

ESTTA Tracking number: **ESTTA355965**

Filing date: **07/01/2010**

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	Partners in Leadership, IP, LLC		
Entity	Limited Liability Company	Citizenship	Nevada
Address	27555 Ynez Road, Suite 300 Temecula, CA 92591 UNITED STATES		

Attorney information	Michael T. Richmond Knobbe, Martens, Olson & Bear, LLP 2040 Main Street 14th Floor Irvine, CA 92614 UNITED STATES efiling@kmob.com Phone:949-760-0404
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Applicant Information

Application No	77716290	Publication date	06/08/2010
Opposition Filing Date	07/01/2010	Opposition Period Ends	07/08/2010
Applicant	Dalto, Juan Carlos F.J.Santa Maria de Oro 2835, P 23 2F Buenos Aires, 1425 ARGENTINA		

Goods/Services Affected by Opposition

<p>Class 035. All goods and services in the class are opposed, namely: Acquisition and merger consultation; Advertising and business management consultancy; Advertising and promotion services and related consulting; Advertising consultation; Advisory and consultancy services relating to export, export services, export promotion information and services; Assistance, advice and consultancy with regard to business planning, business analysis, business management and business organization relating to purchasing functions; Assistance, advisory services and consultancy with regard to business planning, business analysis, business management, and business organization; Assistance, advisory services and consultancy with regard to business planning, business analysis, business management, and business organization relating to micro credits, micro finance and energy products; Assistance, advisory services and consultancy with regard to business planning, business analysis, business management, business organization, marketing and customer analysis; Brand imagery consulting services; Branding services, namely, consulting, development, management and marketing of brands for businesses; Business acquisition and merger consultation; Business acquisitions consultation; Business administration consultancy; Business advisory services, consultancy and information; Business appraisal consultation; Business consultation; Business consultation and management regarding marketing activities and launching of new products; Business consultation in the field of telecommunications expense management; Business consultation services in the fields of supply chain analysis, regulation compliance and counterfeit detection; Business consultation services to assist non-profit organizations in planning, managing,</p>

and conducting fund raising activities via a global computer network; Business consulting and business information for enterprises; Business consulting and information services; Business consulting and management in the field of clinical trials, namely, clinical data and regulatory submission management on behalf of medical, biopharmaceutical and biotechnology companies to assist them with clinical research, clinical trials and applications for drug approval; Business consulting and management in the field of clinical trials, namely, management and compilation of computerized databases in the field of clinical trials for business purposes; Business consulting and management in the field of clinical trials, namely, providing information management services; Business consulting service in the field of medical imaging centers; Business consulting services for the electric energy industry; Business consulting services in the field of business knowledge transfer through audio tools, namely, recording interviews with subject matter experts for an organization's capture and future use; Business consulting services in the field of information assurance; Business consulting services in the field of organizational change management; Business consulting services related to monitoring, controlling, and managing telepresence environments of others; Business consulting services relating to product distribution, operations management services, logistics, reverse logistics, supply chain, and production systems and distribution solutions; Business consulting services, namely, assisting legal professionals in organizing and setting up their practices for offering divorce planning and facilitation and legal document services to their clients; Business consulting services, namely, providing assistance in development of business strategies and creative ideation; Business consulting, inquiries or information; Business consulting, management, planning and supervision; Business management and consultation; Business management and consultation in the field of case management, integrated justice, data conversions, and business intelligence; Business management and consulting services for the health care industry, namely, customer service, accounting services, and web-based advertising and marketing services; Business management consultancy and advisory services; Business management consultancy as well as development of processes for the analysis and the implementation of strategy plans and management projects; Business management consultancy in the field of insourcing, namely, assisting businesses in the development of processes for the analysis and the implementation of the delegation of operations or jobs from production within a business to an internal entity that specializes in that operation; Business management consultancy in the field of purchases, namely, assisting businesses in improvement of purchasing functions; Business management consultation; Business management consultation and services, namely, managing and administering non-core functions, namely, mailing and shipping, records management, information services, administration, payroll and accounting, and telemarketing services; Business management consultation in the field of executive and leadership development; Business management consulting and advisory services; Business management consulting in the field of team development; Business management consulting with relation to strategy, financing, marketing, production, personnel and sale matters for companies involved with thin film and nano technologies and plasma processes; Business management consulting with relation to strategy, marketing, production, personnel and retail sale matters; Business management consulting with relation to strategy, marketing, sales, operation, product design particularly specializing in the use of analytic and statistic models for the understanding and predicting of consumers, businesses, and market trends and actions; Business management consulting, strategic planning and business advisory services provided to the veterinary medical profession; Business marketing and direct mail consulting services; Business marketing consulting services; Business marketing consulting services to childcare organizations; Business merger consultation; Business organization and management consulting; Business organization and operation consultancy; Business organization consulting; Business relocation consulting; Business research consultation; Business risk management consultation; Business services, namely, consulting in the field of supply chain verification for the presence of genetically modified organisms; Business venture development and formation consulting services for the renewable energy industry; Commercial consultancy; Commercial consultancy in the field of the retail sale of fish and crustaceans; Company management, including consultancy in demographic matters; Consultancy of personnel recruitment; Consultancy services regarding business strategies; Consultation and advice for the purchase of musical instruments and sound recording devices; Consultation in the field of commercials or infomercials; Consultation in the field of energy efficiency; Consultation relating to trade fairs; Consultation services in the field of company, business sector and industry data and research; Consulting services in business leadership development and business management; Consulting services in the area of sustainable business solutions; Consulting services in the cost and payment management of health care; Consulting services in the field of dental practice management; Consulting services in the field of higher education administration; Consulting services in the field of

