

ESTTA Tracking number: **ESTTA336470**

Filing date: **03/10/2010**

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	Mothers Against Drunk Driving		
Entity	non-profit corporation	Citizenship	District of Columbia
Address	511 East John Carpenter Freeway Suite 700 Irving, TX 75062 UNITED STATES		

Attorney information	Remy M. Davis Thompson & Knight LLP 1722 Routh Street Suite 1500 Dallas, TX 75206 UNITED STATES remy.davis@tklaw.com Phone:214-969-1700
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Applicant Information

Application No	77825470	Publication date	02/09/2010
Opposition Filing Date	03/10/2010	Opposition Period Ends	03/11/2010
Applicant	Crawford, Yolanda Renee 1335 Bradyville Pike Apt D206 Murfreesboro, TN 37130 UNITED STATES		

Goods/Services Affected by Opposition

Class 025. All goods and services in the class are opposed, namely: T-shirts

Grounds for Opposition

False suggestion of a connection	Trademark Act section 2(a)
Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	1603041	Application Date	02/28/1989
Registration Date	06/19/1990	Foreign Priority Date	NONE
Word Mark	MOTHERS AGAINST DRUNK DRIVING		
Design Mark			
Description of	NONE		

Mark	
Goods/Services	Class 042. First use: First Use: 1984/00/00 First Use In Commerce: 1984/00/00 ASSOCIATION SERVICES - NAMELY, PROMOTING THE INTERESTS OF INDIVIDUALS OPPOSED TO DRUNK DRIVING

U.S. Registration No.	1250706	Application Date	02/26/1982
Registration Date	09/06/1983	Foreign Priority Date	NONE
Word Mark	MADD		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 1980/09/05 First Use In Commerce: 1980/09/05 Association Services-Namely, Promoting the Interests of Individuals Opposed to Drunk Driving		

U.S. Registration No.	1558546	Application Date	09/01/1988
Registration Date	09/26/1989	Foreign Priority Date	NONE
Word Mark	MADD		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 1984/00/00 First Use In Commerce: 1984/00/00 ASSOCIATION SERVICES - NAMELY, PROMOTING THE INTERESTS OF INDIVIDUALS OPPOSED TO DRUNK DRIVING		

U.S. Registration No.	1628711	Application Date	05/05/1989
Registration Date	12/18/1990	Foreign Priority Date	NONE
Word Mark	VICTIM IMPACT PANELS MADD		
Design Mark			
Description of Mark	NONE		

Goods/Services	Class 042. First use: First Use: 1989/03/01 First Use In Commerce: 1989/03/01 ASSOCIATION SERVICES - NAMELY, PROMOTING THE INTERESTS OF INDIVIDUALS OPPOSED TO DRUNK DRIVING		
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U.S. Registration No.	1645240	Application Date	07/27/1990
Registration Date	05/21/1991	Foreign Priority Date	NONE
Word Mark	MADDVOCATE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 016. First use: First Use: 1988/04/30 First Use In Commerce: 1988/04/30 magazines devoted to victims of drunk driving accidents and their advocates		

U.S. Registration No.	1688513	Application Date	03/29/1990
Registration Date	05/19/1992	Foreign Priority Date	NONE
Word Mark	I'M A MADD DAD		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 1990/04/00 First Use In Commerce: 1990/04/00 association services; namely, promoting the interests of individuals opposed to drunk driving		

U.S. Registration No.	1793976	Application Date	07/08/1992
Registration Date	09/21/1993	Foreign Priority Date	NONE
Word Mark	SKADD		

Design Mark	SKADD		
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 1992/01/01 First Use In Commerce: 1992/01/01 association services; namely, promoting the interests of individuals opposed to drunk driving and supporting victims of drunk driving		

U.S. Registration No.	1998125	Application Date	06/15/1995
Registration Date	09/03/1996	Foreign Priority Date	NONE
Word Mark	MADD VICTIM SERVICES		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 1994/10/24 First Use In Commerce: 1994/10/24 association services, namely supporting victims of drunk driving		

