

ESTTA Tracking number: **ESTTA374333**

Filing date: **10/20/2010**

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 parties oppose registration of the indicated application.

Opposers Information

Name	Cherokee Nation
Granted to Date of previous extension	10/20/2010
Address	17675 South Muskogee Tahlequah, OK 74464 UNITED STATES

Name	Cherokee Nation Entertainment, L.L.C.
Granted to Date of previous extension	10/20/2010
Address	777 West Cherokee Street Catoosa, OK 74015 UNITED STATES

Attorney information	Anthony J. Jorgenson Hall, Estill, Hardwick, Gable, Golden & Nelson, P.C. 320 South Boston Avenue Suite 200 Tulsa, OK 74103 UNITED STATES ajorgenson@hallestill.com Phone:(918) 594-0400
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Applicant Information

Application No	77663620	Publication date	06/22/2010
Opposition Filing Date	10/20/2010	Opposition Period Ends	10/20/2010
Applicant	Taylor, Sonja 110 Eagle Road Covington, LA 70435 UNITED STATES		

Goods/Services Affected by Opposition

Class 044. First Use: 2000/01/01 First Use In Commerce: 2000/01/01 All goods and services in the class are opposed, namely: Breeding and stud services for horses
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Grounds for Opposition

Immoral or scandalous matter	Trademark Act section 2(a)
Deceptiveness	Trademark Act section 2(a)
False suggestion of a connection	Trademark Act section 2(a)

Priority and likelihood of confusion	Trademark Act section 2(d)
The mark is merely descriptive	Trademark Act section 2(e)(1)
Other	Applicant's mark has not acquired sufficient distinctiveness under Trademark Act section 2(f).

Marks Cited by Opposer as Basis for Opposition

U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	CHEROKEE		
Goods/Services	Governmental, social, financial, educational and other services, as well as numerous goods.		

U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	CHEROKEE NATION		
Goods/Services	Governmental, social, financial, educational and other services, as well as numerous goods.		

U.S. Registration No.	3592624	Application Date	01/21/2008
Registration Date	03/17/2009	Foreign Priority Date	NONE
Word Mark	CHEROKEE PHOENIX		
Design Mark			
Description of Mark	The mark consists of the wording "CHEROKEE PHOENIX" in English, the Cherokee characters meaning "CHEROKEE PHOENIX", and a design featuring a phoenix rising from flames beneath a banner topped with seven stars containing the Cherokee characters meaning "CHEROKEE PHOENIX".		
Goods/Services	<p>Class 016. First use: First Use: 1828/02/00 First Use In Commerce: 1828/02/00 Newspapers; daily newspaper; newspaper comic strips; newspapers in the field of Native American news and information; brochures about Native American news and information; pens; posters; books in the field of Native American news, history and information</p> <p>Class 041. First use: First Use: 2008/08/00 First Use In Commerce: 2008/08/00 Newspaper publication; newspaper publishing; publication of newspapers; publication of electronic newspapers accessible via a global computer network (world wide web); news reporting services; publication of brochures; publication of books</p>		

U.S. Registration No.	3641872	Application Date	02/02/2008
Registration Date	06/23/2009	Foreign Priority Date	NONE
Word Mark	GWY		

Design Mark	
Description of Mark	The mark consists of the wording "GWY" followed by non-Latin characters within a banner; beneath the banner design is a phoenix bird with wings spread rising out of a fire; in the background there are rays emanating out of the sun.
Goods/Services	Class 021. First use: First Use: 2007/07/00 First Use In Commerce: 2007/07/00 coasters, not of paper and other than table linen; cups and mugs; portable beverage coolers; portable coolers Class 025. First use: First Use: 2006/09/00 First Use In Commerce: 2006/09/00 T-shirts; sweat shirts; sweat pants; sweat bands; golf shirts; hoodies; tank tops; bowling shirts; jackets; wind shirts; wind resistant jackets; wind jackets; vests; fleece vests; fleece jackets; aprons; baseball caps

U.S. Registration No.	2961563	Application Date	04/21/2004
Registration Date	06/07/2005	Foreign Priority Date	NONE
Word Mark	CHEROKEE CASINO RESORT		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 041. First use: First Use: 2004/09/08 First Use In Commerce: 2004/09/08 Entertainment services, namely, providing golf course and gaming facilities Class 043. First use: First Use: 2004/09/08 First Use In Commerce: 2004/09/08 Resort lodging, hotel, restaurant and bar services		

