

ESTTA Tracking number: **ESTTA381017**

Filing date: **11/30/2010**

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	BCP Imports, LLC		
Entity	Limited Liability Company	Citizenship	Ohio
Address	148 Main Street Toledo, OH 43605 UNITED STATES		

Attorney information	Robert M. Leonardi MacMillan, Sobanski & Todd, LLC 720 Water Street Fifth Floor Toledo, OH 43604 UNITED STATES docketing@mstfirm.com Phone:419-255-5900		
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Applicant Information

Application No	85118880	Publication date	11/09/2010
Opposition Filing Date	11/30/2010	Opposition Period Ends	12/09/2010
Applicant	Howard Montag Group LLC 2200 W Houston Street Broken Arrow, OK 74012 UNITED STATES		

Goods/Services Affected by Opposition

Class 014. All goods and services in the class are opposed, namely: Watches
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Grounds for Opposition

The mark is merely descriptive	Trademark Act section 2(e)(1)
Genericness	Trademark Act section 23

Attachments	Slap.pdf (1 page)(23943 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	/robertmleonardi/
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Name	Robert M. Leonardi
Date	11/30/2010

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application: 85-118,880
Mark: SLAP
Applicant: Howard Montag Group LLC
Opposer: BCP Imports, LLC

NOTICE OF OPPOSITION

1. Opposer BCP Imports, LLC is in the business of selling various products, including slap watches.
2. A slap watch is a slap bracelet with a watch attached.
3. SLAP is a generic term which has been used to describe a type of wristwatch using a slap bracelet band.
4. SLAP is merely descriptive of a type of wristwatch using a slap bracelet band.
5. For the above reasons, registration of the subject mark should be refused.

Respectfully submitted,

Robert M. Leonardi
Reg. No. 27,815

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