U.S. Registration No.	2187624	Application Date	07/21/1997
Registration Date	09/08/1998	Foreign Priority Date	NONE
Word Mark	MADD DASH		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 036. First use: First Use: 1989/11/01 First Use In Commerce: 1989/11/01 charitable fund raising services, namely, conducting foot races to raise money for activities designed to promote the interests of persons opposed to drunk driving and to support victims of drunk driving		

U.S. Registration No.	2730301	Application Date	10/08/2001
Registration Date	06/24/2003	Foreign Priority Date	NONE
Word Mark	MADD ACTIVISM VICTIM SERVICES EDUCATION		

Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 2002/06/03 First Use In Commerce: 2002/07/01 association services, namely promoting the interests of persons opposed to drunk driving and supporting victims of drunk driving		

U.S. Registration No.	2781780	Application Date	01/21/2003
Registration Date	11/11/2003	Foreign Priority Date	NONE
Word Mark	MADD MEDIA AWARDS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 041. First use: First Use: 2002/12/18 First Use In Commerce: 2002/12/18 providing recognition and incentives by way of awards to recognize media professionals and organizations for outstanding coverage and advancement of issues related to drunk driving, underage drinking and support for victims of violent crime		

U.S. Registration No.	3090158	Application Date	05/23/2005
Registration Date	05/09/2006	Foreign Priority Date	NONE
Word Mark	MADD YOUTH IN ACTION		

Design Mark	MADD YOUTH IN ACTION
Description of Mark	NONE
Goods/Services	Class 035. First use: First Use: 2001/09/01 First Use In Commerce: 2001/09/01 association services, namely youth programs partnering young people with adult activists and law enforcement officials to promote the interests of persons opposed to underage drinking

U.S. Registration No.	3100555	Application Date	05/31/2005
Registration Date	06/06/2006	Foreign Priority Date	NONE
Word Mark	MADD YOUTH IN ACTION		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2001/09/01 First Use In Commerce: 2001/09/01 association services, namely youth programs partnering young people with adult activists and law enforcement officials to promote the interests of persons opposed to underage drinking		

U.S. Registration No.	3133576	Application Date	11/17/2004
Registration Date	08/22/2006	Foreign Priority Date	NONE
Word Mark	UMADD		

Design Mark	UMADD		
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2001/11/01 First Use In Commerce: 2001/11/01 Association services, namely promoting the interests of persons opposed to drunk driving and underage drinking and supporting victims of drunk driving		

U.S. Registration No.	3224809	Application Date	04/24/2006
Registration Date	04/03/2007	Foreign Priority Date	NONE

Word Mark	SHIFTING GEARS MADD		
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Design Mark			
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Description of Mark	NONE		
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Goods/Services	Class 036. First use: First Use: 2006/02/01 First Use In Commerce: 2006/02/01 Charitable fund raising services, namely, conducting and promoting road rallies and auto shows to raise money for activities designed to promote the interest of persons opposed to drunk driving and to support victims of drunk driving		
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U.S. Registration No.	3289837	Application Date	12/01/2006
Registration Date	09/11/2007	Foreign Priority Date	NONE

Word Mark	THINK. MADD. HOMECOMING		
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Design Mark	
Description of Mark	NONE
Goods/Services	Class 035. First use: First Use: 2006/09/08 First Use In Commerce: 2006/09/08 promoting the interests of individuals in support of underage drinking prevention

U.S. Registration No.	3290012	Application Date	12/06/2006
Registration Date	09/11/2007	Foreign Priority Date	NONE
Word Mark	THINK MADD		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2006/09/25 First Use In Commerce: 2006/09/25 association services, namely, promoting the interests of individuals opposed to drunk driving and underage drinking		

U.S. Registration No.	3290013	Application Date	12/06/2006
Registration Date	09/11/2007	Foreign Priority Date	NONE
Word Mark	THINK MADD		

Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2006/09/25 First Use In Commerce: 2006/09/25 association services, namely, promoting the interests of individuals opposed to drunk driving and underage drinking		