U.S. Registration No.	2961562	Application Date	04/21/2004
Registration Date	06/07/2005	Foreign Priority Date	NONE
Word Mark	CHEROKEE HILLS GOLF CLUB		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 041. First use: First Use: 2004/09/08 First Use In Commerce: 2004/09/08 Entertainment services; namely, providing golf course facilities

U.S. Registration No.	3426163	Application Date	08/27/2007
Registration Date	05/13/2008	Foreign Priority Date	NONE
Word Mark	TEAM CHEROKEE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2006/08/06 First Use In Commerce: 2006/08/06 customer loyalty services and customer club services, for commercial, promotional and/or advertising purposes Class 041. First use: First Use: 2006/08/06 First Use In Commerce: 2006/08/06 conducting and providing facilities for special events featuring casino and gaming contests and tournaments; gambling services; casinos; conducting and providing facilities for special events featuring casino and gaming contests and tournaments; entertainment services, namely, arranging and conducting of competitions for casinos and gaming events; entertainment in the nature of competitions in the field of casinos and gaming; providing casino facilities; providing facilities for gaming tournaments; entertainment in the nature of gaming tournaments; entertainment services, namely, conducting live poker, blackjack and other Class II and III card game tournaments		

U.S. Registration No.	3690437	Application Date	08/27/2008
Registration Date	09/29/2009	Foreign Priority Date	NONE

Word Mark	CHEROKEE STAR REWARDS
Design Mark	
Description of Mark	NONE
Goods/Services	Class 041. First use: First Use: 2008/08/00 First Use In Commerce: 2008/08/00 Providing casino services featuring stored value membership cards for redeeming cash, discounts and other benefits

U.S. Registration No.	3693880	Application Date	08/27/2008
Registration Date	10/06/2009	Foreign Priority Date	NONE

Word Mark	CHEROKEE STAR REWARDS		
Design Mark			
Description of Mark	The mark consists of the words "CHEROKEE STAR REWARDS" in white, located to the right of the seven pointed "Cherokee" Nation star symbol in gray and white, surrounded by an alternating white and black circle, all on a red background.		
Goods/Services	Class 035. First use: First Use: 2008/08/00 First Use In Commerce: 2008/08/00 arranging and conducting incentive reward programs to promote the sale of gaming, casino, hotel and resort services		

U.S. Registration No.	3835089	Application Date	03/12/2010
Registration Date	08/17/2010	Foreign Priority Date	NONE
Word Mark	CHEROKEE CASINO WILL ROGERS DOWNS		

Design Mark	
Description of Mark	The mark consists of the stylized words "Cherokee Casino", incorporating curved lines, over the words "Will Rogers Downs" in block letters, with multiple lines on each side thereof, along with a stylized horse and rider over the word "Cherokee".
Goods/Services	Class 041. First use: First Use: 2005/12/00 First Use In Commerce: 2005/12/00 Entertainment services, namely, conducting horse racing and rodeo events; horse training; horse showing; entertainment services, namely, casino gaming; casinos; conducting and providing facilities for special events featuring casino and gaming contests and tournaments; providing casino facilities

U.S. Registration No.	2893642	Application Date	12/04/2003
Registration Date	10/12/2004	Foreign Priority Date	NONE

Word Mark	BLUE RIBBON DOWNS
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Design Mark	
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Description of Mark	NONE
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Goods/Services	<p>Class 036. First use: First Use: 1963/00/00 First Use In Commerce: 1963/00/00 Provision of horse track services, namely, on-track, off-track and inter-track betting and wagering services</p> <p>Class 041. First use: First Use: 1963/00/00 First Use In Commerce: 1963/00/00 Entertainment services, namely, organizing and conducting live and simulcast horse racing; provision of horse track services, namely conducting horse races, organizing and conducting pre- and post-race activities, namely providing party facilities rental services at racetracks for businesses and organizations; providing pre- and post-race entertainment services in the nature of live music performances at racetracks; providing pre- and post-race entertainment services in the nature of car shows and exhibitions at racetracks; and providing live commentary of horse races</p>
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U.S. Application/	NONE	Application Date	NONE
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Registration No.			
Registration Date	NONE		
Word Mark	CHEROKEE NATION ENTERPRISES		
Goods/Services	Goods, as well as entertainment services and/or advertising and business services.		

U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	CHEROKEE NATION ENTERTAINMENT		
Goods/Services	Goods, as well as entertainment services and/or advertising and business services.		

