

ESTTA Tracking number: **ESTTA473255**

Filing date: **05/18/2012**

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	RIPL Corp.
Granted to Date of previous extension	05/19/2012
Address	3614 E Columbia St Seattle, WA 98122 UNITED STATES

Attorney information	Michael G. Atkins Atkins Intellectual Property, PLLC 93 South Jackson Street #18483 Seattle, WA 98104-2818 UNITED STATES mike@atkinsip.com Phone:206-628-0983
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Applicant Information

Application No	85454969	Publication date	03/20/2012
Opposition Filing Date	05/18/2012	Opposition Period Ends	05/19/2012
Applicant	Google Inc. 1600 Amphitheatre Parkway Mountain View, CA 94043 UNITED STATES		

Goods/Services Affected by Opposition

Class 035. All goods and services in the class are opposed, namely: Marketing, advertising and promotion services
Class 042. All goods and services in the class are opposed, namely: Providing temporary use of online non-downloadable software for the visualization of user-generated content in online member communities

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
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Mark Cited by Opposer as Basis for Opposition

U.S. Registration No.	3490487	Application Date	04/01/2006
Registration Date	08/19/2008	Foreign Priority Date	NONE

Word Mark	RIPL
Design Mark	
Description of Mark	NONE
Goods/Services	<p>Class 038. First use: First Use: 2007/03/27 First Use In Commerce: 2007/03/27 Electronic, electric, and digital transmission of voice, data, images, signals, and messages over the global computer information network; Providing on-line chat rooms and electronic bulletin boards for transmission of messages among users in the field of general interest; Providing on-line chat rooms for transmission of messages among computer users concerning personal communications</p> <p>Class 042. First use: First Use: 2007/03/27 First Use In Commerce: 2007/03/27 Computer services, namely, acting as an application service provider in the field of knowledge management to host computer application software for the collection, editing, organizing, modifying, book marking, transmission, storage and sharing of data and information; Hosting of digital content on the Internet</p>

Attachments	78851967#TMSN.jpeg (1 page)(bytes) Notice of Opposition - RIPPLES.pdf (3 pages)(11800 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	/Michael G. Atkins/
Name	Michael G. Atkins
Date	05/18/2012

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

In the matter of Registration No. 85454969

Trademark: RIPPLES

Publication Date: March 20, 2012

Opposition Deadline Extended to: May 19, 2012

RIPL CORP., Opposer, v. GOOGLE INC., Applicant	Opposition No.
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NOTICE OF OPPOSITION

Opposer RIPL Corp., is a Washington corporation located at 3614 E Columbia Street, Seattle, WA 98122.

Applicant Google Inc., is a Delaware corporation located at 1600 Amphitheatre Parkway, Mountain View, CA 94043.

Opposer believes it would be damaged if Applicant's application to register RIPPLES as a trademark with the U.S. Patent and Trademark Office (Serial No. 85454969) is approved for registration on the Principal Register. Therefore, Opposer opposes Applicant's application for the reasons stated below.

1. Opposer owns RIPL as a registered trademark (Reg. No. 3490487) in International Class 38 for "Electronic, electric, and digital transmission of voice, data, images, signals, and messages over the global computer information network; Providing on-line chat rooms and electronic bulletin boards for transmission of messages among users in the field of general interest; Providing on-line chat rooms for transmission of

messages among computer users concerning personal communications”; and in International Class 42 for “Computer services, namely, acting as an application service provider in the field of knowledge management to host computer application software for the collection, editing, organizing, modifying, book marking, transmission, storage and sharing of data and information; Hosting of digital content on the Internet.”

2. Opposer also has common law rights in its trademark and trade name.

3. Opposer has used RIPL as a trademark and trade name in commerce since at least as early as March 27, 2007.

4. On October 24, 2011, Applicant filed an intent-to-use application to register RIPPLES as a trademark with the U.S. Patent and Trademark Office (Serial No. 85454969) in International Class 35 for “Marketing, advertising and promotion services” and in International Class 42 for “Providing temporary use of online non-downloadable software for the visualization of user-generated content in online member communities.”

5. Opposer used RIPL as a trademark and trade name for more than four years before Applicant filed its intent-to-use application to register RIPPLES as a trademark. Consequently Opposer’s rights in its RIPL trademark and trade name are superior to, and have priority over, any conflicting rights Applicant can claim in its RIPPLES trademark.

6. Applicant’s RIPPLES trademark and associated services is confusingly similar to Opposer’s RIPL trade name and trademark and associated services.

7. The registration Applicant seeks is likely to cause confusion, cause mistake, or deceive the consuming public in the United States, and cause consumers in the United States to mistakenly believe that Applicant’s services emanate from, are authorized or endorsed by, or are otherwise connected with Opposer in violation of Section 2(d) of the Lanham Act, 15 U.S.C. § 1052(d).

WHEREFORE, Opposer prays that the U.S. Trademark Trial and Appeal Board sustain this opposition and deny Applicant's application to register RIPPLES as a trademark.

Respectfully submitted this 18th day of May, 2012.

By /s/ Michael G. Atkins
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CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing was served on May 18, 2012, by email and U.S. Mail on:

Google Inc.
1600 Amphitheatre Parkway
Mountain View, CA 94043
tmdocketing@google.com
Applicant

/s/ Michael G. Atkins
Michael G. Atkins