U.S. Registration No.	3290240	Application Date	03/01/2007
Registration Date	09/11/2007	Foreign Priority Date	NONE
Word Mark	THINK PROM MADD		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2006/12/18 First Use In Commerce: 2006/12/18 Association services, namely, promoting the interests of individuals opposed to drunk driving and underage drinking		

U.S. Registration No.	3423757	Application Date	03/01/2007
Registration Date	05/06/2008	Foreign Priority Date	NONE
Word Mark	THINK GRADUATION MADD		

Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2007/02/26 First Use In Commerce: 2007/02/26 Association services, namely, promoting the interests of individuals opposed to drunk driving and underage drinking		

U.S. Registration No.	3423758	Application Date	03/01/2007
Registration Date	05/06/2008	Foreign Priority Date	NONE
Word Mark	THINK. MADD SPRING BREAK		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2007/02/26 First Use In Commerce: 2007/02/26 Association services, namely, promoting the interests of individuals opposed to drunk driving and underage drinking		

U.S. Registration No.	3556969	Application Date	05/20/2008
Registration Date	01/06/2009	Foreign Priority Date	NONE
Word Mark	WALK LIKE MADD		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 036. First use: First Use: 2008/01/18 First Use In Commerce: 2008/01/18 Charitable fundraising services, namely, organizing and conducting walks to raise money for, and awareness of, the dangers of impaired driving and under-aged drinking

U.S. Registration No.	3556975	Application Date	05/20/2008
Registration Date	01/06/2009	Foreign Priority Date	NONE
Word Mark	WALK LIKE MADD		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 036. First use: First Use: 2008/01/10 First Use In Commerce: 2008/01/11 Charitable fundraising services, namely, organizing and conducting walks to raise money for, and awareness of, the dangers of impaired driving and under-aged drinking		

U.S. Registration No.	3733594	Application Date	03/11/2009
Registration Date	01/05/2010	Foreign Priority Date	NONE
Word Mark	MADD MEDIA AWARDS		

Design Mark	MADD MEDIA AWARDS
Description of Mark	NONE
Goods/Services	Class 041. First use: First Use: 2002/12/18 First Use In Commerce: 2002/12/18 Providing recognition and incentives by way of awards to recognize media professionals and organizations for outstanding coverage and advancement of issues related to drunk driving, underage drinking and support for victims of violent crime

U.S. Application No.	77809195	Application Date	08/20/2009
Registration Date	NONE	Foreign Priority Date	NONE

Word Mark	POWER OF PARENTS IT'S YOUR INFLUENCE. BY MADD
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Design Mark	
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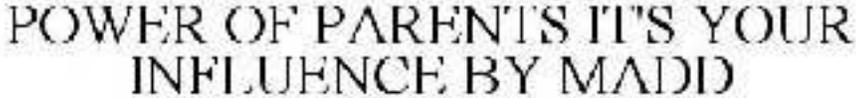
Description of Mark	The mark consists of the term "Power of Parents" in stylized font in a conversation box above the term "It's Your Influence" in stylized font in a second conversation box, with the term "by MADD" below the lower conversation box.
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Goods/Services	Class 035. First use: Association services, namely, promoting the interests of parents and other individuals opposed to drunk driving and underage drinking
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U.S. Application No.	77812437	Application Date	08/25/2009
Registration Date	NONE	Foreign Priority Date	NONE

Word Mark	POWER OF PARENTS IT'S YOUR INFLUENCE. BY MADD
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Design Mark	
Description of Mark	The mark consists of the term "Power of Parents" in stylized font in a conversation box above the term "It's Your Influence" in stylized font in a second conversation box, with the term "by MADD" below the lower conversation box.
Goods/Services	Class 041. First use: Education services, namely, arranging conferences, seminars, training courses and education in the nature of providing information and conducting programs in the fields of preventing underage drinking, impaired driving, and drug and alcohol abuse

U.S. Application No.	77812460	Application Date	08/25/2009
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	POWER OF PARENTS IT'S YOUR INFLUENCE BY MADD		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 041. First use: Education services, namely, arranging conferences, seminars, training courses and education in the nature of providing information and conducting programs in the fields of preventing underage drinking, impaired driving, and drug and alcohol abuse		