Related Proceedings	None
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Attachments	77376451#TMSN.jpeg (1 page)(bytes) 77387126#TMSN.jpeg (1 page)(bytes) 78405573#TMSN.jpeg (1 page)(bytes) 78405555#TMSN.jpeg (1 page)(bytes) 77265446#TMSN.jpeg (1 page)(bytes) 77557222#TMSN.jpeg (1 page)(bytes) 77557255#TMSN.jpeg (1 page)(bytes) 77957542#TMSN.jpeg (1 page)(bytes) 78336636#TMSN.jpeg (1 page)(bytes) notice.pdf (11 pages)(276124 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	/Anthony J. Jorgenson/
Name	Anthony J. Jorgenson
Date	10/20/2010

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

In the matter of Trademark Application Serial No.: 77663620
For the mark: **CHEROKEE ARABIANS**
Published in the Official Gazette on: June 22, 2010

**CHEROKEE NATION, a federally
recognized Indian tribe, and CHEROKEE
NATION ENTERTAINMENT, L.L.C.,**

Opposers,

v.

Opposition No. _____

Sonja Taylor,

Applicant.

NOTICE OF OPPOSITION

Cherokee Nation, a federally recognized Indian tribe 17675 S. Muskogee Tahlequah, OK 74464	Cherokee Nation Entertainment, L.L.C. 777 West Cherokee Street Catoosa, OK 74015
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The above-identified Opposers believe that they will be damaged by registration of the mark shown in the above-identified application, and hereby oppose the same.

The grounds for opposition are as follows:

1. Opposer **CHEROKEE NATION** is a federally recognized Indian tribe that provides governmental, social, financial, educational, and other services to its tribal citizens. There are approximately 109,724 citizens who live within Opposer **CHEROKEE NATION's** Tribal Jurisdictional Service Area and approximately 268,761 citizens dispersed throughout the world.

2. Opposer **CHEROKEE NATION** has used the mark **CHEROKEE NATION**, and more generally, the mark **CHEROKEE**, in conjunction with its governmental, social, financial, educational, and other services, since at least 1791 (Treaty of Holston, July 2, 1791), Opposer's first treaty with the United States of America. Opposer **CHEROKEE NATION**'s current governmental structure was established under the 1975 constitution, which was ratified by the Cherokee voters and was approved by the Secretary of Interior.

3. Since its initial use of its **CHEROKEE NATION** and **CHEROKEE** marks, Opposer **CHEROKEE NATION** has continuously used, advertised, promoted, and offered its governmental, social, financial, educational and other services, as well as numerous goods, under the **CHEROKEE NATION** and **CHEROKEE** marks with the result that individuals have come to know and recognize Opposer **CHEROKEE NATION**'s **CHEROKEE NATION** and **CHEROKEE** marks and to associate the same with Opposer **CHEROKEE NATION** and/or Opposer **CHEROKEE NATION**'s goods and services.

4. Opposer **CHEROKEE NATION** is the owner of the mark **CHEROKEE PHOENIX**, Registration No. 3592624. Opposer **CHEROKEE NATION** has used the mark **CHEROKEE PHOENIX** since at least 1828. Opposer **CHEROKEE NATION** registered the mark **CHEROKEE PHOENIX** for the following goods: "newspapers; daily newspaper; newspaper comic strips; newspapers in the field of Native American news and information; brochures about Native American news and information; pens; posters; books in the field of Native American news; history and information." Opposer **CHEROKEE NATION** also registered the mark **CHEROKEE PHOENIX** for the following services: "newspaper publication; newspaper publishing; publication of newspapers; publication of electronic

newspapers accessible via a global computer network (world wide web); news reporting services; publication of brochures; publication of books.”

5. Opposer **CHEROKEE NATION** is also the owner of the design mark, including the word **GWY**, Registration No. 3641872. The English translation of **GWY** on the design mark is “**CHEROKEE**.” Opposer’s Registration No. 3641872 is used in conjunction with the following goods: “coasters, not of paper and other than table linen; cups and mugs; portable beverage coolers; portable coolers” with use dating back to at least July 2007 and “T-shirts; sweat shirts; sweat pants; sweat bands; golf shirts; hoodies; tank tops; bowling shirts; jackets; wind shirts; wind resistant jackets; wind jackets; vests; fleece vests; fleece jackets; aprons; baseball caps” with use dating back to at least September 2006.