human resources development, namely, for the promotion of employee retention, career growth, and increased productivity for employees and employers; Consulting services in the field of human resources development, namely, utilizing technology for the promotion of employee retention, career growth and increased productivity for employees and employers; Consulting services in the field of managing intellectual properties; Consulting services in the field of marketing of educational training; Consulting services related to the administration of water purification strategies; Consulting services related to the administrative coordination of organizations providing humanitarian activities; Consulting services relating to publicity; Consulting services, namely, to employers, community organizations, brokers and beneficiaries, related to consumer information regarding health care plan options, products and programs in the field of managed care and state and federal medical care programs; Consulting services, namely, expert analysis and management consulting in economics and accounting; Consulting services, namely, providing expectant parents with consumer information on all types of baby products and services; Corporate image consulting services; Demographic consultation; Demographic consultation and studies; Direct marketing consulting services; Disaster recovery services, namely, business planning and business continuity consulting; Economic consulting and information for the industrial and commercial sectors for planning, organizing, monitoring and carrying out unique and complex projects in different sectors of one or several companies; Employment recruiting consultation; Foreign trade information and consultation; Forest management consultation; Franchising, namely, consultation and assistance in business management, organization and promotion; Human resources consultation; Income tax consultation; Industrial management consultation including cost/yield analyses; Information, advisory and consultancy services relating to business and management or business administration, including such services provided on line or via the Internet; Management and business consulting services in the field of training and recruitment; Market research consultation; Market segmentation consultation; Marketing consulting; New business venture development and formation consulting services; Personnel consultancy; Personnel management consultation; Professional business consultation; Professional business consulting; Promotion and marketing services and related consulting; Providing assistance, fitness evaluation and consultation to corporate clients to help their employees make health, wellness and nutritional changes in their daily living to increase productivity and lower health care costs; Providing business management information in connection with consulting and advisory services in the field of strategic planning; Providing consulting services in the field of facilitating the planning, buying, and selling of media; Providing organizational development consulting services; Providing technical consulting services and information management services, namely, clinical data and regulatory submission management to medical, biopharmaceutical and biotechnology companies to assist them with clinical research, clinical trials and applications for drug approval; Publicity consultation; Social media strategy and marketing consultancy focusing on helping clients create and extend their product and brand strategies by building virally engaging marketing solutions

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
Other	Common law Trademark rights

Mark Cited by Opposer as Basis for Opposition

U.S. Registration No.	2359080	Application Date	12/10/1997
Registration Date	06/20/2000	Foreign Priority Date	NONE
Word Mark	PARTNERS IN LEADERSHIP		
Design Mark	PARTNERS IN LEADERSHIP		
Description of	NONE		