U.S. Application No.	77814215	Application Date	08/27/2009
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	POWER OF PARENTS IT'S YOUR INFLUENCE BY MADD		

Design Mark	<p style="text-align: center;">POWER OF PARENTS IT'S YOUR INFLUENCE BY MADD</p>
Description of Mark	NONE
Goods/Services	Class 035. First use: Association services, namely, promoting the interests of parents and other individuals opposed to drunk driving and underage drinking

Attachments	73749597#TMSN.gif (1 page)(bytes) 73798068#TMSN.gif (1 page)(bytes) 74043746#TMSN.gif (1 page)(bytes) 74292095#TMSN.gif (1 page)(bytes) 76321997#TMSN.gif (1 page)(bytes) 76483302#TMSN.gif (1 page)(bytes) 78634861#TMSN.jpeg (1 page)(bytes) 78640170#TMSN.jpeg (1 page)(bytes) 76621049#TMSN.gif (1 page)(bytes) 78868356#TMSN.jpeg (1 page)(bytes) 77055223#TMSN.jpeg (1 page)(bytes) 77058642#TMSN.jpeg (1 page)(bytes) 77058646#TMSN.jpeg (1 page)(bytes) 77119318#TMSN.jpeg (1 page)(bytes) 77119375#TMSN.jpeg (1 page)(bytes) 77119400#TMSN.jpeg (1 page)(bytes) 77479135#TMSN.jpeg (1 page)(bytes) 77479203#TMSN.jpeg (1 page)(bytes) 77688763#TMSN.jpeg (1 page)(bytes) 77809195#TMSN.jpeg (1 page)(bytes) 77812437#TMSN.jpeg (1 page)(bytes) 77812460#TMSN.jpeg (1 page)(bytes) 77814215#TMSN.jpeg (1 page)(bytes) Notice of Opposition.pdf (12 pages)(5471621 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	/Remy M. Davis/
Name	Remy M. Davis
Date	03/10/2010

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

In re Application of: Crawford, Yolanda Renee DBA Baby Mamas Against Deadbeat Daddies or B.M.A.D.D.

Serial No.: 77/825,470

Filed: September 13, 2009

Trademark: BABY MAMAS AGAINST DEADBEAT DADDIES OR B.M.A.D.D.

Int'l Class: 25

Published: February 9, 2010

Mothers Against Drunk Driving §
§
Opposer, §
§
v. § Opposition No. _____
§
Crawford, Yolanda Renee DBA Baby Mamas §
Against Deadbeat Daddies or B.M.A.D.D. §
§
Applicant. §

NOTICE OF OPPOSITION

MOTHERS AGAINST DRUNK DRIVING (“Opposer”), a non-profit corporation of the District of Columbia, having a business and corporate address of 511 East John Carpenter Freeway, Suite 700, Irving, Texas 75062, believes that it will be damaged by registration of the mark shown in Application Serial No. 77/825,470 filed September 13, 2009 in International Class 25, and hereby opposes the same.

As grounds for opposition, it is alleged that:

1. On or about September 13, 2009, Applicant, Yolanda Renee Crawford DBA Baby Mamas Against Deadbeat Daddies or B.M.A.D.D. (“Applicant”), an individual, listing an address of 1335 Bradyville Pike, Apt D206, Murfreesboro, Tennessee 37130, filed an application with the U.S. Patent and Trademark Office, Application Serial No. 77/825,470 seeking registration on the Principal Register of the trademark BABY MAMAS AGAINST DEADBEAT DADDIES OR B.M.A.D.D. for “t-shirts” in International Class 25 as evidenced by the publication of said mark on February 9, 2010. Applicant’s application is based on an intention to use the mark in commerce.

2. Commencing at least as early as 1984, Opposer began using the service mark “MOTHERS AGAINST DRUNK DRIVING” in connection with association services—namely, promoting the interests of individuals opposed to drunk driving.

