

ESTTA Tracking number: **ESTTA345010**

Filing date: **04/30/2010**

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	Isha Foundation, Inc.
Granted to Date of previous extension	05/12/2010
Address	951 Isha Lane McMinnville, TN 37110 UNITED STATES

Attorney information	Sangeeta G. Shah Brooks Kushman, P.C. 1000 Town Center, Suite 2200 Southfield, MI 48075 UNITED STATES sshah@brookskushman.com, ejbrooks@brookskushman.com
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**Applicant Information**

Application No	77758224	Publication date	01/12/2010
Opposition Filing Date	04/30/2010	Opposition Period Ends	05/12/2010
Applicant	Ritter, Ruth 7361 East 8th Avenue Denver, CO 80230 UNITED STATES		

**Goods/Services Affected by Opposition**

Class 041. All goods and services in the class are opposed, namely: Yoga Instruction
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**Grounds for Opposition**

False suggestion of a connection	Trademark Act section 2(a)
Priority and likelihood of confusion	Trademark Act section 2(d)
Other	The mark is primarily a title, such as a bishop, lama or priest, and therefore is not a mark that should be available for trademark registration.

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

U.S. Registration No.	3238803	Application Date	01/10/2004
Registration Date	05/08/2007	Foreign Priority Date	NONE

Word Mark	ISHA YOGA
Design Mark	<b>ISHA YOGA</b>
Description of Mark	NONE
Goods/Services	Class 041. First use: First Use: 2002/06/10 First Use In Commerce: 2002/06/10 Providing yoga instruction, namely to impart Yoga to Meditators, the general public, corporate executives, hospitals or any other individual or organization that may be interested in learning yoga for their personal welfare

Attachments	78350252#TMSN.gif ( 1 page )( bytes ) notice of opposition.pdf ( 13 pages )(409282 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	/Sangeeta G. Shah/
Name	Sangeeta G. Shah
Date	04/30/2010

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

In re Trademark Application

Serial No.: 77/758,224

Filed: June 12, 2009

Trademark: SADGURU

Atty. Docket No.: ISHA 0107 OC

Published in the Official Gazette at TM/997 on January 12, 2010

Isha Foundation, Inc.	)	
	)	
Opposer,	)	
	)	Serial No. 77/758,224
v.	)	
	)	Opposition No. _____
Ruth Ritter,	)	
	)	
Applicant.	)	

**NOTICE OF OPPOSITION**

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451

Sir:

Isha Foundation, Inc. ("Isha"), a Tennessee corporation, with its principal place of business at 951 Isha Lane, McMinnville, Tennessee 37110, believes that it is and will continue to be damaged by the Applicant's registration of the mark "SADGURU" for services, in particular, yoga instruction, under U.S. Classes 100, 101 and 107 as shown in Application Serial No. 77/758,224, published in the *Official Gazette* at TM/997 on January 12, 2010, and hereby opposes registration of the same.

As grounds for opposition, Isha Foundation states as follows:

1. The Applicant, Ruth Ritter, is seeking to register the mark "SADGURU" as a service mark for yoga instruction in Classes 100, 101 and 107. This is evidenced by the publication of the mark in the *Official Gazette* at TM/997 on January 12, 2010. This intent-to-use application was filed on June 12, 2009.

2. Isha is an international, non-profit public service organization that is operated by over one million volunteers from more than 200 city centers worldwide. At the core of Isha's activities is a customized system for self transformation called "Isha Yoga."

3. Since the year 2000, at least 10,000 people have taken an Isha yoga program in the United States – programs that were created under the direction of its founder, Sadhguru J. Vasudev.

4. Since the year 2000, at least 130 Isha yoga programs have been offered throughout the United States.

5. In 2005-2006, Isha purchased and began construction of its United States center, Isha Institute of Inner Sciences, situated on 1200 acres in the Cumberland Plateau of Tennessee.

6. In November 2008, Isha d/b/a Isha Institute of Inner Sciences opened a 39,000 square foot meditation hall to address the growing number of spiritual and yoga aspirants in the United States.

7. Isha is the owner of U.S. Trademark Reg. No. 3,238,803 for the mark "Isha Yoga" for use in connection with providing a customized system of instructions to individuals or organizations that may be interested in learning yoga for their personal welfare. This registration

was based upon a date of first use of June 2002 and issued May 8, 2007. The registration is valid and subsisting, uncanceled and unrevoked. (Exhibit A.)