6. Since its initial use of its **CHEROKEE NATION, CHEROKEE, CHEROKEE PHOENIX,** and **GWY** marks, Opposer **CHEROKEE NATION** has continuously used, advertised, promoted, and offered its governmental, social, financial, educational and other services, as well as numerous goods, under the **CHEROKEE NATION, CHEROKEE, CHEROKEE PHOENIX,** and **GWY** marks with the result that individuals have come to know and recognize Opposer **CHEROKEE NATION**’s marks and to associate the same with Opposer **CHEROKEE NATION** and/or Opposer’s goods and services.

7. Opposer **CHEROKEE NATION ENTERTAINMENT, L.L.C.** (“**CNE**”) is a limited liability company organized under the laws of the **CHEROKEE NATION**, a federally recognized Indian tribe.

8. Opposer **CNE** is wholly owned by Cherokee Nation Businesses, L.L.C., a limited liability company organized under the laws of the **CHEROKEE NATION**, which is in turn

wholly owned by the **CHEROKEE NATION**. Opposer CNE's principal purpose is to help in the management of business affairs and/or commercial functions of the **CHEROKEE NATION**.

9. Opposer CNE operates six casinos, two golf courses, a 236-acre horse racetrack, two convenience stores, seven retail tobacco shops, and two gift shops. Opposer CNE employs over 2,800 persons. Twenty-five percent of Opposer CNE's net profits are paid to the **CHEROKEE NATION** to fund governmental and other services to citizens of the **CHEROKEE NATION**.

10. Opposer CNE has used the marks **CHEROKEE NATION ENTERTAINMENT** and/or **CHEROKEE NATION ENTERPRISES** in conjunction with its goods, entertainment services and/or advertising and business services since April 4, 1996. Opposer CNE's use of the marks **CHEROKEE NATION ENTERTAINMENT** and/or **CHEROKEE NATION ENTERPRISES** in conjunction with its goods, entertainment services and/or advertising and business services directly benefits the **CHEROKEE NATION** and its citizens.

11. Opposer CNE is also the owner of the following U.S. Trademark Registrations: Registration No. 2961563 for the mark **CHEROKEE CASINO RESORT**, issued June 7, 2005; Registration No. 2961562 for the mark **CHEROKEE HILLS GOLF CLUB**, issued June 7, 2005; Registration No. 3426163 for the mark **TEAM CHEROKEE**, issued May 13, 2008; Registration No. 3690437 for the mark **CHEROKEE STAR REWARDS**, issued September 29, 2009; and Registration No. 3693880 for the mark **CHEROKEE STAR REWARDS**, plus design, issued October 6, 2009 (the "Related Registrations"). The "Related Registrations" operate as prima facie and/or conclusive evidence of Opposer CNE's ownership of the marks set

forth therein in exclusive right to use same in connection with the goods and/or services listed in those registrations. 15 U.S.C. §§ 1065 and 1115(b).

12. Since its initial use of its **CHEROKEE NATION ENTERPRISES** mark, more recently its **CHEROKEE NATION ENTERTAINMENT** mark, and the Related Registrations, Opposer CNE has continuously used, advertised, promoted, and offered its goods, as well as its entertainment services and/or advertising and business services under the **CHEROKEE NATION ENTERPRISES** and **CHEROKEE NATION ENTERTAINMENT** mark and the Related Registrations, with the result that individuals have come to know and recognize Opposer CNE's **CHEROKEE NATION ENTERPRISES** and **CHEROKEE NATION ENTERTAINMENT** marks and the Related Registrations and to associate the same with Opposer CNE and/or Opposer CNE's goods and services.

13. On information and belief, on February 4, 2009, Applicant filed an Application for Registration of the mark **CHEROKEE ARABIANS**. The application was assigned Serial No. 77663620, and was published for opposition in the Official Gazette of June 22, 2010, for "breeding and stud services for horses" in International Class 044.

14. Throughout its history, Opposer **CHEROKEE NATION**'s members have bred and used horses as part of their cultural heritage. The breeding and use of horses are distinctive and significant attributes of Opposer **CHEROKEE NATION**'s history, culture and heritage.

15. Additionally, Opposer CNE owns and operates two horse-racing facilities, **CHEROKEE NATION WILL ROGERS DOWNS** and **BLUE RIBBON DOWNS**. The ownership of these facilities demonstrates the continuing importance of horse breeding, training, and racing to the **CHEROKEE NATION**'s history, culture and heritage.