3. Opposer is the owner of U.S. Service Mark Registration No. 1,603,041 for the mark MOTHERS AGAINST DRUNK DRIVING for use with “association services—namely, promoting the interests of individuals opposed to drunk driving.” This incontestable registration was filed on February 28, 1989 and issued on June 19, 1990.

4. Commencing at least as early as September 5, 1980, Opposer began using the service mark "MADD" in connection with association services, namely promoting the interests of individuals opposed to drunk driving.

5. Opposer is the owner of U.S. Service Mark Registration No. 1,250,706 for the mark MADD for use with “association services, namely, promoting the interests of individuals opposed to drunk driving.” This incontestable registration was filed on February 26, 1982 and issued on September 6, 1983.

6. Opposer is the owner of numerous other trademark and service mark registrations containing the term “MADD,” including, but not limited to:
- a. U.S. Service Mark Registration No. 1,558,546 for the mark MADD & Design for use with “association services, namely, promoting the interests of individuals opposed to drunk driving.” This incontestable registration was filed on September 1, 1988 and issued on September 26, 1989.
 - b. U.S. Service Mark Registration No. 1,628,711 for the mark VICTIM IMPACT PANELS MADD & Design for use with “association services, namely, promoting the interests of individuals opposed to drunk driving.” This incontestable registration was filed on May 5, 1989 and issued on December 18, 1990.
 - c. U.S. Trademark Registration No. 1,645,240 for the mark MADDVOCATE for use with “magazines devoted to victims of drunk driving accidents and their advocates.” This incontestable registration was filed on July 27, 1990 and issued on May 21, 1991.
 - d. U.S. Service Mark Registration No. 1,688,513 for the mark I’M A MADD DAD & Design for use with “association services, namely, promoting the interests of individuals opposed to drunk driving.” This incontestable registration was filed on March 29, 1990 and issued on May 19, 1992.
 - e. U.S. Service Mark Registration No. 1,793,976 for the mark SKADD for use with “association services, namely, promoting the interests of individuals opposed to drunk driving and supporting victims of drunk driving.” This incontestable registration was filed on July 8, 1992 and issued on September 21, 1993.

f. U.S. Service Mark Registration No. 1,998,125 for the mark MADD VICTIM SERVICES for use with “association services, namely, supporting victims of drunk driving.” This incontestable registration was filed on June 15, 1995 and issued on September 3, 1996.

g. U.S. Service Mark Registration No. 2,187,624 for the mark MADD DASH for use with “charitable fund raising services, namely, conducting foot races to raise money for activities designed to promote the interests of persons opposed to drunk driving and to support victims of drunk driving.” This incontestable registration was filed on July 21, 1997 and issued on September 8, 1998.

h. U.S. Service Mark Registration No. 2,730,301 for the mark MADD ACTIVISM VICTIM SERVICES EDUCATION & Design for use with “association services, namely promoting the interests of persons opposed to drunk driving and supporting victims of drunk driving.” This incontestable registration was filed on October 8, 2001 and issued on June 24, 2003.

i. U.S. Service Mark Registration No. 2,781,780 for the mark MADD MEDIA AWARDS & Design for use with “providing recognition and incentives by way of awards to recognize media professionals and organizations for outstanding coverage and advancement of issues related to drunk driving, underage drinking and support for victims of violent crime.” This incontestable registration was filed on January 21, 2003 and issued on November 11, 2003.

j. U.S. Service Mark Registration No. 3,090,158 for the mark MADD YOUTH IN ACTION for use with “association services, namely youth programs partnering young people with adult activists and law enforcement officials to promote the

interests of persons opposed to underage drinking.” This incontestable registration was filed on May 23, 2005 and issued on May 9, 2006.

k. U.S. Service Mark Registration No. 3,100,555 for the mark MADD YOUTH IN ACTION & Design for use with “association services, namely youth programs partnering young people with adult activists and law enforcement officials to promote the interests of persons opposed to underage drinking.” This registration was filed on May 31, 2005 and issued on June 6, 2006.

l. U.S. Service Mark Registration No. 3,133,576 for the mark UMADD for use with “association services, namely promoting the interests of persons opposed to drunk driving and underage drinking and supporting victims of drunk driving.” This registration was filed on November 17, 2004 and issued on August 22, 2006.

