60558

Keith v. Rockey
Rockey, Depke & Lyons, LLC
Sears Tower
Suite 5450
233 S. Wacker Drive
Chicago, Illinois 60606-6306

by First Class Mail on February 24, 2010.



Kim Tyson