

ESTTA Tracking number: **ESTTA420648**

Filing date: **07/19/2011**

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	United Talent Agency, Inc.
Granted to Date of previous extension	07/23/2011
Address	9560 Wilshire Boulevard Beverly Hills, CA 90212 UNITED STATES
Correspondence information	Douglas H. Morseburg Attorney for Opposer Sheldon Ma & Anderson 100 Corson Street, 3rd Floor Pasadena, CA 91103 UNITED STATES douglas.morseburg@usip.com Phone:626.796.4000

Applicant Information

Application No	85209398	Publication date	05/24/2011
Opposition Filing Date	07/19/2011	Opposition Period Ends	07/23/2011
Applicant	Hood Dreams LLC 36293 Revington Ln. Murrieta, CA 92562 UNITED STATES		

Goods/Services Affected by Opposition

Class 035. First Use: 2010/11/17 First Use In Commerce: 2010/12/22
All goods and services in the class are opposed, namely: Advertising, marketing and promotion services; Promoting the parties and special events of others

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
--------------------------------------	----------------------------

Mark Cited by Opposer as Basis for Opposition

U.S. Registration No.	2695036	Application Date	11/29/2001
Registration Date	03/11/2003	Foreign Priority Date	NONE
Word Mark	UNITED TALENT AGENCY		

Design Mark	UNITED TALENT AGENCY
Description of Mark	NONE
Goods/Services	Class 035. First use: First Use: 1991/03/00 First Use In Commerce: 1991/03/00 employment talent agencies

Attachments	76343362#TMSN.gif (1 page)(bytes) 20110719 Statement of Opposition.pdf (2 pages)(16194 bytes)
-------------	---

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	/dougashmorseburg/
Name	Douglas H. Morseburg
Date	07/19/2011

Opposer United Talent Agency, Inc. believes that it will be damaged by registration of the mark which is the subject of Application Serial No. 85/209398 (the “Application”) and it hereby opposes same. As grounds for its opposition, Opposer hereby alleges as follows:

1. Opposer is a corporation duly incorporated under the laws of the State of California with its principal place of business in the County of Los Angeles.
2. Opposer is informed and it believes that Hood Dreams LLC (“Applicant”) is a limited liability company organized and existing under the laws of the State of California.
3. Opposer is informed and it believes that, on or about January 3, 2011, Applicant filed an application with the U.S. Patent and Trademark Office seeking to register the mark TALENT UNITED PROMOTIONS (the “MARK”) for use in connection with “[a]dvertising, marketing and promotion services; [and] [p]romoting the parties and special events of others” in International Class 35.
4. Opposer adopted and has been using the mark UNITED TALENT AGENCY in interstate commerce in the United States continuously since at least March 1991 in connection with, among other things, employment talent agency services in International Class 35, which services are related to the services goods for which Applicant seeks registration.
5. Opposer is also the owner of a U.S. trademark registration for its UNITED TALENT AGENCY mark, namely, Reg. No. 2,695,036 (the “’036 Registration”) which issued on March 11, 2003. The ‘036 Registration constitutes prima facie evidence of the validity of the UNITED TALENT AGENCY mark, of Opposer’s ownership of that mark, and of Opposer’s exclusive right to use the UNITED TALENT AGENCY mark in connection with the services specified in that registration and in connection with related services. Moreover, pursuant to the provisions of Section 15 of the Lanham Act, 15 U.S.C. § 1065, Opposer’s right to use the

UNITED TALENT AGENCY mark in connection with the services specified in the '036
Registration is incontestable.

6. The issuance of a registration to Applicant for the MARK for use in connection
with Applicant's services is likely to cause confusion, mistake or deception in violation of
Section 2(d) of the Lanham Act, 15 U.S.C. § 1052(d).

For the foregoing reasons, registration of the MARK to Applicant should be denied.