m. U.S. Service Mark Registration No. 3,224,809 for the mark SHIFTING GEARS MADD & Design for use with “charitable fund raising services, namely, conducting and promoting road rallies and auto shows to raise money for activities designed to promote the interest of persons opposed to drunk driving and to support victims of drunk driving.” The registration was filed on April 24, 2006 and issued on April 3, 2007.

n. U.S. Service Mark Registration No. 3,289,837 for the mark THINK MADD HOMECOMING & Design for use with “promoting the interests of individuals in support of underage drinking prevention.” This registration was filed on December 1, 2006 and issued on September 11, 2007.

o. U.S. Service Mark Registration No. 3,290,012 for the mark THINK MADD for use with “association services, namely, promoting the interests of individuals opposed to drunk driving and underage drinking.” This registration was filed on December 6, 2006 and issued on September 11, 2007.

p. U.S. Service Mark Registration No. 3,290,013 for the mark THINK MADD & Design for use with “association services, namely, promoting the interests of individuals opposed to drunk driving and underage drinking.” This registration was filed on December 6, 2006 and issued on September 11, 2007.

q. U.S. Service Mark Registration No. 3,290,240 for the mark THINK MADD PROM & Design for use with “association services, namely, promoting the interests of individuals opposed to drunk driving and underage drinking.” The registration was filed on March 1, 2007 and issued on September 11, 2007.

r. U.S. Service Mark Registration No. 3,423,757 for the mark THINK MADD GRADUATION & Design for use with “association services, namely, promoting the interests of individuals opposed to drunk driving and underage drinking.” The registration was filed on March 1, 2007 and issued on May 6, 2008.

s. U.S. Service Mark Registration No. 3,423,758 for the mark THINK MADD SPRING BREAK & Design for use with “association services, namely, promoting the interests of individuals opposed to drunk driving and underage drinking.” The registration was filed on March 1, 2007 and issued on May 6, 2008.

t. U.S. Service Mark Registration No. 3,556,969 for the mark WALK LIKE MADD & Design for use with “charitable fundraising services, namely, organizing and conducting walks to raise money for, and awareness of, the dangers of

impaired driving and underage drinking.” The application was filed on May 20, 2008 and issued on January 6, 2009.

u. U.S. Service Mark Registration No. 3,556,975 for the mark WALK LIKE MADD for use with “charitable fundraising services, namely, organizing and conducting walks to raise money for, and awareness of, the dangers of impaired driving and underage drinking.” The application was filed on May 20, 2008 and issued on January 6, 2009.

v. U.S. Service Mark Registration No. 3,733,594 for the mark MADD MEDIA AWARDS for use with “providing recognition and incentives by way of awards to recognize media professionals and organizations for outstanding coverage and advancement of issues related to drunk driving, underage drinking and support for victims of violent crime.” The application was filed on March 11, 2009 and issued on January 5, 2010.

7. MADD is the owner of the following pending federal service mark applications:

a. U.S. Service Mark Serial No. 77/809,195 for the mark POWER OF PARENTS IT’S YOUR INFLUENCE MADD & Design for use with “association services, namely, promoting the interests of parents and other individuals opposed to drunk driving and underage drinking.” The application was filed on August 25, 2009.

b. U.S. Service Mark Serial No. 77/812,437 for the mark POWER OF PARENTS IT’S YOUR INFLUENCE MADD & Design for use with “education services, namely, arranging conferences, seminars, training and education in the fields of

preventing underage drinking, impaired driving, and drug and alcohol abuse.” The application was filed on August 25, 2009.

c. U.S. Service Mark Serial No. 77/812,460 for the mark POWER OF PARENTS IT’S YOUR INFLUENCE MADD for use with “education services, namely, arranging conferences, seminars, training and education in the fields of preventing underage drinking, impaired driving, and drug and alcohol abuse.” The application was filed on August 25, 2009.

d. U.S. Service Mark Serial No. 77/814,215 for the mark POWER OF PARENTS IT’S YOUR INFLUENCE MADD for use with “association services, namely, promoting the interests of parents and other individuals opposed to drunk driving and underage drinking.” The application was filed on August 25, 2009.