Mark	
Goods/Services	<p>Class 016. First use: First Use: 1989/06/23 First Use In Commerce: 1991/01/18 PRINTED MATERIALS, NAMELY, NEWSLETTERS, BROCHURES, INSTRUCTIONAL MATERIALS, OUTLINES, WORKBOOKS, WORKSHEETS, AND BOOKS ALL IN THE FIELD OF BUSINESS CONSULTING; DAY PLANNERS, POSTERS, PAPER BANNERS, AND PAPER PAGE FINDERS</p> <p>Class 035. First use: First Use: 1989/06/23 First Use In Commerce: 1991/01/18 BUSINESS CONSULTATION SERVICES, NAMELY, BUSINESS CONSULTING SERVICES, BUSINESS MANAGEMENT TRAINING SERVICES AND BUSINESS OPERATIONS TRAINING SERVICES</p>

Attachments	75403154#TMSN.gif (1 page)(bytes) PILLLC383M.pdf (8 pages)(414741 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	/mtr/
Name	Michael T. Richmond
Date	07/01/2010

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Partners in Leadership, IP, LLC,

Opposer,

v.

Dalto, Juan Carlos,

Applicant.

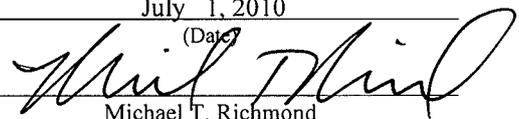
Application No. 77/716,290

Opposition No. _____

I hereby certify that this correspondence and all marked attachments are being transmitted by electronic mail to the United States Patent and Trademark Office at <http://www.uspto.gov> on

July 1, 2010

(Date)



Michael T. Richmond

NOTICE OF OPPOSITION

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

Dear Sir or Madam:

Partners in Leadership, IP, LLC, a Nevada Limited Liability Company, located and doing business at 27555 Ynez Road, Suite 300, Temecula, CA (“Opposer”), believes that it will be damaged by the registration of the mark shown in Application Serial No. 77/716,290 (“Application”), and hereby opposes the same.

A description of the Application is as follows:

Mark:	PERSPECTIVE – PARTNERS IN STRATEGY & LEADERSHIP
Serial No.:	77/716,290
Filing Date	April 17, 2009
Publication Date:	June 8, 2010
Services:	Acquisition and merger consultation; Advertising and business management consultancy; Advertising and promotion services and related consulting; Advertising consultation; Advisory and consultancy services relating to export, export services, export promotion information and services; Assistance, advice and consultancy with regard to

business planning, business analysis, business management and business organization relating to purchasing functions; Assistance, advisory services and consultancy with regard to business planning, business analysis, business management, and business organization; Assistance, advisory services and consultancy with regard to business planning, business analysis, business management, and business organization relating to micro credits, micro finance and energy products; Assistance, advisory services and consultancy with regard to business planning, business analysis, business management, business organization, marketing and customer analysis; Brand imagery consulting services; Branding services, namely, consulting, development, management and marketing of brands for businesses; Business acquisition and merger consultation; Business acquisitions consultation; Business administration consultancy; Business advisory services, consultancy and information; Business appraisal consultation; Business consultation; Business consultation and management regarding marketing activities and launching of new products; Business consultation in the field of telecommunications expense management; Business consultation services in the fields of supply chain analysis, regulation compliance and counterfeit detection; Business consultation services to assist non-profit organizations in planning, managing, and conducting fund raising activities via a global computer network; Business consulting and business information for enterprises; Business consulting and information services. Business consulting and management in the field of clinical trials, namely, clinical data and regulatory submission management on behalf of medical, biopharmaceutical and biotechnology companies to assist them with clinical research, clinical trials and applications for drug approval; Business consulting and management in the field of clinical trials, namely, management and compilation of computerized databases in the field of clinical trials for business purposes; Business consulting and management in the field of clinical trials, namely, providing information management services; Business consulting service in the field of medical imaging centers; Business consulting services for the electric energy industry; Business consulting services in the field of business knowledge transfer through audio tools, namely, recording interviews with subject matter experts for an organization's capture and future use; Business consulting services in the field of information assurance; Business consulting services in the field of organizational change