16. Opposer **CNE** is the owner of the mark **CHEROKEE CASINO WILL ROGERS DOWNS**, Registration No. 3835089, for the following goods and/or services: "Entertainment services, namely, conducting horse racing and rodeo events; horse training; horse showing; entertainment services, namely, casino gaming; casinos; conducting and providing facilities for special events featuring casino and gaming contests and tournaments; providing casino facilities," in International Class 041 dating back to at least December 2005.

17. Opposer **CNE** is also the owner of the mark **BLUE RIBBON DOWNS**, Registration No. 2893642, for the following goods and/or services: "Provision of horse track services, namely, on-track, off-track and inter-track betting and wagering services" in International Class 036 and:

Entertainment services, namely, organizing and conducting live and simulcast horse racing; provision of horse track services, namely conducting horse races, organizing and conducting pre- and post-race activities, namely providing party facilities rental services at racetracks for businesses and organizations; providing pre- and post-race entertainment services in the nature of live music performances at racetracks; providing pre- and post-race entertainment services in the nature of car shows and exhibitions at racetracks; and providing live commentary of horse races

in International Class 041 dating back to at least 1963.

18. In submitting her Application, Applicant has claimed and represented a connection to and affiliation with Opposers, to wit:

The applicant would like to clarify that her "Cherokee Arabians" mark is used for her business in breeding "Arabian" horses, NOT Cherokee horses. The word "Cherokee" refers to her own Heritage. Ms. Taylor is a descendant of the Cherokee Native American people. As such, her "Cherokee Arabians" brand reflects the adaptation of the Cherokee people's tradition in breeding ethics to the separate "Arabian" breed of horses. These Arabian horses are descendants from the desert horses developed over 2000 years ago in the Middle East. This is also evident in the pictures attached to this response that are available at www.CherokeeArabians.com. These pictures, showing the applicant dressed in Cherokee clothing

with the Arabian horses, document the distinctive description of the Cherokee people in conjunction with Arabian horses.

Applicant's Response to Office Action, submitted October 31, 2009.

19. On information and belief, Applicant's goods and services are and/or will be advertised, promoted, and offered through the same and/or similar channels of trade and to the same general class of individuals as Opposers and/or Opposers' goods and/or services are offered under Opposers' **CHEROKEE NATION, CHEROKEE, CHEROKEE PHOENIX, GWY, CHEROKEE CASINO WILL ROGERS DOWNS, and BLUE RIBBONS DOWNS** marks.

20. Applicant's **CHEROKEE ARABIANS** mark so closely resembles Opposers' **CHEROKEE NATION, CHEROKEE, CHEROKEE PHOENIX, GWY, and CHEROKEE CASINO WILL ROGERS DOWNS** marks that the registration and use of **CHEROKEE ARABIANS** by Applicant is likely to cause confusion, mistake and deception within the meaning of Section 2(d) of the Trademark Act of 1946 (15 U.S.C. § 1052(d)) and will result in irreparable damage and injury to Opposers.

21. Applicant's **CHEROKEE ARABIANS** mark so closely resembles Opposers' **CHEROKEE NATION, CHEROKEE, CHEROKEE PHOENIX, GWY, and CHEROKEE CASINO WILL ROGERS DOWNS** marks that the registration and use of **CHEROKEE ARABIANS** by Applicant will falsely suggest a connection with Opposers in violation of Section 2(a) of the Trademark Act of 1946 (15 U.S.C. § 1052(a)) and will result in irreparable damage and injury to Opposers.

22. Applicant's **CHEROKEE ARABIANS** mark is misrepresentative of a connection with and/or association with Opposers and is deceptive in violation of Section 2(a) of the Trademark Act of 1946 (15 U.S.C. § 1052(a)).

23. Applicant's proposed registration and use of the mark **CHEROKEE ARABIANS** is disparaging to Opposers and Opposer **CHEROKEE NATION**'s members and will bring Opposers' **CHEROKEE NATION, CHEROKEE, CHEROKEE PHOENIX, GWY,** and **CHEROKEE CASINO WILL ROGERS DOWNS** marks into disrepute in violation of Section 2(a) of the Trademark Act of 1946 (15 U.S.C. § 1052(a)), and will result in irreparable damage and injury to Opposers.