8. Opposer owns and uses a family of “MADD” marks.

9. Commencing prior to the filing date of Applicant’s application and continuing to the present, Opposer has sponsored or offered assemblies, fund raisers, educational programs, informational services, rallies, clothing, magazines, and other goods and services used to promote nationally as well as internationally the interests of individuals opposed to drunk driving and underage drinking and provided services to victims of drunk driving under the “MOTHERS AGAINST DRUNK DRIVING” and “MADD” marks in interstate commerce. Accordingly, Opposer has priority over Applicant based upon its prior use of the “MOTHERS AGAINST DRUNK DRIVING” and “MADD” marks.

10. As a result of offering its goods and services provided under the “MOTHERS AGAINST DRUNK DRIVING” and “MADD” marks, Opposer has built up

substantial goodwill in the marks and the marks have come to signify goods and services originating with Opposer. Opposer's "MOTHERS AGAINST DRUNK DRIVING" and "MADD" marks are now famous marks within the meaning of 15 U.S.C. § 1125(c).

11. The general public and others familiar with Opposer's "MOTHERS AGAINST DRUNK DRIVING" and "MADD" marks, upon seeing Applicant's goods offered under a mark using the terms "BABY MAMAS AGAINST DEADBEAT DADDIES or B.M.A.D.D.," will be likely to believe that such goods originated from Opposer or were offered in association or affiliation with, or under authorization by, Opposer. Thus, Applicant's mark, as used with its proposed goods, will lead persons familiar with Opposer's "MOTHERS AGAINST DRUNK DRIVING" and "MADD" marks to believe that Applicant's goods are offered by, in association or affiliation with, or under license from, Opposer.

12. If Applicant is permitted to register its mark for the goods specified in the application herein opposed, such use and registration would result in confusion in the trade due to the similarity between Applicant's mark and Opposer's marks, thereby damaging and injuring Opposer. Any such confusion may result in loss of business to Opposer. Furthermore, any defect, objection or fault found with Applicant's goods marketed under its mark may reflect upon and injure the reputation that Opposer has established for its goods and services in association with its "MOTHERS AGAINST DRUNK DRIVING" and "MADD" marks.

13. Additionally, Applicant's mark, by reason of its similarity to Opposer's "MOTHERS AGAINST DRUNK DRIVING" and "MADD" marks, will be able to gain a subliminal or subconscious association to Opposer's "MOTHERS AGAINST DRUNK

DRIVING” and “MADD” marks and thereby trade on the reputation of Opposer and Opposer’s “MOTHERS AGAINST DRUNK DRIVING” and “MADD” marks.

14. Opposer will be injured by the granting to Applicant of a Certificate of Registration for the mark “BABY MAMAS AGAINST DEADBEAT DADDIES OR B.M.A.D.D.” because such Registration would thereby provide Applicant with the prima facie exclusive right to use such mark. Such registration would be a source of damage and injury to Opposer and Opposer's members and supporters.

15. If Applicant is permitted to register its mark for the goods specified in the application herein opposed, such use and registration would result in dilution of Opposer’s “MOTHERS AGAINST DRUNK DRIVING” and “MADD” marks under 15 U.S.C. § 1125(c), thereby damaging and injuring Opposer.

WHEREFORE, Opposer respectfully prays that its Opposition be sustained and the application for registration, Application Serial No. 77/825,470 by Applicant be denied and refused.

Dated: March 10, 2010

Respectfully submitted,

THOMPSON & KNIGHT LLP
ATTORNEYS FOR OPPOSER



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Certificate of Service

I hereby certify that a true and correct copy of the foregoing NOTICE OF OPPOSITION is being served upon Applicant's correspondent of record, Yolanda Renee Crawford, by first class mail, postage prepaid, on this 10th day of March, 2010, in an envelope addressed to:

Yolanda Renee Crawford
1335 Bradyville Pike, Apt. D206
Murfreesboro, Tennessee 37130



Remy M. Davis