8. Over the past eight years, Isha has extensively used the term "SADHGURU" to identify the founder of Isha in interstate commerce, and, as such, Isha has garnered common law trademark rights from actual usage of this mark.

9. In conjunction with its "Isha Yoga" mark, Isha has identified the founder of "Isha Yoga" as Sadhguru J. Vasudev. Isha's use of the term "SADHGURU" in this manner has been open, notorious and continuous since the first use date back in June 2002.

10. As can be seen from an Internet search of the term "SADHGURU," due to the extensive use of that term in conjunction with the founder of Isha Foundation, the term has become associated with this particular individual, with the result that the purchasing public has come to know and recognize the term in conjunction with the founder of Isha Foundation. (Exhibit B.)

11. Isha Foundation and its founder has exceedingly valuable goodwill established in the term "SADHGURU."

12. Furthermore, the term "SADHGURU" in SANSKRIT is a title given to someone whose source of wisdom comes from direct, inner experience. More particularly, in SANSKRIT, "guru" means dispeller of darkness and "sadh" means within. As such, the terms "SADHGURU" or "SADGURU," both of which constitute a representation or title given to a person who has reached a certain inner experience, cannot constitute the basis for a trademark registration.

13. As this term is a term of reference and more akin to a title, such as a bishop, lama or priest – the term is not one that should be available for trademark registration.

14. While there is no issue as to priority, extensive use of the mark rendering it famous, and the considerable effort and expense that has been incurred in creating public association of the term "SADHGURU" with the founder of Isha, Isha simply seeks that Application Ser. No. 77/758,224 for the mark "SADGURU" be rejected, denied and refused.

15. The mark for which Applicant seeks registration, namely "SADGURU" incorporates Opposer's mark "SADHGURU" in its entirety, and both parties' marks are designated for use toward services in Classes 100, 101 and 107.

16. Since the mark and services as described in the application are identical to the Opposer's mark and goods/services, confusion and deception as to the origin of the Applicant's goods bearing the mark would occur, all to the damage and detriment of the Opposer. Such use would cause confusion in the public resulting in damage and injury to the Opposer.

17. Applicant's use or registration of the mark "SADGURU" in connection with its designated services is likely to cause, or to cause mistake or to deceive as to the affiliation, connection, or association of the Applicant with the Opposer, or as to the origin, sponsorship or approval of the Applicant's services by the Opposer.

18. If the Applicant were granted the registration herein opposed, it would obtain at least a *prima facie* exclusive right to use of the "SADGURU" mark in connection with the designated services. Such registration would be a source of injury and damage to the Opposer.

WHEREFORE, Opposer respectfully requests that this opposition be sustained and registration of the mark as sought by Applicant be rejected, denied and refused.

Respectfully submitted,

By /Sangeeta G. Shah/  
Sangeeta G. Shah  
Attorney/Agent for Opposer

Date: April 30, 2010

**BROOKS KUSHMAN P.C.**  
1000 Town Center, 22nd Floor  
Southfield, MI 48075-1238  
Phone: 248-358-4400  
Fax: 248-358-3351

**CERTIFICATE OF SERVICE**

I certify pursuant to 37 C.F.R. § 2.101 and § 2.111 that a copy of the foregoing **Notice Of Opposition** was served by mailing a copy on April 30, 2010 by first-class mail to:

Ruth Ritter  
7361 E 8th Avenue  
Denver, CO 80230-6152

/Sangeeta G. Shah/

# **EXHIBIT A**

Int. Cl.: 41

Prior U.S. Cls.: 100, 101 and 107

Reg. No. 3,238,803

United States Patent and Trademark Office

Registered May 8, 2007

SERVICE MARK  
PRINCIPAL REGISTER

ISHA YOGA

ISHA FOUNDATION INC. (TENNESSEE CORPORATION)

191 ANTHONY DRIVE

MCMINNVILLE, TN 37110

FOR: PROVIDING YOGA INSTRUCTION, NAMELY TO IMPART YOGA TO MEDITATORS, THE GENERAL PUBLIC, CORPORATE EXECUTIVES, HOSPITALS OR ANY OTHER INDIVIDUAL OR ORGANIZATION THAT MAY BE INTERESTED IN LEARNING YOGA FOR THEIR PERSONAL WELFARE, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 6-10-2002; IN COMMERCE 6-10-2002.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "YOGA", APART FROM THE MARK AS SHOWN.