24. Applicant's **CHEROKEE ARABIANS** mark is not entitled to registration because Applicant's use of the **CHEROKEE ARABIANS** has been insufficient, and therefore, the mark has not acquired sufficient distinctiveness under Section 2(f) of the Trademark Act of 1946 (15 U.S.C. § 1052(f)).

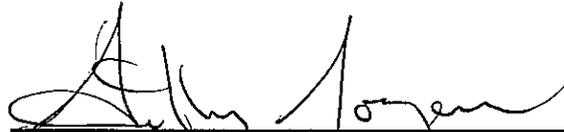
25. The United States government owes a fiduciary trust obligation to federally recognized Indian tribes, including Opposer **CHEROKEE NATION**. Among other things, the federal government is obligated to ensure that Indian property is protected. For the Trademark Office, that obligation means the protection of Indian tribes' specific items of intellectual property -- in this case, the Opposers' rights in the term, **CHEROKEE**. Applicant's proposed appropriation, registration and use of the mark **CHEROKEE ARABIANS** will falsely lead consumers to believe that Applicant's goods and/or services are made by, sponsored by, and/or otherwise affiliated with, Opposers and will prohibit Opposers from using their own names to identify such goods and/or services now or in the future in violation of the federal government's trust obligation to Opposers.

26. Opposers believe that they will be damaged by the registration by Applicant of the **CHEROKEE ARABIANS** mark, as set forth in Applicant's Application, Serial No. 77663620, and that if registration on the opposed application is granted, and the presumptions

accorded to such registration are conferred under the Trademark Act of 1946, as amended, Applicant will receive benefits to which she is not entitled, to the damage and detriment of Opposers, and their **CHEROKEE NATION, CHEROKEE, CHEROKEE PHOENIX, GWY,** and **CHEROKEE CASINO WILL ROGERS DOWNS** marks.

WHEREFORE, and in view of Opposers' registration and use of the marks **CHEROKEE NATION, CHEROKEE, CHEROKEE PHOENIX, GWY,** and **CHEROKEE CASINO WILL ROGERS DOWNS** marks to which Applicant's mark is confusingly similar, Opposers pray that this opposition be sustained and that registration of the mark **CHEROKEE ARABIANS**, based on Applicant's Application Serial No. 77663620, filed February 4, 2009, be refused and denied.

Respectfully submitted this 20th day of October, 2010.



Anthony J. Jorgenson, OBA #17074
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GOLDEN & NELSON, P.C.**
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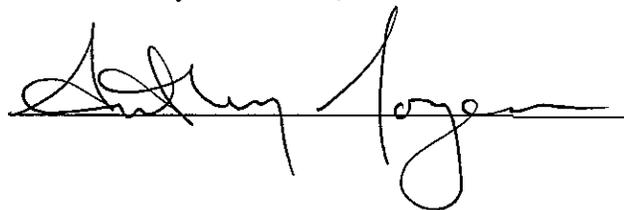
and

A. Diane Hammons OBA #10835
Attorney General
Cherokee Nation
PO Box 948
Tahlequah, OK 74465-0948
Telephone (918) 453-5282
Facsimile (918) 458-5099

**ATTORNEYS FOR OPPOSERS,
CHEROKEE NATION, A FEDERALLY
RECOGNIZED INDIAN TRIBE, AND
CHEROKEE NATION
ENTERTAINMENT, LLC.**

CERTIFICATE OF TRANSMISSION

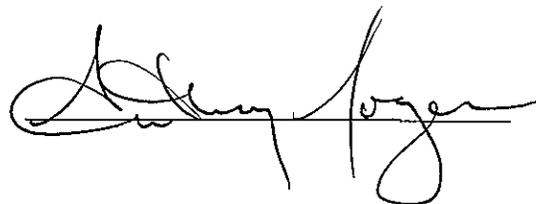
I hereby certify that this correspondence is being electronically transmitted via ESTTA to the United States Patent and Trademark Office on this 20th day of October, 2010.



CERTIFICATE OF SERVICE

I, the undersigned, pursuant to Trademark Trial and Appeal Board Rules 2.111 and 2.119, do hereby certify that on the 20th day of October, 2010, a true and correct copy of the above and foregoing NOTICE OF OPPOSITION was sent by U.S. Mail, first-class, with proper postage thereon fully paid, to:

Sonja Taylor
Cherokee Arabians
80515 Elliott Rd
Bush LA 70431

A handwritten signature in black ink, appearing to read "Sonja Taylor", written over a horizontal line.

1169075.1:231629:02060