management; Business consulting services related to monitoring, controlling, and managing telepresence environments of others; Business consulting services relating to product distribution, operations management services, logistics, reverse logistics, supply chain, and production systems and distribution solutions; Business consulting services, namely, assisting legal professionals in organizing and setting up their practices for offering divorce planning and facilitation and legal document services to their clients; Business consulting services, namely, providing assistance in development of business strategies and creative ideation; Business consulting, inquiries or information; Business consulting, management, planning and supervision; Business management and consultation; Business management and consultation in the field of case management, integrated justice, data conversions, and business intelligence. Business management and consulting services for the health care industry, namely, customer service, accounting services, and web-based advertising and marketing services; Business management consultancy and advisory services; Business management consultancy as well as development of processes for the analysis and the implementation of strategy plans and management projects; Business management consultancy in the field of insourcing, namely, assisting businesses in the development of processes for the analysis and the implementation of the delegation of operations or jobs from production within a business to an internal entity that specializes in that operation; Business management consultancy in the field of purchases, namely, assisting businesses in improvement of purchasing functions; Business management consultation; Business management consultation and services, namely, managing and administering non-core functions, namely, mailing and shipping, records management, information services, administration, payroll and accounting, and telemarketing services; Business management consultation in the field of executive and leadership development; Business management consulting and advisory services; Business management consulting in the field of team development; Business management consulting with relation to strategy, financing, marketing, production, personnel and sale matters for companies involved with thin film and nano technologies and plasma processes; Business management consulting with relation to strategy, marketing, production, personnel and retail sale matters; Business management consulting with relation to strategy, marketing, sales,

operation, product design particularly specializing in the use of analytic and statistic models for the understanding and predicting of consumers, businesses, and market trends and actions. Business management consulting, strategic planning and business advisory services provided to the veterinary medical profession; Business marketing and direct mail consulting services; Business marketing consulting services; Business marketing consulting services to childcare organizations; Business merger consultation; Business organization and management consulting; Business organization and operation consultancy; Business organization consulting; Business relocation consulting; Business research consultation; Business risk management consultation; Business services, namely, consulting in the field of supply chain verification for the presence of genetically modified organisms; Business venture development and formation consulting services for the renewable energy industry; Commercial consultancy; Commercial consultancy in the field of the retail sale of fish and crustaceans; Company management, including consultancy in demographic matters; Consultancy of personnel recruitment; Consultancy services regarding business strategies; Consultation and advice for the purchase of musical instruments and sound recording devices; Consultation in the field of commercials or infomercials; Consultation in the field of energy efficiency; Consultation relating to trade fairs; Consultation services in the field of company, business sector and industry data and research; Consulting services in business leadership development and business management; Consulting services in the area of sustainable business solutions; Consulting services in the cost and payment management of health care; Consulting services in the field of dental practice management; Consulting services in the field of higher education administration; Consulting services in the field of human resources development, namely, for the promotion of employee retention, career growth, and increased productivity for employees and employers. Consulting services in the field of human resources development, namely, utilizing technology for the promotion of employee retention, career growth and increased productivity for employees and employers; Consulting services in the field of managing intellectual properties; Consulting services in the field of marketing of educational training; Consulting services related to the administration of water purification strategies; Consulting services related to the administrative coordination of

organizations providing humanitarian activities; Consulting services relating to publicity; Consulting services, namely, to employers, community organizations, brokers and beneficiaries, related to consumer information regarding health care plan options, products and programs in the field of managed care and state and federal medical care programs; Consulting services, namely, expert analysis and management consulting in economics and accounting; Consulting services, namely, providing expectant parents with consumer information on all types of baby products and services; Corporate image consulting services; Demographic consultation; Demographic consultation and studies; Direct marketing consulting services; Disaster recovery services, namely, business planning and business continuity consulting; Economic consulting and information for the industrial and commercial sectors for planning, organizing, monitoring and carrying out unique and complex projects in different sectors of one or several companies; Employment recruiting consultation; Foreign trade information and consultation; Forest management consultation; Franchising, namely, consultation and assistance in business management, organization and promotion; Human resources consultation; Income tax consultation; Industrial management consultation including cost/yield analyses; Information, advisory and consultancy services relating to business and management or business administration, including such services provided on line or via the Internet. Management and business consulting services in the field of training and recruitment; Market research consultation; Market segmentation consultation; Marketing consulting; New business venture development and formation consulting services; Personnel consultancy; Personnel management consultation; Professional business consultation; Professional business consulting; Promotion and marketing services and related consulting; Providing assistance, fitness evaluation and consultation to corporate clients to help their employees make health, wellness and nutritional changes in their daily living to increase productivity and lower health care costs; Providing business management information in connection with consulting and advisory services in the field of strategic planning; Providing consulting services in the field of facilitating the planning, buying, and selling of media; Providing organizational development consulting services; Providing technical consulting services and information management services, namely, clinical data and regulatory submission management to medical, biopharmaceutical and

biotechnology companies to assist them with clinical research, clinical trials and applications for drug approval; Publicity consultation; Social media strategy and marketing consultancy focusing on helping clients create and extend their product and brand strategies by building virally engaging marketing solutions in International Class 10