THE FOREIGN WORDING IN THE MARK TRANSLATES INTO ENGLISH AS FORMLESS DIVINITY.

SER. NO. 78-350,252, FILED 1-10-2004.

JILL C. ALT, EXAMINING ATTORNEY

# **EXHIBIT B**

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sadhguru.org · [Cached page](#)

**Sadhguru | Sadhguru**

**Sadhguru**, a yogi and profound mystic of our times, is a visionary humanitarian and a prominent spiritual leader. A contemporary Guru, rooted as strongly in mundane and pragmatic ...  
www.ishafoundation.org/Sadhguru · [Cached page](#)

**Jaggi Vasudev - Wikipedia, the free encyclopedia**

**Sadhguru** Jaggi Vasudev is an Indian yogi and mystic. He is the founder of Isha Foundation which administers yoga centers around the world, including India and the United States.  
en.wikipedia.org/wiki/Sadhguru\_Jaggi\_Vasudev · [Wikipedia on Bing](#)

**Yoga Programs-Inner Transformation-Yoga Center @ ISHA ...**

**Sadhguru** Founder, Isha Foundation. **Sadhguru**, founder of Isha Foundation is a yogi, mystic and spiritual master with a difference. An arresting blend of profundity and pragmatism, his ...  
www.ishafoundation.org · [Cached page](#)

**YouTube - SadhGuru - interview at TIECon 2007**

**Sadhguru** Jaggi Vasudev, Founder of Isha Foundation teacher of Isha Yoga and Inner Engineering discusses his program at TIECon 2007 in Santa Clara, CA. He la...  
www.youtube.com/watch?v=3-FvEhOPc6g · [Cached page](#)

**Sadhguru.org - About Sadhguru**

Portal for **Sadhguru** Jaggi Vasudev - Founder Isha Foundation, Isha Yoga and Inner Engineering, An attempt to answer the question "Who is **Sadhguru**?", Article onSadhguru published in ...  
www.sadhguru.org/portal/index.php/content/blogcategory/23/32 · [Cached page](#)

**Midnights with the Mystic**

"**Sadhguru**'s piercing logic and wit reveal the true nature of life, while the author's riveting personal journey reveals **Sadhguru**, the person, and the science that frames his life's ...  
www.midnightswiththemystic.com · [Cached page](#)

**YouTube - Sadhguru on Life**

Meaning of Life, Oneness, Fear, Poverty - http://ishayoga.org If you have big hands, we need you, If you have a big heart, we need you. If you have a big head, we need you, If ...  
User rating: 5/5 · 79931 views · Added 11/13/2006  
www.youtube.com/watch?v=jagOYDYACg · [Cached page](#)

**Midnights with the Mystic - Sadhguru**

Please Register to Download an Introductory Talk by **Sadhguru**. We would like to keep you informed of events and happenings pertaining to the book, **Sadhguru** and other activities of ...  
midnightswiththemystic.com/sadhguru.html · [Cached page](#)

**Sadhguru | The Institute of Noetic Sciences 13th ...**

**Sadhguru**, a yogi and profound mystic of our time, is a visionary humanitarian and a prominent spiritual leader. A contemporary guru rooted as strongly in mundane and pragmatic ...  
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**Sadhguru Jaggi (Jaggi Vasudev) on Twitter**

**Sadhguru Jaggi Vasudev**, or **Sadhguru**, as he is popularly known, is a self-realized yogi and living guru.  
[twitter.com/Jaggi\\_Vasudev](https://twitter.com/Jaggi_Vasudev) · [Cached page](#)

**Sadhguru Jaggi Vasudev | Facebook**

Welcome to the official Facebook Page of **Sadhguru Jaggi Vasudev**. Get exclusive content and interact with **Sadhguru Jaggi Vasudev** right from Facebook. Join Facebook to create your ...  
[www.facebook.com/sadhguruJV](http://www.facebook.com/sadhguruJV) · [Cached page](#)

**Sadhguru Jaggi Vasudev - Sadhguru Jaggi Vasudev ...**

**Sadhguru Jaggi Vasudev** is the founder of Isha Yoga. Read on to know the complete biography cum life history of **Sadhguru Jaggi Vasudev**.  
[www.iloveindia.com/spirituality/gurus/sadhguru-jaggi-vasudev.html](http://www.iloveindia.com/spirituality/gurus/sadhguru-jaggi-vasudev.html) · [Cached page](#)

**Sadhguru Jaggi Vasudev**

Self: Beyond Our Differences. Visit IMDb for Photos, Filmography, Discussions, Bio, News, Awards, Agent, Fan Sites.  
[www.imdb.com/name/nm3154597](http://www.imdb.com/name/nm3154597) · [Cached page](#)

**Sadhguru Jaggi Vasudev - a profound mystic and yogi ...**

**Sadhguru**, a profound mystic and yogi is a visionary humanitarian and a prominent Spiritual leader  
[www.dhyanalinga.org/creator.htm](http://www.dhyanalinga.org/creator.htm) · [Cached page](#)

**Welcoming Sadhguru in Singapore - HomePage**

**Sadhguru** is a spiritual master with a difference. With an arresting blend of profundity and pragmatism, his life and work serve as a reminder that yoga is not an esoteric discipline ...  
[www.sadhguruinsingapore.org](http://www.sadhguruinsingapore.org) · [Cached page](#)

**Amazon.com: Mystic's Musings (9788186685594): Sadhguru ...**

According to **Sadhguru**, mysticism is a misnomer. For those who know life and the seed of life, it is simply reality. For those trapped in limited awareness, exploring anything ...  
[www.amazon.com/Mystics-Musings-Sadhguru-Jaggi-Vasudev/dp/8186685596](http://www.amazon.com/Mystics-Musings-Sadhguru-Jaggi-Vasudev/dp/8186685596) · [Cached page](#)

**Kavita Chhibber**

Please click on an article or scroll downwards to read this month's **Sadhguru Speaks: Q & A with Sadhguru** - In conversation with Kavita Chhibber.  
[www.kavitachhibber.com/main/main.jsp?id=sadhguru-Nov2007](http://www.kavitachhibber.com/main/main.jsp?id=sadhguru-Nov2007) · [Cached page](#)

**About Sadhguru « MYSTIC EYE**

At home in loincloth as much as he is in blue jeans, barefoot through the mighty Himalayas, or straddling a BMW motorcycle on the expressway, **Sadhguru** is a contemporary Guru rooted ...  
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**Sadhguru Ignites Tampa**

These notes and impressions of **Sadhguru's** visit to Tampa were written another Isha volunteer, Willow Wright. These are her experiences and recollections of "An Evening ...  
[www.konakiko.com/home/sadhguru-ignites-tampa](http://www.konakiko.com/home/sadhguru-ignites-tampa) · [Cached page](#)

**Isha Yoga**

But the **Sadhguru**, who is totally engrossed with his golf lessons, chooses to play some more. As I leave, I cannot help thinking that — as his website rather smugly declares ...  
[ishayoga.wordpress.com](http://ishayoga.wordpress.com) · [Cached page](#)

**Kavita Chhibber**

**Sadhguru Jaggi Vasudev** "Truth Can Only Be Experienced" By Kavita Chhibber . In the course of my career as a journalist, I have lost count of the number of times, devotees and their ...  
[www.kavitachhibber.com/main/main.jsp?id=sadhguru\\_jaggi\\_vasudev](http://www.kavitachhibber.com/main/main.jsp?id=sadhguru_jaggi_vasudev) · [Cached page](#)

**Travis Hudson (Sadhguru) on Twitter**

Get updates via SMS by texting follow **Sadhguru** to your local code. Codes for other countries  
[twitter.com/Sadhguru](https://twitter.com/Sadhguru) · [Cached page](#)

**TED Blog: The Buzz: Sadhguru Jaggi Vasudev meditates on ...**

05 November 2009 The Buzz: **Sadhguru Jaggi Vasudev** meditates on majestic chaos. Photo: **Sadhguru Jaggi Vasudev** at TEDIndia, Session 3, "Wonder. Wonders."  
[blog.ted.com/2009/11/1/the\\_buzz\\_sadhgu.php](http://blog.ted.com/2009/11/1/the_buzz_sadhgu.php) · [Cached page](#)

**Quotes worth recording – Sadhguru Jaggi Vasudev ...**

Life Beyond Code - Personal and professional development for technology professionals.  
[www.lifebeyonddcode.com/2007/08/05/quotes-worth-recording-sadhguru-jaggi-vasudev](http://www.lifebeyonddcode.com/2007/08/05/quotes-worth-recording-sadhguru-jaggi-vasudev) · [Cached page](#)