Owner: Dalto, Juan Carlos (“Applicant”)

As grounds for opposition, it is alleged that:

1. Since at least as early as January 18, 1991, Opposer has been and is now using the trademark PARTNERS IN LEADERSHIP in connection with its business consulting services, business management training services, business operations training services and related printed materials.

2. Opposer has used its PARTNERS IN LEADERSHIP trademark continuously in connection with business consulting services, business management training services, business operations training services, and related printed materials since the date of first use and said mark has not been abandoned. By virtue of such use, Opposer’s PARTNERS IN LEADERSHIP mark has acquired great value in identifying Opposer’s goods and services and distinguishing those goods and services from the goods and services of others.

3. Through extensive sales, advertising and promotion of its goods and services under its PARTNERS IN LEADERSHIP mark, Opposer has built up, and great expense and effort, valuable goodwill symbolized by its PARTNERS IN LEADERSHIP mark.

4. Opposer’s use of its PARTNERS IN LEADERSHIP mark in connection with business consulting services, business management training services, business operations training services, and related printed materials has been valid and continuous since at least as early as January 18, 1991, over 18 years prior to Applicant’s filing date. In view of the similarity of the respective marks and the identical and/or closely related nature of Applicant’s services and Opposer’s goods and services, it is alleged that Applicant’s mark so resembles Opposer’s PARTNERS IN LEADERSHIP mark, previously used in the United States and not abandoned, as to be likely to cause confusion, to cause mistake or to deceive.

5. Opposer owns the following U.S. registration:

Mark: PARTNERS IN LEADERSHIP
Reg. No.: 2,359,080
Reg. Date: June 20, 2000, First Renewal: June 19, 2010
Classes: 16 and 35

Goods: Printed materials, namely, newsletters, brochures, instructional materials, outlines, workbooks, worksheets, and books all in the field of business consulting; day planners, posters, paper banners, and paper page finders
Services: Business Consultation services, namely, business consulting services, business management training services and business operations training services
First Use in Commerce: January 18, 1991

6. Said registration listed above for Opposer's PARTNERS IN LEADERSHIP mark is valid, subsisting, unrevoked, have not been cancelled, and is *prima facie* evidence of the validity of Opposer's ownership of the mark shown therein and of the exclusive right of Opposer to use said mark in commerce in connection with the goods and services named therein without condition or limitation. Said registration also serves as constructive notice of Opposer's claim of ownership of said mark as provided in Sections 7(b), 22 and 33(a) of the Trademark Act of 1946.

7. In view of the similarity of the respective marks and the identical and/or closely related nature of Applicant's services and Opposer's goods and services, it is alleged that Applicant's mark so resembles Opposer's registered PARTNERS IN LEADERSHIIP mark, previously used in the United States and not abandoned, as to be likely to cause confusion, to cause mistake or to deceive.

WHEREFORE, Opposer prays that Application Serial No. 77/716,290 be rejected and stricken, that no registration be issued thereon to Applicant, and that this opposition be sustained in favor of Opposer.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated:

July 1, 2010

By:

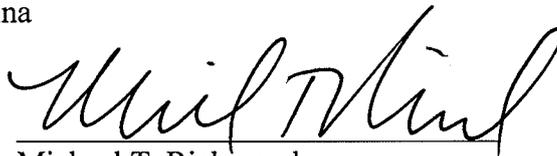


Diane M. Reed
Michael T. Richmond
2040 Main Street
Fourteenth Floor
Irvine, CA 92614
(949) 760-0404

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the foregoing **OPPOSER'S NOTICE OF OPPOSITION** upon Applicant by depositing one copy thereof in the United States Registered Mail, first-class postage prepaid on July 1, 2010, addressed as follows:

Dalto, Juan Carlos
F.J. Santa Maria de Oro 2835, P 23 2F
Buenos Aires, Argentina
1425


Michael T. Richmond