**Sadhguru Jaggi Vasudev Visits Tampa**

**Sadhguru Jaggi Vasudev** visited Tampa as part of national book tour in support of the release of *Midnights with the Mystic, A Little Guide to Freedom and Bliss*.  
[www.konakiko.com/home/sadhguru-jaggi-vasudev-visits-tampa](http://www.konakiko.com/home/sadhguru-jaggi-vasudev-visits-tampa) · [Cached page](#)

**Water, No Ice » Interview with Sadhguru Jaggi Vasudev**

By Vidya Pradhan Motorcycle riding, Frisbee playing iconoclast or loving spiritual mentor? After an interview with **Sadhguru**, I can almost picture him saying with a belly laugh ...  
[waternoice.com/2007/08/02/interview-with-sadhguru-jaggi-vasudev](http://waternoice.com/2007/08/02/interview-with-sadhguru-jaggi-vasudev) · [Cached page](#)

**Amazon.com: Dhyanalinga: The Silent Revolution ...**

"The book on the holy Dhyanalinga radiates heartfelt devotion, grace and mystery of the Guru...a gift to us all." — Stuart Sovatsky, PhD, Infinity Foundation.org, Conflict ...  
User rating: 4/5 · 8 reviews  
[www.amazon.com/Dhyanalinga-Revolution-Sadhguru-Jaggi-Vasudev/dp/8187910003](http://www.amazon.com/Dhyanalinga-Revolution-Sadhguru-Jaggi-Vasudev/dp/8187910003) · [Cached page](#)

**Jaggi Vasudev - NonSpiritual**

Real Name: Jagadish Vasudev Alternative Names: Jaggi, **Sadhguru Jaggi Vasudev**, **Sadhguru**  
Date of Birth: 1957 Date of Death: Still Alive Spiritual Tradition  
[nonspiritual.net/Jaggi\\_Vasudev](http://nonspiritual.net/Jaggi_Vasudev) · [Cached page](#)

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**New Dimensions Media : ENGINEERING ENLIGHTENMENT with ...**  
**Sadhguru** Jaggi Vasudev is one of those rare teachers who takes you with him as he peers inward and outward to the vast reaches of the universe, until you, too, can see everything ...  
[www.newdimensions.org/program.php?id=3264](http://www.newdimensions.org/program.php?id=3264) · [Cached page](#)

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**National Volunteer Month: 400,000 Plant Trees In India ...**  
**Sadhguru** Jaggi Vasudev is a powerful character – but wholly unintimidating. He frequently cracks jokes upon meeting a new group of people and his BlackBerry seems quite ...  
[www.huffingtonpost.com/2010/04/14/national-volunteer-month\\_n\\_538108.html](http://www.huffingtonpost.com/2010/04/14/national-volunteer-month_n_538108.html) · [Cached page](#)

**Sadhguru Jaggi Vasudev**  
 Information about renowned yogi and spiritual leader **Sadhguru** Jaggi Vasudev and the path to spiritual enlightenment.  
[www.green-organic-world.com/Sadhguru-Jaggi-Vasudev.html](http://www.green-organic-world.com/Sadhguru-Jaggi-Vasudev.html) · [Cached page](#)

**Dhyanalinga Yogic Temple**  
 "Just sitting silently for a few minutes within the sphere of Dhyanalinga is enough to make even those unaware of meditation experience a state of deep meditateness" - **Sadhguru**  
[dhyanalina.org](http://dhyanalina.org) · [Cached page](#)

**Sadhguru at Bombay Stock Exchange - Video**  
 Please visit <http://www.ishafoundation.org/IDS> to download talks by **Sadhguru**. About Video: After the first Inner Engineering program conducted by **Sadhguru** at the Bombay Stock ...  
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**Sadhguru Jaggi Vasudev | 40 Days with 40 Spiritual ...**  
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[sacredawakeningseries.com/teleseminar/sadhguru-jaggi-vasudev](http://sacredawakeningseries.com/teleseminar/sadhguru-jaggi-vasudev) · [Cached page](#)

**Sadhguru Jaggi Vasudev Speaks**  
**Sadhguru** Jaggi Vasudev Speaks . **Sadhguru** Jaggi Vasudev is a realized master, yogi and profound mystic from Southern India. He embodies the universal truths of the great spiritual ...  
[www.yogachicago.com/may04/sadguru.shtml](http://www.yogachicago.com/may04/sadguru.shtml) · [Cached page](#)

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